

# FEDERAL REGISTER

VOLUME 35

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Agencies in this issue—

The President  
Agricultural Research Service  
Agricultural Stabilization and  
Conservation Service  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Consumer and Marketing Service  
Education Office  
Federal Aviation Administration  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Home Loan Bank Board  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
Fiscal Service  
Forest Service  
General Services Administration  
Housing and Urban Development  
Department  
Interior Department  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
Pipeline Safety Office  
Securities and Exchange Commission  
Wage and Hour Division

Detailed list of Contents appears inside.



Just Released

## CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1970)

Title 16—Commercial Practices (Part 150—End)-----	\$2. 00
Title 26—Internal Revenue Part 1 (§§ 1.0—1—1.300)---	3. 00
Title 28—Judicial Administration -----	0. 75

[A Cumulative checklist of CFR issuances for 1970 appears in the first issue of the Federal Register each month under Title 1]

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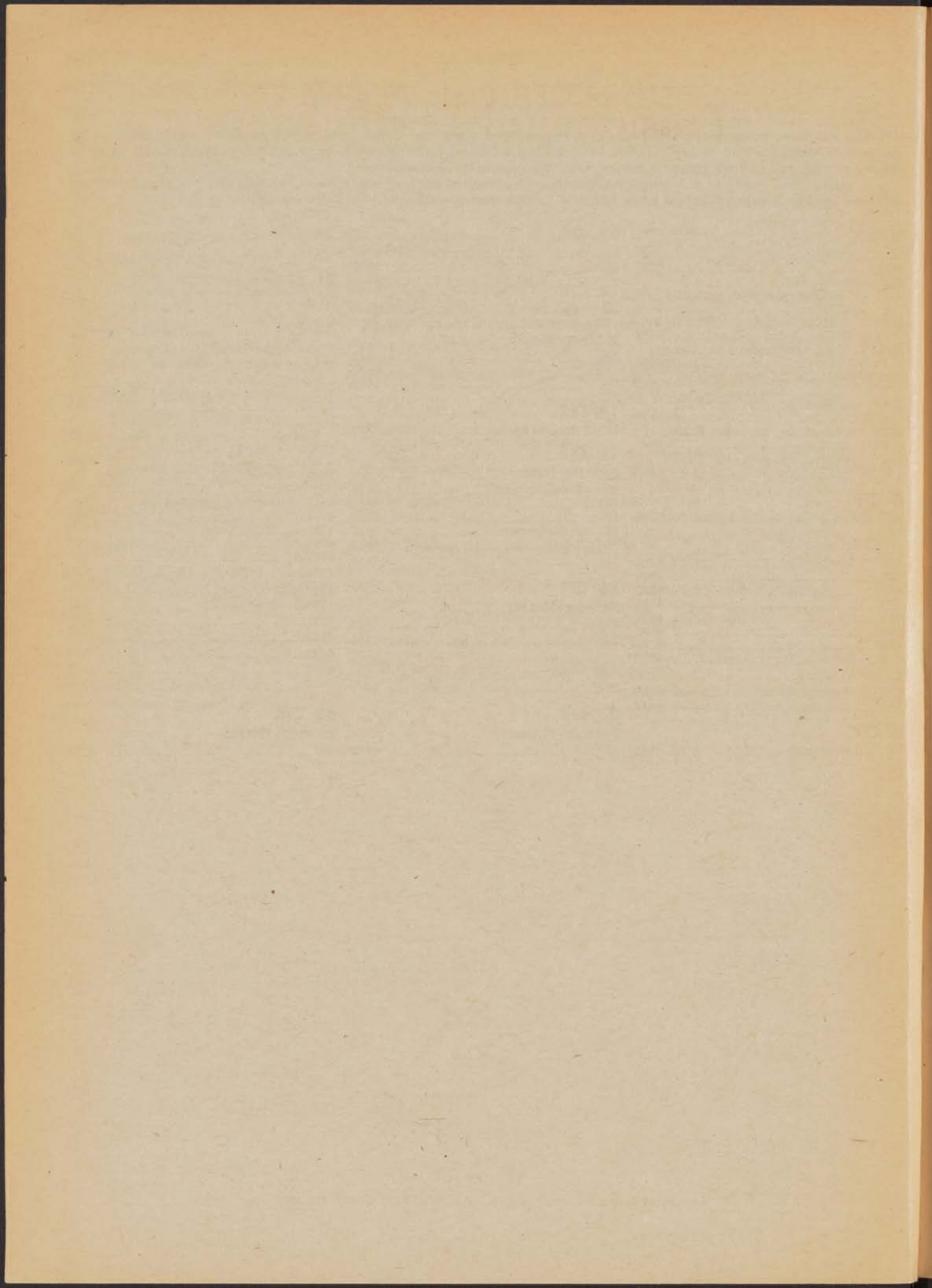
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# Presidential Documents

## Title 3—THE PRESIDENT

### Proclamation 3970

#### NATIONAL FARM SAFETY WEEK, 1970

By the President of the United States of America

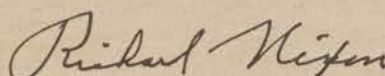
#### A Proclamation

The efficiency of American agriculture and the quality of life for agricultural workers is threatened today by the continued high rate of farm accidents. Many thousands of farm residents lose their lives or are seriously injured in accidents every year. Both the human and the financial costs of these accidents are intolerable.

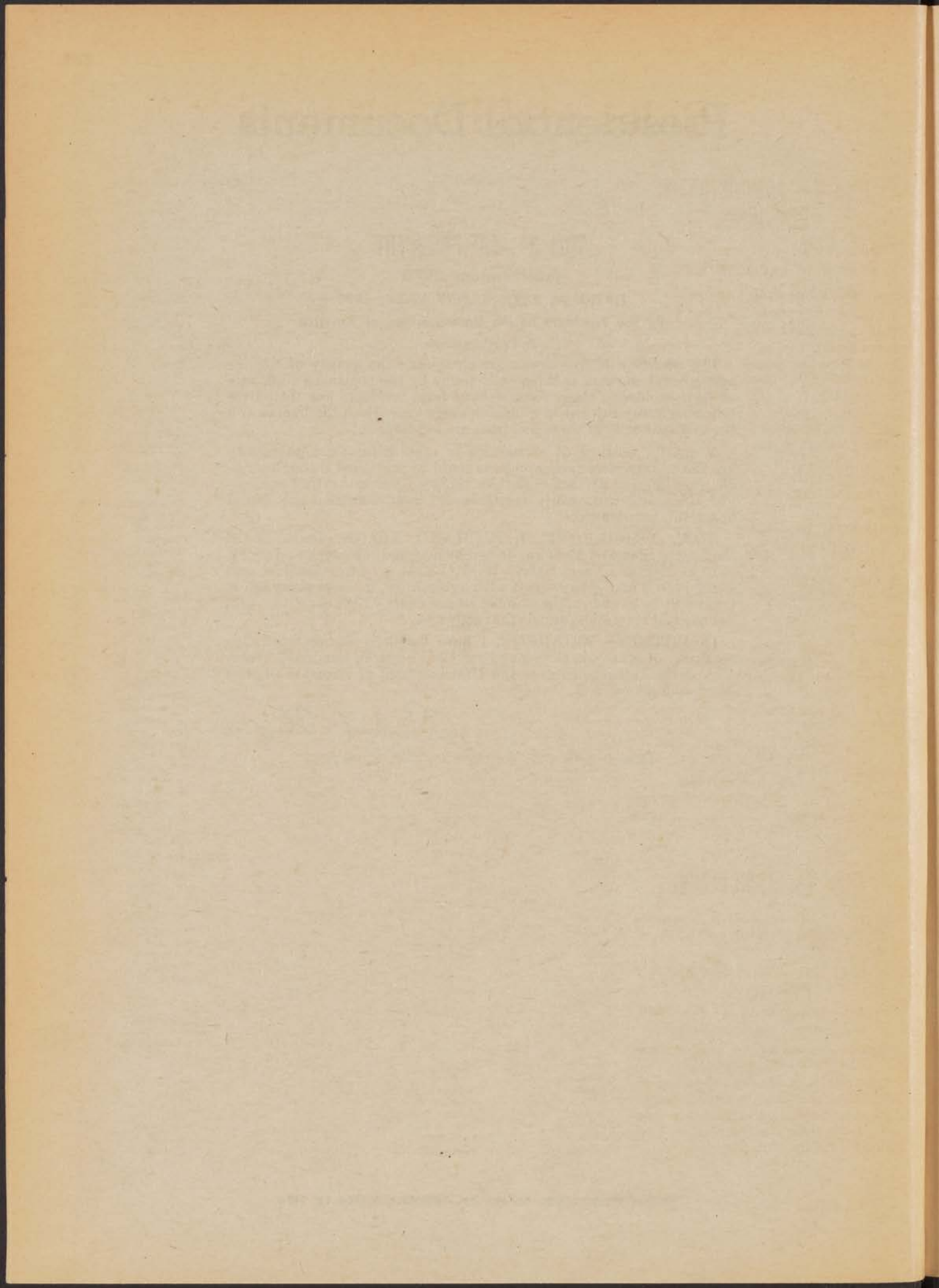
A quarter century of experience in organizing for rural safety has shown that most farm accidents could be prevented through sensible practices and protective devices. Safety information and mechanical safeguards are readily available and their consistent use should be actively encouraged.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week of July 19, 1970 as National Farm Safety Week. I urge all farm families, and every person and group allied with agriculture, to make every effort permanently to reduce the number of accidents which occur at work, in homes, at recreation, and on the roadways.

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



[F.R. Doc. 70-3053; Filed, Mar. 10, 1970; 12:35 p.m.]





# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

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

#### Department of Commerce

Section 213.3314 is amended to show that one position of Secretary (interdepartmental activities), Office of Foreign Direct Investments and, during the 1970 Decennial Census period, one position of Confidential Research Assistant to the Director, Bureau of the Census, are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (20) is added under paragraph (a) and subparagraph (2) is added to paragraph (d) of § 213.3314 as set out below.

§ 213.3314 Department of Commerce.

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

(20) One Secretary (interdepartmental activities), Office of Foreign Direct Investments.

\* \* \* \* \*

(d) *Bureau of the Census.* \* \* \*

(2) During the 1970 Decennial Census period, one Confidential Research Assistant to the Director.

\* \* \* \* \*

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

#### UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-3010; Filed, Mar. 11, 1970; 8:50 a.m.]

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

#### PART 401—FEDERAL CROP INSURANCE

#### Subpart—Regulations for the 1969 and Succeeding Crop Years

#### COUNTIES DESIGNATED FOR COTTON CROP INSURANCE; APPENDIX

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for cotton crop insurance for the 1971 crop year.

Barbour.  
Blount.  
Cherokee.  
Chilton.  
Coffee.  
Colbert.  
Conecuh.  
Covington.  
Crenshaw.  
Cullman.  
Dale.  
Dallas.  
De Kalb.  
Escambia.  
Etowah.  
Geneva.

Maricopa.  
Pinal.

Arkansas.  
Ashley.  
Chicot.  
Clay.  
Craighead.  
Crittenden.  
Cross.  
Desha.  
Greene.  
Jackson.  
Jefferson.  
Lawrence.

Fresno.  
Imperial.  
Kern.  
Kings.

Jackson.

Baker.  
Ben Hill.  
Brooks.  
Bulloch.  
Calhoun.  
Candler.  
Clay.  
Coffee.  
Colquitt.  
Cook.  
Crisp.  
Decatur.  
Dooly.  
Early.

Fulton.

Acadia.  
Avoyelles.  
Bossier.  
Caddo.  
Caldwell.  
Catahoula.  
Concordia.  
East Carroll.  
Evangeline.  
Franklin.

Alcorn.  
Benton.  
Bolivar.  
Calhoun.  
Carroll.  
Chickasaw.  
Coahoma.  
De Soto.

#### ALABAMA

Hale.  
Henry.  
Houston.  
Jackson.  
Lauderdale.  
Lawrence.  
Limestone.  
Madison.  
Marshall.  
Morgan.  
Pickens.  
Pike.  
Shelby.  
Talladega.  
Tuscaloosa.

#### ARIZONA

Yuma.

#### ARKANSAS

Lee.  
Lincoln.  
Lonoke.  
Mississippi.  
Monroe.  
Phillips.  
Poinsett.  
Prairie.  
Randolph.  
St. Francis.  
Woodruff.

#### CALIFORNIA

Madera.  
Merced.  
Riverside.  
Tulare.

#### FLORIDA

#### GEORGIA

Irwin.  
Lee.  
Miller.  
Mitchell.  
Randolph.  
Sumter.  
Tattnall.  
Terrell.  
Thomas.  
Tift.  
Toombs.  
Turner.  
Worth.

#### KENTUCKY

#### LOUISIANA

Madison.  
Morehouse.  
Natchitoches.  
Pointe Coupee.  
Rapides.  
Red River.  
Richland.  
St. Landry.  
Tensas.  
West Carroll.

#### MISSISSIPPI

Hinds.  
Holmes.  
Humphreys.  
Issaquena.  
Jefferson Davis.  
Lee.  
Leflore.  
Madison.

#### MISSISSIPPI—Continued

Monroe.  
Panola.  
Pontotoc.  
Prentiss.  
Quitman.  
Sharkey.  
Sunflower.

Tallahatchie.  
Tippah.  
Tunica.  
Union.  
Washington.  
Yazoo.

#### MISSOURI

Butler.  
Dunklin.  
Mississippi.  
New Madrid.

Pemiscot.  
Scott.  
Stoddard.

#### NEW MEXICO

Chaves.  
Dona Ana.

Eddy.  
Lea.

#### NORTH CAROLINA

Anson.  
Bertie.  
Chowan.  
Cleveland.  
Cumberland.  
Edgecombe.  
Franklin.  
Greene.  
Halifax.  
Harnett.  
Hertford.  
Hoke.  
Iredell.  
Johnston.  
Lincoln.  
Mecklenburg.

Montgomery.  
Moore.  
Nash.  
Northampton.  
Pitt.  
Richmond.  
Robeson.  
Rowan.  
Rutherford.  
Sampson.  
Scotland.  
Union.  
Warren.  
Wayne.  
Wilson.

#### OKLAHOMA

Beckham.  
Caddo.  
Grady.  
Harmon.

Jackson.  
Kiowa.  
Tillman.  
Washita.

#### SOUTH CAROLINA

Aiken.  
Allendale.  
Anderson.  
Bamberg.  
Barnwell.  
Calhoun.  
Chester.  
Chesterfield.  
Clarendon.  
Darlington.  
Dillon.  
Dorchester.  
Edgefield.  
Florence.

Greenville.  
Hampton.  
Kershaw.  
Laurens.  
Lee.  
Lexington.  
Marion.  
Marlboro.  
Orangeburg.  
Saluda.  
Spartanburg.  
Sumter.  
Williamsburg.  
York.

#### TENNESSEE

Carroll.  
Chester.  
Crockett.  
Dyer.  
Fayette.  
Franklin.  
Gibson.  
Giles.  
Hardeman.  
Haywood.  
Henderson.

Lake.  
Lauderdale.  
Lawrence.  
Lincoln.  
McNairy.  
Madison.  
Obion.  
Shelby.  
Tipton.  
Weakley.

#### TEXAS

Austin.  
Bailey.  
Bell.  
Bosque.  
Brazos.  
Briscoe.  
Burlison.  
Calhoun.  
Castro.  
Cochran.  
Collin.  
Crosby.

Culberson.  
Dawson.  
Deaf Smith.  
Denton.  
Ellis.  
El Paso.  
Falls.  
Fannin.  
Floyd.  
Fort Bend.  
Garza.  
Grayson.

## TEXAS—Continued

Hale.  
Haskell.  
Hill.  
Hockley.  
Hudspeth.  
Hunt.  
Knox.  
Lamar.  
Lamb.  
Limestone.  
Lubbock.  
Lynn.  
Matagorda.  
McLennan.  
Milam.  
Navarro.

Nueces.  
Parmer.  
Pecos.  
Presidio.  
Reeves.  
Refugio.  
Robertson.  
San Patricio.  
Swisher.  
Terry.  
Travis.  
Victoria.  
Wharton.  
Wilbarger.  
Williamson.

## VIRGINIA

Greensville. Southampton.  
(Secs. 506, 516, 52 Stat. 73, as amended, 77,  
as amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 70-2976; Filed, Mar. 11, 1970;  
8:47 a.m.]

PART 401—FEDERAL CROP  
INSURANCESubpart—Regulations for the 1969  
and Succeeding Crop YearsCOUNTIES DESIGNATED FOR GRAIN SOR-  
GHUM CROP INSURANCE; APPENDIX

Pursuant to authority contained in  
§ 401.101 of the above-identified regula-  
tions, as amended, the following counties  
have been designated for grain sorghum  
crop insurance for the 1971 crop year.

## ARIZONA

Maricopa. Yuma.  
Pinal.

## COLORADO

Kit Carson.

## KANSAS

Allen. McPherson.  
Anderson. Meade.  
Atchison. Miami.  
Barton. Mitchell.  
Bourbon. Montgomery.  
Brown. Morris.  
Butler. Nemaha.  
Chase. Neosho.  
Clay. Osage.  
Cloud. Osborne.  
Coffey. Ottawa.  
Cowley. Pawnee.  
Crawford. Phillips.  
Dickinson. Pottawatomie.  
Doniphan. Pratt.  
Douglas. Reno.  
Elk. Republic.  
Ellis. Rice.  
Ellsworth. Riley.  
Finney. Rooks.  
Franklin. Rush.  
Geary. Russell.  
Grant. Saline.  
Greenwood. Scott.  
Harvey. Sedgwick.  
Haskell. Seward.  
Jackson. Shawnee.  
Jefferson. Smith.  
Jewell. Stafford.  
Johnson. Stanton.  
Kearny. Stevens.  
Kingman. Sumner.  
Labette. Wabaunsee.  
Lincoln. Washington.  
Linn. Wichita.  
Lyon. Wilson.  
Marion. Woodson.  
Marshall.

Atchison.  
Bates.  
  
Adams.  
Boone.  
Butler.  
Cass.  
Clay.  
Colfax.  
Dodge.  
Fillmore.  
Franklin.  
Gage.  
Hall.  
Hamilton.  
Jefferson.  
Johnson.  
Kearney.  
Lancaster.

Curry.

Alfalfa.  
Blaine.  
Caddo.  
Canadian.  
Craig.  
Delaware.  
Garfield.  
Grady.  
Grant.

Bon Homme.  
Charles Mix.  
Davison.  
Douglas.

Bailey.  
Bell.  
Bosque.  
Briscoe.  
Calhoun.  
Carson.  
Castro.  
Collin.  
Crosby.  
Dallam.  
Deaf Smith.  
Denton.  
Ellis.  
Falls.  
Floyd.  
Fort Bend.  
Grayson.  
Hale.  
Hansford.  
Hartley.  
Hill.  
Hunt.

(Secs. 506, 516, 52 Stat. 73, as amended, 77,  
as amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 70-2975; Filed, Mar. 11, 1970;  
8:47 a.m.]

PART 401—FEDERAL CROP  
INSURANCESubpart—Regulations for the 1969  
and Succeeding Crop YearsPARISHES DESIGNATED FOR SUGARCANE  
CROP INSURANCE; APPENDIX

Pursuant to authority contained in  
§ 401.101 of the above-identified regu-  
lations, the following parishes have been

## MISSOURI

Henry.  
Vernon.

## NEBRASKA

Madison.  
Nance.  
Nemaha.  
Nuckolls.  
Otoe.  
Pawnee.  
Platte.  
Polk.  
Richardson.  
Saline.  
Saunders.  
Seward.  
Thayer.  
Webster.  
York.

## NEW MEXICO

Lea.

## OKLAHOMA

Jackson.  
Kay.  
Kiowa.  
Mayes.  
Nowata.  
Ottawa.  
Texas.  
Tillman.  
Washita.

## SOUTH DAKOTA

Hanson.  
Hutchinson.  
Sanborn.

## TEXAS

Hutchinson.  
Lamb.  
Lubbock.  
Matagorda.  
McLennan.  
Milam.  
Moore.  
Navarro.  
Nueces.  
Ochiltree.  
Oldham.  
Parmer.  
Randall.  
Refugio.  
San Patricio.  
Sherman.  
Swisher.  
Travis.  
Victoria.  
Wharton.  
Wilbarger.  
Williamson.

designated for sugarcane crop insurance  
for the 1971 crop year.

## LOUISIANA

Ascension. St. James.  
Assumption. St. John the Baptist.  
Iberia. St. Martin.  
Iberville. St. Mary.  
Lafourche. Terrebonne.  
Pointe Coupee. West Baton Rouge.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as  
amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 70-2973; Filed, Mar. 11, 1970;  
8:47 a.m.]

PART 407—TUNG NUT CROP  
INSURANCESubpart—Regulations for the 1965  
and Succeeding Crop YearsCOUNTY DESIGNATED FOR TUNG NUT CROP  
INSURANCE; APPENDIX

Pursuant to authority contained in  
§ 407.1 of the above-identified regula-  
tions, the following county has been des-  
ignated for tung nut crop insurance for  
the 1971 crop year.

## FLORIDA

Jackson.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as  
amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 70-2972; Filed, Mar. 11, 1970;  
8:47 a.m.]

## PART 411—GRAPE CROP INSURANCE

Subpart—Regulations for the 1967  
and Succeeding Crop YearsCOUNTIES DESIGNATED FOR GRAPE CROP  
INSURANCE; APPENDIX

Pursuant to authority contained in  
§ 411.1 of the above-identified regula-  
tions, the following counties have been  
designated for grape crop insurance for  
the 1971 crop year.

## NEW YORK

Chautauqua Seneca  
Niagara Steuben  
Ontario Yates  
Schuyler

## PENNSYLVANIA

Erie

(Secs. 506, 516, 52 Stat. 73, as amended, 77,  
as amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 70-2974; Filed, Mar. 11, 1970;  
8:47 a.m.]

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

**SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS**

[Amdt. 4]

**PART 729—PEANUTS**

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

**DETERMINATION OF FINAL ACREAGE**

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

The purpose of this amendment is to clarify the regulations relative to determination of final acreage by deleting procedures applicable only to non-certification counties. Since all peanut counties are now approved for compliance certification, the paragraphs relating to adjustments of dug acreage and adjustment by disposition of picked or threshed peanuts are withdrawn.

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

Section 729.29 of the regulations for determination of acreage allotments and marketing quotas for 1969 and subsequent crops of peanuts (33 F.R. 18351, 18981, 34 F.R. 14201, 19809, 35 F.R. 2860) is amended to read as follows:

**§ 729.29 Determination of final acreage.**

In certification counties, the final acreage of peanuts on a farm shall be the acreage determined in accordance with Part 718 of this chapter, adjusted as required under this section for farms on which the initial certification of peanut acreage shows acreage in excess of the farm acreage allotment. Such adjustment is permitted for the purpose of identifying peanut acreage on which the peanuts are left in the ground or hogged-off or on which the peanuts are utilized for green peanuts.

(a) *Planted acreage not in excess of effective farm allotment.* When the acreage planted to peanuts on a farm is not in excess of the effective farm allotment, the planted acreage, less the acreage hogged-off, left in the ground, or harvested as green peanuts and reported in accordance with § 729.53 shall be the final acreage.

(b) *Planted acreage in excess of effective farm allotment.* When the planted acreage is in excess of the effective farm allotment, such planted

acreage, less the adjustments under this paragraph, shall be the final acreage.

(1) *Acreage left in ground or hogged-off.* If any of the planted acreage is to be left in the ground or is to be hogged-off, the farm operator shall report the acreage to the county office in accordance with part 718 of this chapter. If the farm operator fails to notify the county office that an acreage planted to peanuts on the farm has been left in the ground or hogged-off in accordance with Part 718 of this chapter, the entire planted acreage, subject to other provisions of this section shall be the final acreage.

(2) *Acreage utilized for green peanuts.* If all of the planted acreage is utilized for green peanuts and a satisfactory report of the marketing of such peanuts is made pursuant to § 729.53, the final acreage for the farm shall be zero. If only a portion of the planted acreage is utilized for green peanuts, the acreage so utilized, as determined pursuant to Part 718 of this chapter, may be deducted from the planted acreage in determining the final acreage for the farm if a satisfactory report of the marketing of green peanuts is made pursuant to § 725.53: *Provided,* That the farm operator notifies the county office in accordance with Part 718 of this chapter that an acreage planted to peanuts on the farm will be or has been utilized as green peanuts. If the farm operator fails to so notify the county office, the entire planted acreage, subject to other provisions of this section, shall be the final acreage.

(Secs. 358, 359, 375, 55 Stat. 88, as amended, 55 Stat. 90, as amended, 52 Stat. 66, as amended, 7 U.S.C. 1358, 1359, 1375)

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

Signed at Washington, D.C., on March 9, 1970.

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

[F.R. Doc. 70-3033; Filed, Mar. 11, 1970; 8:52 a.m.]

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

[Navel Orange Reg. 200]

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

**Limitation of Handling**

**§ 907.500 Navel Orange Regulation 200.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recom-

mendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation 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 March 10, 1970.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 13, 1970, through March 19, 1970, are hereby fixed as follows:

- (i) District 1: 1,107,000 cartons;
- (ii) District 2: 243,000 cartons;
- (iii) District 3: Unlimited movement.

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

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

Dated: March 11, 1970.

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

[F.R. Doc. 70-3103; Filed, Mar. 11, 1970; 11:23 a.m.]

[Valencia Orange Reg. 302]

**PART 908—VALENCIA ORANGES  
GROWN IN ARIZONA AND DESIGNATED  
PART OF CALIFORNIA**

**Limitation of Handling**

**§ 908.602 Valencia Orange Regulation  
302.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 10, 1970.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period

March 13, 1970, through March 19, 1970, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
  - (ii) District 2: Unlimited movement;
  - (iii) District 3: 215,949 cartons.
- (2) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 11, 1970.

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

[F.R. Doc. 70-3104; Filed, Mar. 11, 1970;  
11:23 a.m.]

**Chapter X—Consumer and Marketing  
Service (Marketing Agreements and  
Orders; Milk), Department of  
Agriculture**

[Milk Order Nos. 98, 99]

**PART 1098—MILK IN NASHVILLE,  
TENN., MARKETING AREA**

**PART 1099—MILK IN PADUCAH, KY.,  
MARKETING AREA**

**Order Suspending Certain Provisions**

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the orders regulating the handling of milk in the Nashville, Tenn., and Paducah, Ky., marketing areas.

It is hereby found and determined that for the months of March through July 1970, the following provisions of the orders no longer tend to effectuate the declared policy of the Act:

1. In § 1098.91(a) of the Nashville, Tenn., milk order, the provision "and in which the disposition of fluid milk products, except filled milk, from such plant in the other Federal marketing area exceeds that in the Nashville, Tenn., marketing area".

2. In the first proviso of § 1099.61(a) of the Paducah, Ky., milk order, the provision "the third consecutive month in which a greater proportion of its Class I route disposition is made in such other marketing area, unless".

*Statement of consideration.* Suspension of the specified provisions under both orders will insure continued regulation of a pool distributing plant under the Paducah order. It is necessary to suspend a provision in each order to effectuate this action. Otherwise the plant likely would become regulated by the Nashville order by virtue of having the majority of its Class I sales in that marketing area.

This suspension was requested by Dairymen, Inc., a cooperative supplying more than 90 percent of the milk in both marketing areas.

Unless suspension action is taken, member producers of the cooperative whose milk is received at the pool dis-

tributing plant would not receive bases under the base and excess payment plan of the Nashville order comparable to those of present Nashville producers. Returns to approximately 57 producers whose milk is received at the plant would be greatly reduced if it were to become regulated under the Nashville order.

This suspension would permit the dairy farmers involved to retain producer status under the Paducah order and avoid possible uneconomic short-run shifting of the plant and producers between the markets.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that immediate action is required to insure that returns from the milk of the producers involved are not reduced substantially.

(b) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded an opportunity to file written data, views or arguments concerning this suspension (35 F.R. 3174). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective March 1, 1970, through July 31, 1970.

It is therefore ordered, That the aforesaid provisions of the orders are hereby suspended for the months of March through July 1970.

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

Effective date: March 1, 1970.

Signed at Washington, D.C., on  
March 6, 1970.

RICHARD E. LYNG,  
Assistant Secretary.

[F.R. Doc. 70-2971; Filed, Mar. 11, 1970;  
8:47 a.m.]

**Title 9—ANIMALS AND  
ANIMAL PRODUCTS**

**Chapter I—Agricultural Research  
Service, Department of Agriculture**

**SUBCHAPTER C—INTERSTATE TRANSPORTATION  
OF ANIMALS AND POULTRY**

**PART 76—HOG CHOLERA AND  
OTHER COMMUNICABLE SWINE  
DISEASES**

**Areas Quarantined**

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of

hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in subparagraph (e) (8) relating to the State of Mississippi, subdivision (iii) relating to Monroe County is amended, and a new subdivision (v) relating to Monroe and Lee Counties is added to read:

(e) \* \* \*  
(8) *Mississippi.* \* \* \*

(iii) That portion of Monroe County bounded by a line beginning at the junction of U.S. Highway 278 and the Monroe-Lamar County line (Mississippi-Alabama State line); thence, following the Monroe-Lamar County line in a southwesterly direction to the Monroe-Lowndes County line; thence, following the Monroe-Lowndes County line in a westerly direction to the Buttahatchie River; thence, following the north bank of the Buttahatchie River in a southwesterly direction to the Tombigbee River; thence, following the east bank of the Tombigbee River in a northerly direction to U.S. Highway 278; thence, following U.S. Highway 278 in a southeasterly direction to its junction with the Monroe-Lamar County line (Mississippi-Alabama State line).

(v) The adjacent portions of Monroe and Lee Counties bounded by a line beginning at the junction of U.S. Highway 278 and the Tombigbee River; thence, following the west bank of the Tombigbee River in a northeasterly direction to State Highway 6; thence, following State Highway 6 in a northwesterly direction to State Highway 371; thence, following State Highway 371 in a northerly direction to the Monroe-Itawamba County line; thence, following the Monroe-Itawamba County line in a westerly direction to the Itawamba-Lee County line; thence, following the Itawamba-Lee County line in a northerly direction to U.S. Highway 78; thence, following U.S. Highway 78 in a westerly direction to U.S. Highway 45; thence, following U.S. Highway 45 in a southerly direction to State Highway 45W; thence, following State Highway 45W in a southwesterly direction to the Lee-Chickasaw County line; thence, following the Lee-Chickasaw County line in an easterly direction to the Lee-Monroe County line; thence, following the Lee-Monroe County line in a southerly direction to State Highway 41; thence, following State Highway 41 in an easterly direction to U.S. Highway 278; thence, following U.S. Highway 278 in a southeasterly direction to its junction with the Tombigbee River.

2. In § 76.2, in paragraph (e) (12) relating to the State of North Carolina, a new subdivision (ix) relating to Robeson County is added to read:

(e) \* \* \*  
(12) *North Carolina.* \* \* \*

(ix) That portion of Robeson County bounded by a line beginning at the junction of State Highway 41 and Secondary Road 1002; thence, following Secondary Road 1002 in a southerly direction to Secondary Road 2104; thence, following Secondary Road 2104 in a southeasterly direction to Secondary Road 2100;

thence, following Secondary Road 2100 in a southwesterly direction to Secondary Road 1002; thence, following Secondary Road 1002 in a southeasterly direction to Secondary Road 2121; thence, following Secondary Road 2121 in a southwesterly direction to Secondary Road 2116; thence, following Secondary Road 2116 in a northwesterly direction to Secondary Road 2123; thence, following Secondary Road 2123 in a westerly direction to U.S. Highway 74; thence, following U.S. Highway 74 in a northwesterly direction to Secondary Road 2207; thence, following Secondary Road 2207 in a northwesterly direction to Secondary Road 2289; thence, following Secondary Road 2289 in a northerly direction to U.S. Highway 74; thence, following U.S. Highway 74 in an easterly direction to State Highway 41; thence, following State Highway 41 in a generally north-easterly direction to its junction with Secondary Road 1002.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments quarantine portions of Lee and Monroe Counties in Mississippi and a portion of Robeson County in North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas designated herein.

The amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera and must be made effective immediately to accomplish their purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of March 1970.

R. J. ANDERSON,  
*Acting Administrator,*  
*Agricultural Research Service.*

[F.R. Doc. 70-3031; Filed, Mar. 11, 1970; 8:52 a.m.]

**PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES**

**Areas Quarantined**

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of

September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the introductory portion in paragraph (e) is amended to read:

§ 76.2 Notices relating to existence of hog cholera; prohibition of movement of virulent virus; spread of disease through raw garbage; regulations; quarantines; eradication States; and free States.

(e) *Notice of quarantine.* Notice is hereby given that because of the existence of hog cholera in the States of Arizona, Arkansas, Georgia, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, and Virginia, and The Commonwealth of Puerto Rico, and the nature and extent of outbreaks of this disease, the following areas are quarantined because of said disease:

2. In § 76.2, paragraph (e) (10) relating to the State of New Hampshire is deleted, and a new subparagraph (e) (10) relating to the State of Tennessee is added to read:

(10) *Tennessee.* That portion of Dyer County bounded by a line beginning at the junction of State Highway 77 and the Dyer-Gibson County line; thence, following the Dyer-Gibson County line in a generally southerly direction to the Dyer-Crockett County line; thence, following the Dyer-Crockett County line in a southwesterly direction to the Dyer-Lauderdale County line; thence, following the Dyer-Lauderdale County line in a northwesterly direction to U.S. Highway 51; thence, following U.S. Highway 51 in a generally northeasterly direction to State Highway 77; thence, following State Highway 77 in an easterly direction to its junction with the Dyer-Gibson County line.

3. In § 76.2, paragraph (e) (4) relating to the State of Illinois is amended to read:

(4) *Illinois.* (i) That portion of Greene County comprised of Linder, Rabcon, Rockbridge, and Wrights Townships.

(ii) That portion of Montgomery County comprised of Audobon Township.

(iii) That portion of Shelby County comprised of Big Springs, Oak Grove and Oconee Townships.

4. In § 76.2, paragraph (e) (7) relating to the State of Minnesota is amended to read:

(7) *Minnesota.* The adjacent portions of Kandiyohi and Chippewa Counties bounded by a line beginning at the junction of State Highway 40 and County State Aid Highway 5; thence, following

County State Aid Highway 5 in a southerly direction to the Kandiyohi-Renville County line; thence, following the Kandiyohi-Renville County line in a westerly direction to County State Aid Highway 2; thence, following County State Aid Highway 2 in a northerly direction to State Highway 40; thence, following State Highway 40 in an easterly direction to its junction with County State Aid Highway 5.

5. In § 76.2, paragraph (e) (15) relating to the State of South Carolina is amended to read:

(e) \* \* \*

(15) *South Carolina.* That portion of Kershaw County bounded by a line beginning at the junction of U.S. Highway 601 and the west bank of the Wateree River; thence, following U.S. Highway 601 in a generally southerly direction to Gillies Ditch; thence, following the north bank of Gillies Ditch in a southeasterly direction to the west bank of the Wateree River; thence, following the west bank of the Wateree River in a generally northwesterly direction to its junction with U.S. Highway 601.

6. In § 76.2, paragraph (f) is amended by deleting the reference to "Tennessee."

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 431, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b 134f; 29 FR. 16210 as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Dyer County, Tenn., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such county. Further, the amendments delete the State of Tennessee from the list of hog cholera eradication States as set forth in § 76.2(f).

The amendments also exclude portions of Christian and Montgomery Counties in Illinois; portions of Chippewa, Kandiyohi, and Renville Counties in Minnesota; a portion of Rockingham County in New Hampshire; and a portion of Williamsburg County in South Carolina, from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose

in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of March 1970.

R. J. ANDERSON,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-2969; Filed, Mar. 11, 1970;  
8:46 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. K]

### PART 211—CORPORATIONS ENGAGED IN FOREIGN BANKING AND FINANCING UNDER THE FEDERAL RESERVE ACT

#### Limitations and Restrictions

1. Effective immediately, § 211.9(b) (4) (i) is amended to read as follows:

§ 211.9 Limitations and restrictions.

(b) \* \* \*

(4) \* \* \*

(i) The United States or any department, agency, or establishment thereof or corporation wholly owned thereby (including obligations to the extent insured against foreign political and credit risks by the Export-Import Bank and the Foreign Credit Insurance Association), the International Bank for Reconstruction and Development, the International Finance Corporation, the International Development Association, the Inter-American Development Bank;

2a. The purpose of this amendment is to make clear that obligations to the extent insured against foreign political and credit risk by the Export-Import Bank and the Foreign Credit Insurance Association are exempt from the limitations on loans to one borrower set forth in § 211.9(b).

b. The procedures of section 553(b), Title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed because this amendment is interpretative in nature.

By order of the Board of Governors,  
March 3, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-2993; Filed, Mar. 11, 1970;  
8:49 a.m.]

## Chapter V—Federal Home Loan Bank Board

### SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 23,888]

### PART 526—LIMITATIONS ON RATE OF RETURN

#### Amendments Relating to Maximum Rates of Return

MARCH 5, 1970.

Resolved that the Federal Home Loan Bank Board, upon the basis of its consideration of the desirability of amending § 526.5 of the Regulations for the Federal Home Loan Bank System (12 CFR 526.5) for the purposes of (1) clarifying paragraph (a) of that section relating to the conditions under which a member institution may pay a return of 5.25 percent per annum on certificate accounts and (2) clarifying the Board's intention to permit member institutions to pay a return at a rate in excess of 5.25 percent per annum on monthly payment bonus accounts without regard to the minimum amounts prescribed for certificate accounts in such section, hereby amends said § 526.5 by revising subparagraph (1) of paragraph (a) thereof and by adding a new subparagraph (3) to paragraph (c) thereof, to read as follows, effective January 21, 1970:

§ 526.5 Maximum rate of return payable on certificate accounts of less than \$100,000.

(a) *Maximum rates*—(1) *Maximum rate of 5.25 percent.* Except as is otherwise provided in this section or § 526.5-1, a member institution may pay a return at a rate not in excess of 5.25 percent per annum on—

(i) Any certificate account having a fixed or minimum term or qualifying period of not less than 90 days but less than 180 days; and

(ii) Any certificate account of \$1,000 or more having a fixed or minimum term or qualifying period of not less than 180 days.

(c) *Exceptions as to minimum amount.* \* \* \*

(3) With respect to certificate accounts issued under a monthly payment bonus plan providing for the payment of a bonus if regular monthly payments are made by the saver for a period of not less than 12 months, a member institution may pay a return as permitted by paragraph (a) of this section without regard to the minimum amount requirements contained in such paragraph.

(Sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended by Public Law 91-151, sec. 2(b), 83 Stat. 371; sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425b, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that, since the above amendments clarify the Board's intention at the time it revised the rate control structure on January 21, 1970, and since it is in the public interest that such

amendments be effective as of January 21, 1970, the Board hereby finds that notice and public procedure thereon are contrary to the public interest under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, for the same reason, the Board finds that publication of such amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date thereof is contrary to the public interest; and the Board hereby provides that such amendments shall be effective retroactive to January 21, 1970, as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,  
Secretary.

[F.R. Doc. 70-3034; Filed, Mar. 11, 1970;  
8:51 a.m.]

## Title 14—AERONAUTICS AND SPACE

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

[Airworthiness Docket No. 70-WE-10-AD;  
Amdt. 39-952]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Boeing Model 737 Series Airplanes

###### TAKEOFF AURAL WARNING AND WING SPOILER SYSTEMS

Boeing Model 737 airplanes have a takeoff warning system similar to that on the Model 707/720 and 727 airplanes, which provides an aural warning to the crew if the stabilizer, wing spoilers or flaps are not in the proper range for takeoff when the power levers are advanced to the takeoff thrust position. In addition, Model 737 airplanes have an automatic wing spoiler retraction system which is actuated by the same switches in the power lever quadrant which arm the aural warning system. When armed, this system automatically retracts the wing spoilers in the event of a touch down and subsequent go-around.

These systems were designed to be armed when setting takeoff thrust at a minimum ambient temperature of minus 65° F. and at all higher temperatures. However, recent information from the manufacturer indicates that on many airplanes now in service, tolerance variations in the setting of the takeoff warning actuating switch together with tolerances of the rigging of the power lever control system can result in the system not being armed when setting thrust at ambient temperatures substantially higher than minus 65° F.

While a takeoff warning system or an automatic spoiler deployment and retraction system are not required by the airworthiness regulations, these two systems were incorporated by the manufacturer in the airplane type design.

Their functions are to warn the flight crew in the event of a failure to accomplish any of the takeoff checklist items connected with the warning system and to provide for automatic retraction to the wing spoilers when required. Because of the interlock of the automatic spoiler retract system with the aural warning arming switches together with the safety aspects of the automatic spoiler retract system, the FAA determined that a full temperature range of operation for takeoff warning and wing spoiler retraction was a certification requirement for the Model 737 Series airplanes. Accordingly, the agency considers that an airworthiness directive is necessary to accomplish the modifications required to cause the system to be armed down to the minus 65° F. temperature originally intended. In addition to the system modifications, information is needed in the FAA Airplane Flight Manual relating to the characteristics of the warning system. This information is being issued by the manufacturer by revisions to the AFMs, and operators should incorporate these revisions immediately upon receipt.

The agency has established the compliance time for the modifications on the basis of safety considerations together with the object of providing operators sufficient lead time to schedule compliance with a minimum burden. As an interim safety measure, the AD imposes a limitation on the use of automatic spoiler deployment below a specified ambient temperature pending accomplishment of the required modifications.

Since a situation exists that requires immediate adoption of this regulation it is found that Notice and Public procedures hereon are impracticable and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive.

**BOEING 737 SERIES AIRPLANES.** Applies to Boeing 737 series listed in Boeing Service Bulletin 27-1031 dated 22 August 1969 and Revision 2 dated 27 January 1970, or later FAA approved revisions. Compliance required as indicated.

To provide for proper operation of the takeoff warning system and automatic speed brake retraction system at temperatures down to minus 65° F., accomplish the following:

(a) Within 50 hours time in service after the effective date of this AD, unless already accomplished, install a placard in the cockpit in full view of the pilot to read: "DO NOT USE AUTOMATIC SPOILER DEPLOYMENT AT AMBIENT TEMPERATURES BELOW ZERO DEGREES FAHRENHEIT." This placard may be removed when Item (b) is accomplished.

(b) Within 1000 hours time in service after the effective date of this AD, unless previously accomplished, replace the takeoff warning switch actuating cam with a modified cam and accomplish the rigging procedures for proper alignment of the power lever knobs in the throttle control system with the warning switch in accordance with Boeing Service Bulletin 27-1031 dated 2 August 1969, and Revision 2 dated 27 January 1970, or later FAA approved revisions, or an equivalent

modification approved by the Chief, Aircraft Engineering Division, FAA Western Region.

NOTE: The manufacturer is currently providing AFM revisions to operators relating to the characteristics of the warning system. Operators should incorporate this information in their manuals immediately upon receipt.

This amendment becomes effective on March 13, 1970.

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

Issued in Los Angeles, Calif., on February 26, 1970.

JAMES V. NIELSEN,  
Acting Director,  
FAA Western Region.

[F.R. Doc. 70-3000; Filed, Mar. 11, 1970;  
8:49 a.m.]

[Airworthiness Docket No. 70-SW-13; Amdt. 39-955]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Bell Model 204B, 205A, and 205A-1 Helicopters

Pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), a telegraphic airworthiness directive dated February 27, 1970, Amendment 39-953 was adopted and made effective immediately as to all known U.S. operators of Bell Model 204B, 205A, and 205A-1 helicopters by individual telegram. After issuing Amendment 39-953, the agency determined that it was necessary to supersede that amendment and issue a telegraphic AD dated March 4, 1970, Amendment 39-955, that was made effective immediately as to all known U.S. operators of Bell Model 204B, 205A, and 205A-1 helicopters. Amendment 39-955 requires a one time inspection of all tail rotor grip assemblies P/N 204-011-728 or P/N 204-011-706, regardless of the total time in service, for proper hardness before further flight.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Bell Model 204B, 205A, and 205A-1 helicopters by individual telegrams dated March 4, 1970. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

**BELL.** Applies to all Model 204B, 205A, and 205A-1 helicopters and to any other helicopter incorporating tail rotor hub assembly, P/N 204-011-801-5 or -7 or P/N 204-011-701-11, -13 or -19 and to all spare tail rotor hub assemblies P/N 205-011-801-5 or -7 or P/N 204-011-701-11, -13 or -19.

Compliance required as indicated. To prevent failure of the grip assemblies, P/N 204-011-728 or P/N 204-011-706, accomplish the following one time inspection

on all tail rotor grip assemblies for proper hardness or conductivity before further flight, unless already accomplished after February 27, 1970. These inspections may be conducted with the grips installed on the helicopter. Determine the hardness of the grip assembly using a Rockwell Hardness or Eddy Current Tester, a Magnatest FM-120 (Magnaflux Corp.) or equivalent. Readings should be taken adjacent to vibro etched serial number between the blade retention bolts on grip face. Inspect all spare grip assemblies before installation. Remove grip assemblies with readings below Rockwell 79 on the "B" scale or above conductivity of 39 on International Annealed Copper Standard.

This supersedes Amendment 39-953, issued by telegram dated February 27, 1970.

This amendment is effective March 13, 1970, and was effective for all recipients of the telegram dated March 4, 1970, which contained this amendment.

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

Issued in Fort Worth, Tex. on March 4, 1970.

HENRY L. NEWMAN,  
Director, Southwest Region.

[F.R. Doc. 70-3001; Filed, Mar. 11, 1970; 8:50 a.m.]

[Docket No. 10164; Amdt. 39-951]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Britten Norman Models BN-2 and BN-2A Airplanes

There have been reports of loose locking keys in the outboard sides of the four wing attachment spindles on Britten Norman Models BN-2 and BN-2A airplanes. This unsafe condition may exist or develop in other airplanes of the same type design. Therefore, an airworthiness directive (AD) is being issued to require inspection of the locking keys to ensure security and the re-securing of keys found to be loose on these airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**BRITTEN NORMAN, LTD.** Applies to Models BN-2 and BN-2A airplanes having serial numbers C19 through C130 which have modification NB/M/155 incorporated.

To ensure the security of the locking keys in the outboard side of the four wing to fuselage attachment spindles, accomplish the following:

(a) Within 10 hours' time in service after the effective date of this AD, unless already accomplished, remove the four access panels W11, W14, W33, and W36 from the upper

surface of the wing center section and visually inspect to ensure that the waisted locking key in each of the four attachment spindles is in position and is tightly retained there by the outboard face of the plain nut.

(b) If any movement or incorrect positioning of any locking key is evident during the inspection required by paragraph (a), before further flight re-secure the affected locking key in accordance with Britten-Norman Service Bulletin No. BN-2/SB.25, dated January 8, 1970, or later ARB issue or an FAA-approved equivalent.

This amendment becomes effective March 17, 1970.

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

Issued in Washington, D.C., on March 5, 1970.

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

[F.R. Doc. 70-3002; Filed, Mar. 11, 1970; 8:50 a.m.]

[Docket No. 10165; Amdt. 39-956]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Britten-Norman Models BN-2 and BN-2A Airplanes

There have been reports of cracks of the final drive lever in the elevator trim tab operating system on Britten-Norman Models BN-2 and BN-2A airplanes. This could result in failure of the elevator trim system final drive level attachment lugs. Since this unsafe condition may exist or develop in other airplanes of the same type design, an airworthiness directive (AD) is being issued to require periodic inspections of the drive lever for cracks and replacement of cracked drive levers with drive levers of an improved design on these airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**BRITTEN-NORMAN, LTD.** Applies to BN-2 and BN-2A airplanes.

To prevent failure of the elevator trim system final drive lever attachment lugs, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 25 hours time in service since the last inspection until the modifications of paragraph (b) have been accomplished, visually inspect the elevator trim system final drive lever (P/N NB-45-D-1823) for cracks in accordance with Britten-Norman Service Bulletin No. BN-2/SB.24 dated January 8, 1969, or later ARB-approved issue or an FAA-approved equivalent.

(b) If cracks are found on the drive lever during the inspections required by paragraph (a), before further flight replace the

affected lever (P/N NB-45-D-1823) with a new lever (P/N NB-45-D-2165) by incorporating Modification NB/M/394 in accordance with Britten-Norman Service Bulletin BN-2/SB.24 dated January 8, 1969, or later ARB-approved issue or an FAA-approved equivalent.

(c) The repetitive inspections required by paragraph (a) may be discontinued after compliance with paragraph (b) has been accomplished.

This amendment becomes effective March 17, 1970.

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

Issued in Washington, D.C., on March 5, 1970.

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

[F.R. Doc. 70-3003; Filed, Mar. 11, 1970; 8:50 a.m.]

[Airspace Docket No. 69-EA-125]

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

#### Alteration and Revocation of Federal Airways

On December 18, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 19821) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airway Nos. 2 and 14 and revoke VOR Federal airway No. 142.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice, it has been determined that the realignment of V-2 north alternate segment through use of the Buffalo, N.Y., 045° T (053° M) radial in lieu of the 034° T (042° M) radial would better align this segment of V-2N so as to parallel the Greater Buffalo Airport ILS to Runway 23. Accordingly, action is taken herein to realign V-2N via the Buffalo 045° T (053° M) radial.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 30, 1970, as hereinafter set forth.

§ 71.123 (35 F.R. 2009) is amended as follows:

1. In V-2 "Rochester, N.Y.," is deleted and "Rochester, N.Y., including a north alternate via INT of Buffalo 045° and Rochester 273° radials;" is substituted therefor.

2. In V-14 "INT Erie 043° and Buffalo 242° radials;" is deleted and "INT Erie 043° and Buffalo 259° radials;" is substituted therefor, and "The airspace within R-5207 is excluded." is deleted



and "The airspace within R-5207 and Canada is excluded." is substituted therefor.

3. V-142 is revoked.

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

Issued in Washington, D.C., on March 3, 1970.

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

[F.R. Doc. 70-2996; Filed, Mar. 11, 1970;  
8:49 a.m.]

[Airspace Docket No. 69-AL-16]

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

**Alteration of Federal Airway, Revocation and Designation of Reporting Points**

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to redescribe Red Federal airway No. 50, revoke the Tanana, Alaska, RR low altitude reporting point and designate the Bear Creek, Alaska, RBN low altitude reporting point.

The Tanana low frequency radio range has been converted to a nondirectional radio beacon due to an out-of-tolerance condition. The radio beacon, located at the same site as the Tanana RR, has been named Bear Creek RBN. These actions require a redescription of R-50, revocation of the Tanana, Alaska, RR reporting point and designation of the Bear Creek, Alaska, RBN reporting point. Action is taken herein to show these changes.

Since this alteration is editorial in nature and no substantive change in the regulation is effected, it is found that notice and public procedure thereon are impracticable, and good cause exists for making these amendments effective on less than 30 days notice.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as herein-after set forth:

1. In § 71.107 (35 F.R. 2007) Red Federal airway No. 50 is amended to read as follows:

R-50 From Galena, Alaska, RBN, Bear Creek, Alaska, RBN; Fairbanks, Alaska, RR.

2. Section 71.211 (35 F.R. 2305) is amended as follows:

a. Tanana, Alaska, RR, is revoked.

b. Bear Creek, Alaska, RBN, is added.

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

Issued in Washington, D.C., on March 3, 1970.

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

[F.R. Doc. 70-2997; Filed, Mar. 11, 1970;  
8:49 a.m.]

**Title 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**

[Docket No. C-1680]

**PART 13—PROHIBITED TRADE PRACTICES**

**Balsa Ecuador Lumber Corp. and Balsa Development Corp.**

Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a): § 13.715 *Charges and price differentials*; § 13.790 *Trade areas*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 2, 49 Stat. 1526; 15 U.S.C. 45, 13) [Cease and desist order, Balsa Ecuador Lumber Corp. et al., New York, N.Y., Docket C-1680, Jan. 30, 1970]

*In the Matter of Balsa Ecuador Lumber Corp., a Corporation, and Balsa Development Corp., a Corporation*

Consent order requiring two New York City importers and distributors of balsa flexible core material and balsa wood to cease discriminating in price between customers who compete in the resale of their products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered*, That respondents, Balsa Ecuador Lumber Corp., a corporation, and Balsa Development Corp., a corporation, and their subsidiaries, successors, assigns, officers, directors, agents, representatives, or employees directly or through any corporate or other device, in connection with the sale, or offering for sale, of balsa flexible core material in commerce, as "commerce" is defined in the amended Clayton Act, do forthwith cease and desist from:

1. Discriminating, directly or indirectly, in the price of balsa flexible core material of like grade and quality by selling to any purchaser at net prices which are lower than the prices charged any other purchaser at the same level of distribution where respondents, in the sale of such products, are in competition with any other seller of balsa flexible core material.

2. Discriminating, directly or indirectly, in the price of balsa flexible core material of like grade and quality by selling to any purchaser at net prices higher than the net prices charged any other purchaser who competes with the purchaser paying the higher prices.

II. *It is further ordered*, That for a period of 2 years from the date of this order respondent Balsa Ecuador Lumber Corp. ("BELC") sell, or offer to sell, balsa wood to any manufacturer who competes with respondent Balsa Development Corp. ("BDC") in the production and sale of balsa flexible core material. This obligation to sell, or offer to sell, shall be limited to balsa wood of the quality, size, and specification which, at

such time within the 2-year period when such competing manufacturer seeks to buy balsa wood from BELC, BELC is then selling, or offering to sell, to BDC in the normal course of business. The obligation to sell, or offer to sell, to such competing manufacturer shall be at the same prices as are available to BDC, and in reasonable quantities, having due regard to respondents' own needs.

III. *It is further ordered*, That respondents herein shall, within sixty (60) days after service upon them of this order, serve by mail a copy of this order to each operating division.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: January 30, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-2955; Filed, Mar. 11, 1970;  
8:46 a.m.]

[Docket No. C-1689]

**PART 13—PROHIBITED TRADE PRACTICES**

**Coffee Bar Manufacturing Co., Inc., et al.**

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: 13.15-195 *Nature*; § 13.60 *Earnings and profits*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1490 *Nature*; Misrepresenting oneself and goods—Goods: § 13.1615 *Earnings and profits*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2035 *Results guarantee*. Subpart—Securing agents or representatives by misrepresentation: § 13.2132 *Exclusive territory*; § 13.2165 *Terms and conditions*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Coffee Bar Manufacturing Co., Inc., et al., Richardson, Tex., Docket C-1689, Feb. 13, 1970]

*In the Matter of Coffee Bar Manufacturing Co., Inc., a Corporation, Royal Distributing Co., Inc., a Corporation, and Gary Epstein and Harold Epstein, Individually and as Officers of Said Corporations*

Consent order requiring two Richardson, Tex., sellers of eyeglass cleaners through franchised distributorships who also formerly sold other items in this manner to cease misrepresenting that they manufacture their products, exaggerating the earnings of their franchises, falsely guaranteeing any certain percent on investments, granting exclusive territories, and making other misrepresentations to obtain franchised dealers.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents Coffee Bar Manufacturing Co., Inc., and Royal Distribution Co., Inc., corporations, and their officers, and Gary Epstein and Harold Epstein, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of coffee bar units, tools, eyeglass cleaners, routes, licenses, franchises or distributorships for the sale of such items, or any other product or service, or the routes, licenses, franchises or distributorships in connection therewith, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Respondents manufacture any product not in fact manufactured in a factory owned, controlled and operated by them; or that they are affiliated with or are factory representatives of any other manufacturing company; or in any manner misrepresenting their business status, their trade relationships or affiliations, or their plant or facilities.

(b) Persons investing in any business opportunity offered by respondents will earn any stated gross or net amount or will realize any stated profit or will realize a substantial amount of earnings or profit; or representing, in any manner, the past earnings of any investor, distributor or franchisee unless, in fact, the past earnings represented are those of a substantial number of investors, distributors or franchisees and accurately reflect the average earnings of these investors, distributors or franchisees under circumstances similar to those of the investor, distributor or franchisee to whom the representation is made.

(c) Respondents guarantee their investors, distributors or franchisees the return of 100 percent or any other percentage of their investment.

(d) Investors, distributors or franchisees purchase inventory at the wholesale price; or that their investment or any portion thereof is secured by the value of the inventory and display equipment which they receive for their initial investment in excess of the amount such goods and equipment would bring at a forced sale on the open market.

(e) Persons investing in any business opportunity offered by respondents will be granted an exclusive territory in which to sell products purchased from respondents unless respondents provide in all contracts, licenses or agreements with such persons to whom such exclusive territories have been granted, a description of the size and limits of the territories and a statement that no other investor, franchisee or distributor of the same products has been, or will be, granted the same territory or any part thereof and unless respondents, in all instances, abide by such provisions.

(f) Respondents establish profitable accounts or routes for their investors, franchisees or distributors; or representing in any manner, the profitability of accounts or routes previously established for respondents, investors, franchisees or distributors unless, in fact, the representation made has been the experience of a substantial number of investors, franchisees or distributors and accurately reflects the profitability of such accounts or routes under circumstances similar to those of the investor, distributor or franchisee to whom the representation is made.

2. Failing to (a) deliver a copy of respondents' Statement of Business Principles and Code of Conduct as attached here to all of respondents' present salesmen, customers, or other persons, firms and corporations engaged in the sale of respondents' products, routes, licenses, franchises or distributorships, and to obtain therefor a signed statement acknowledging receipt thereof; and (b) incorporate the exact terms of said statement into all future contracts and other instruments evidencing the business relationship between respondents and their salesmen, licensees, franchisees, routemen, distributors, and/or other persons, firms, and corporations who may engage in the sales on behalf of respondents in subparagraph (a) of this paragraph.

*It is further ordered,* That respondent corporations shall forthwith distribute a copy of this order to each of their operating Divisions.

*It is further ordered,* That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order.

Issued: February 13, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-2956; Filed, Mar. 11, 1970;  
8:46 a.m.]

[Docket No. C-1690]

### PART 13—PROHIBITED TRADE PRACTICES

#### Golden Princess Chinchilla Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.50 *Dealer or seller assistance*; § 13.60 *Earnings and profits*; § 13.70 *Fictitious or misleading guarantees*; § 13.175 *Quality of product or service*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1608 *Dealer or seller assistance*; § 13.1615 *Earnings and profits*; § 13.1647 *Guarantees*; § 13.1715 *Quality*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Golden Princess Chinchilla Inc., et al., Louisville, Ky., Docket C-1690, Feb. 13, 1970]

#### *In the Matter of Golden Princess Chinchilla Inc., a Corporation, and Ray Jones and William E. Mosley, Individually and as Officers of Said Corporation*

Consent order requiring a Louisville, Ky., seller of chinchilla breeding stock to cease making exaggerated earning claims, misrepresenting the quality of its stock, deceptively guaranteeing the fertility of its stock, and misrepresenting its services to its customers.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents Golden Princess Chinchilla Inc., a corporation, and its officers, and Ray Jones and William E. Mosley, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of chinchilla breeding stock or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, that:

1. It is commercially feasible to breed or raise chinchillas in homes, basements or outbuildings, or other quarters or buildings unless in immediate conjunction therewith it is clearly and conspicuously disclosed that the represented quarters or buildings can only be adaptable to and suitable for the breeding and raising of chinchillas on a commercial basis if they have the requisite space, temperature, humidity, ventilation and other environmental conditions.

2. Breeding chinchillas as a commercially profitable enterprise can be achieved without previous knowledge or experience in the breeding, caring for and raising of such animals.

3. Chinchillas are hardy animals or are not susceptible to disease.

4. Purchasers of respondents' chinchilla breeding stock will receive top quality or "Empress Certified" quality chinchillas.

5. Each female chinchilla purchased from respondents and each female offspring will produce at least 3.8 live offspring per year.

6. The number of live offspring produced per female chinchilla is any number or range of numbers; or representing, in any manner, the past number or range of numbers of live offspring produced per female chinchilla of purchasers of respondents' breeding stock unless, in fact, the past number or range of numbers represented are those of a substantial number of purchasers and accurately reflect the number or range of numbers of live offspring produced per female chinchilla of these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

7. Each female chinchilla purchased from respondents and each female offspring will produce successive litters of

one to five live offspring at 111-day intervals.

8. The number of litters or sizes thereof produced per female is any number or range thereof; or representing, in any manner, the past number or range of numbers of litters or sizes produced per female chinchilla of purchasers of respondents' breeding stock unless, in fact, the past number or range of numbers represented are those of a substantial number of purchasers and accurately reflect the number or range of numbers of litters or sizes thereof produced per female chinchilla of these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

9. Pelts from the offspring of respondents' chinchilla breeding stock will sell for from \$20 to \$70 each.

10. Chinchilla pelts will sell for any price, average price, or range of prices; or representing, in any manner, the past price, average price or range of prices of pelts of purchasers of respondents' breeding stock unless, in fact, the past price average price or range of prices represented are those of a substantial number of purchasers and accurately reflect the price, average price or range of prices realized by these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

11. Beige females and beige males produced by respondents' breeding stock will sell for \$1,500 and \$300 respectively.

12. A purchaser of respondents' breeding stock will in 5 to 6 years have a yearly income of from \$9,680 to \$20,000.

13. Purchasers of respondents' breeding stock will realize earnings, profits or income in any amount or range of amounts; or representing, in any manner, the past earnings, profits or income of purchasers of respondents' breeding stock unless, in fact, the past earnings, profits or income represented are those of a substantial number of purchasers and accurately reflect the average earnings, profits or income of these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

14. Breeding stock purchased from respondents is guaranteed or warranted without clearly and conspicuously disclosing, in immediate conjunction therewith, the nature and extent of the guarantee, the manner in which the guarantor will perform thereunder and the identity of the guarantor.

15. Purchasers of respondents' chinchilla breeding stock will receive periodic service calls from respondent's service personnel after purchase of the animals unless purchasers do, in fact, receive the represented service calls at the represented intervals or frequency.

16. Chinchillas or chinchilla pelts are in great demand; or that purchasers of respondents' breeding stock can expect to be able to sell the offspring or the pelts of the offspring of respondents' chinchillas because said chinchillas or pelts are in great demand.

17. Chinchillas are odorless.

18. The assistance or advice furnished to purchasers of respondents' chinchilla breeding stock by respondents will enable purchasers to successfully breed or raise chinchillas as a commercially profitable enterprise.

B. 1. Misrepresenting, in any manner, the assistance, training, services or advice supplied by respondents to purchasers of their chinchilla breeding stock.

2. Misrepresenting, in any manner, the earnings or profits to purchasers or the quality or reproduction capacity of any chinchilla breeding stock.

C. Failing to deliver a copy of this order to cease and desist to all present and future salesmen and other persons engaged in the sale of the respondents' product or services and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

*It is further ordered.* That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

*It is further ordered.* That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered.* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: February 13, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-2957; Filed, Mar. 11, 1970;  
8:46 a.m.]

## Title 31—MONEY AND FINANCE: TREASURY

### Chapter II—Fiscal Service, Department of the Treasury

#### SUBCHAPTER A—BUREAU OF ACCOUNTS PART 203—SPECIAL DEPOSITARIES OF PUBLIC MONEY

##### Acceptable Collateral Security

The Department of the Treasury finds that it is necessary to amend its regulations governing the designation of special Depositaries of Public Money at 31 CFR Part 203 (also appearing as Department Circular No. 92, Second Revision) by revising the description of the terms under which certain securities are acceptable for pledging as collateral for deposits to a Treasury Tax and Loan Account. The Department also finds, in accord with 5 U.S.C. 553, that notice and public pro-

cedure thereon are not necessary since the amendment involves a matter relating to public contracts.

Accordingly, Part 203, Chapter II of Title 31 of the Code of Federal Regulations is amended by revising § 203.8(b) (9) to read:

#### § 203.8 Collateral security.

(b) *Acceptable securities.* \* \* \*

(9) Commercial and agricultural paper and bankers' acceptances approved by the Federal Reserve Bank of the district and having a maturity at the time of pledge of not to exceed one year at 90 percent of face value.

(5 U.S.C. 301)

Dated: March 9, 1970.

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

[F.R. Doc. 70-3023; Filed, Mar. 11, 1970;  
8:51 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter II—Forest Service, Department of Agriculture

#### PART 231—GRAZING

##### Grazing Fees

Part 231 of Title 36, Code of Federal Regulations, as revised in the FEDERAL REGISTER, volume 34, No. 9, page 504, dated January 14, 1969, is further amended by revising paragraph (4) of § 231.5(a) to read as follows:

§ 231.5 Fees, payments, and refunds or credits.

(a) Fees. \* \* \*

(4) Conversion to the 1966 base rates for the Western National Forests will be carried out during an 11-year period beginning in 1969. The difference between the fees paid in 1966 and the 1966 base rate of \$1.23 will be made in installments of 10 percent per year, except for the year 1970. Increases or decreases in the base rate because of changes in the index of private land grazing leases will be made annually, except for the year 1970. Fees in 1970 will remain at 1969 levels, excepting those which have been established by competitive bid. Changes derived from the index between 1966 and 1968 increased the base by \$0.02 to \$1.25 per cow month in 1969. Fees which have previously been established through appraisals and are currently above the 1966 base rate were reduced to \$1.25 per cow month in 1969. Fees which have been established by competitive bid will remain unchanged during the period specified in the bid.

(Sec. 1, 30 Stat. 35, as amended, sec. 1, 33 Stat. 628; 16 U.S.C. 551, 472; sec. 32, 50 Stat. 525, as amended; 7 U.S.C. 1011; sec 501, 65 Stat. 290, 5 U.S.C. 140)

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

CLIFFORD M. HARDIN,  
*Secretary of Agriculture.*

MARCH 6, 1970.

[F.R. Doc. 70-3032; Filed, Mar. 11, 1970;  
8:52 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 5A—Federal Supply Service, General Services Administration

#### PART 5A-2—PROCUREMENT BY FORMAL ADVERTISING

##### Subpart 5A-2.2—Solicitation of Bids

##### PROCEDURE FOR DETERMINING INSPECTION RESPONSIBILITY

Section 5A-2.201-78(c) is revised to read as follows:

##### § 5A-2.201-78 Inspection at source.

(c) Inspection responsibility will be assigned to the Quality Control Division of the GSA regional office having jurisdiction over the State in which the Contractor's or subcontractor's plant or other designated point for source inspection is located (Addresses and States covered for each Quality Control Division are shown on GSA Form 2022, copy of which, if not previously furnished, is obtainable upon request). The Contractor shall notify, or arrange for his subcontractor to notify, that office at least 10 days prior to the date when supplies will be ready for inspection. Shipments shall not be made until released by the Quality Control Division unless release is otherwise authorized under terms of a currently applicable Quality Assurance or Quality Approved Manufacturer Agreement.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5-1.101(c))

*Effective date.* This amendment is effective upon publication in the FEDERAL REGISTER.

Dated: March 2, 1970.

L. E. SPANGLER,  
*Acting Commissioner,  
Federal Supply Service.*

[F.R. Doc. 70-3020; Filed, Mar. 11, 1970;  
8:51 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

### Chapter II—Bureau of Land Management, Department of the Interior

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4764]

[Montana 10117]

#### MONTANA

##### Partial Revocation of Public Water Reserve

By virtue of the authority vested in the President by section 1 of the Act of

June 25, 1910, 36 Stat. 847; 43 U.S.C. § 141, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107, is hereby revoked so far as it affects the following described lands:

#### PRINCIPAL MERIDIAN, MONTANA

T. 3 N., R. 3 E.,  
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described contains 120 acres in Gallatin County.

The lands are located 9 miles north of Manhattan, Mont. The elevation ranges from 5,500 to 6,000 feet. The land is rough with exposed rock and has a vegetative cover of noncommercial pine with associated native shrubs and grasses.

2. At 10 a.m. on April 10, 1970, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on April 10, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The land will be open to location for nonmetalliferous minerals at 10 a.m. on April 10, 1970. It has been open to applications and offers under the mineral leasing laws and to location under the U.S. mining laws for metalliferous minerals.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont.

HARRISON LOESCH,

*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2980; Filed, Mar. 11, 1970;  
8:48 a.m.]

[Public Land Order 4765]

[Sacramento 580 and 647]

#### CALIFORNIA

##### Partly Revoking Executive Order No. 5237 of December 10, 1929; and Revoking Departmental Order of June 9, 1908

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 5237 of December 10, 1929, which temporarily withdrew lands for classification, is hereby revoked so far as it affects the following described lands:

(SACRAMENTO 580)

#### HUMBOLDT MERIDIAN

T. 12 N., R. 1 E.,  
Sec. 10, lot 4;  
Sec. 15, lots 6 and 7;  
Sec. 28, lot 1;  
Sec. 33, lot 3.

The lands described aggregate approximately 21.04 acres in Humboldt County. They are patented.

2. The Departmental Order of June 9, 1908, which withdrew the following described public lands for use by the Forest Service as an administrative site, is hereby revoked:

(SACRAMENTO 647)

#### MOUNT DIABLO MERIDIAN

T. 23 N., R. 12 W.,  
Sec. 36, lots 5, 6, and 7.

The areas described aggregate approximately 118.09 acres in Mendocino County.

The lands lie on the southeast side of Eel River about 6 miles east of Covelo, Calif. They are flat with some side hills, about 40 acres of grass and the remainder in oak and conifer timber.

3. At 10 a.m. on April 10, 1970, the lands described in paragraph 2 shall be open to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on April 10, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

HARRISON LOESCH,

*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2981; Filed, Mar. 11, 1970;  
8:48 a.m.]

[Public Land Order 4766]

[Nevada 018060]

#### NEVADA

##### Revocation of Public Land Order No. 1609

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1609 of March 31, 1958, withdrawing the following described lands for use of the Department of the Air Force, is hereby revoked:

#### MOUNT DIABLO MERIDIAN

T. 36 N., R. 37 E.,  
Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 36 N., R. 38 E.,  
Sec. 18, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 120 acres in Humboldt County.

The following described lands have been determined to be "property" within the meaning of the Federal Property and Administrative Services Act of 1949, as amended, 62 Stat. 377, 40 U.S.C. § 471 (1964), and will be administered or disposed of under regulations of the General Services Administration:

T. 36 N., R. 37 E.,  
 Sec. 12, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$   
 SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$   
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 36 N., R. 38 E.,  
 Sec. 18, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 Containing 75 acres.

2. At 10 a.m. on April 10, 1970, the public lands described as follows, shall be open to the operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law:

T. 36 N., R. 37 E.,  
 Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 Containing 45 acres.

All valid applications received at or prior to 10 a.m. on April 10, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2982; Filed, Mar. 11, 1970;  
 8:48 a.m.]

[Public Land Order 4767]

[Idaho 1569]

**IDAHO**

**Reservation for Constructed Forest Service Road**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831) it is ordered as follows:

1. Subject to valid existing rights and to the provisions of existing withdrawals, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, nor the disposal of materials under the Act of July 31, 1947, 61 Stat. 681, as amended, 30 U.S.C. sections 601-604 (1964), and reserved for the use of the Department of Agriculture for the granting of easements for road rights-of-way as authorized by section 2 of the Act of October 13, 1964, 78 Stat. 1089, 16 U.S.C. sections 532-533:

BOISE MERIDIAN  
 GOLD CENTER ROAD

T. 42 N., R. 2 E.,  
 Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ .

A strip of land 66 feet in width, being 33 feet in width on each side of the centerline of Gold Center Road No. 301 over and across the named subdivisions.

WEST FORK MERRY CREEK ROAD

T. 43 N., R. 2 E.,  
 Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

A strip of land 66 feet in width, being 33 feet in width on each side of the centerline of West Fork Merry Creek Road No. 1491 over and across the named subdivisions.

The areas described aggregate 6.14 acres, more or less, in Shoshone County. 2. The withdrawal made by this order shall not preclude agricultural entries, sales, exchanges, or leases under applicable public land laws of any legal subdivisions traversed by any cooperated road constructed on any lands withdrawn by this order: *Provided*, That any such entry, sale, exchange, or lease shall be subject to this order and to any road right-of-way easement over the lands issued by the Department of Agriculture.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2983; Filed, Mar. 11, 1970;  
 8:48 a.m.]

[Public Land Order 4768]

[Utah 0149172]

**UTAH**

**Correction of Public Land Order No. 4437**

By virtue of the authority vested in the President by the Act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

In F.R. Doc. 68-6778, appearing as Public Land Order No. 4437 in the issue of June 8, 1968, at page 8492, in column 3, line 59, so far as it refers to the S $\frac{1}{2}$ SW $\frac{1}{4}$  of sec. 5, T. 2 N., R. 1 E., is corrected to read "W $\frac{1}{2}$ SW $\frac{1}{4}$ ".

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2984; Filed, Mar. 11, 1970;  
 8:48 a.m.]

[Public Land Order 4769]

[Oregon 5048 (Wash.)]

**WASHINGTON**

**Revocation of National Forest Administrative Site Withdrawal**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Departmental Order of November 30, 1907, so far as it withdrew the following described national forest land for use as an administrative site, is hereby revoked:

OKANOGAN NATIONAL FOREST

WILLAMETTE MERIDIAN

Beaver Lake Ranger Station, Administrative Site No. 4

T. 39 N., R. 30 E.,  
 Sec. 25, metes and bounds (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ).

The area described contains about 8.45 acres in Okanogan County.

The land is withdrawn for recreation purposes.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2985; Filed, Mar. 11, 1970;  
 8:48 a.m.]

[Public Land Order 4770]

[Sacramento 080114]

**CALIFORNIA**

**Withdrawal for National Forest Recreation Areas**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

TRINITY NATIONAL FOREST  
 MOUNT DIABLO MERIDIAN

Crazy Jim Campground and Picnic Area

T. 34 N., R. 11 W.,  
 Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$   
 SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$   
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate approximately 30 acres in Trinity County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2986; Filed, Mar. 11, 1970;  
 8:48 a.m.]

[Public Land Order 4771]

[Anchorage 2517]

**ALASKA**

**Partial Revocation of Townsite and Railroad Withdrawals**

By virtue of the authority vested in the President by section 1 of the Act of March 12, 1914, 38 Stat. 305, 48 U.S.C. section 303 (1964), and section 1 of the Act of June 25, 1910, 36 Stat. 847, 43 U.S.C. section 141 (1964), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Orders No. 1919 $\frac{1}{2}$  of April 21, 1914, No. 2216 of June 22, 1915, No. 3672 of May 8, 1922, and Public Land Orders No. 746 of August 17, 1951, No. 872 of November 5, 1952, and No. 1066 of February 9, 1955, withdrawing lands for townsite and railroad purposes are hereby revoked so far as they affect the following described lands:

## ANCHORAGE ORIGINAL TOWNSITE

## TRACT A

That portion of the N $\frac{1}{2}$ , Block 4, Wharf Reserve, described as follows: Beginning at SW corner of said Wharf Reserve; thence (1) north 79.57 feet along the west line of said reserve; thence (2) east 7.15 feet; thence (3) from a tangent that bears S. 65°00' E. along a curve to the left having a radius of 763.94 feet through an angle of 22°45' for an arc length of 303.33 feet to the intersection thereof with the east line of said reserve; thence (4) south 8.59 feet along last said line to the SE corner of said reserve; thence (5) west 300 feet along the south line of said reserve to the point of beginning.

Containing approximately 10,540 square feet.

## TRACT B

Lots 7 and 8, Block 4  
Containing 14,000 square feet.

## TRACT C

That portion of lot 2, Block 3 described as follows: Beginning at the southwest corner of said lot 2; thence north 18.11 feet along the west line of said lot 2; thence N. 87°28'47" E. 42.69 feet; thence along a curve to the left having a radius of 60 feet for an arc distance of 7.38 feet, more or less, to the intersection with the east line of said lot 2; thence south 20.45 feet, more or less, along the east line of said lot 2 to the southeast corner of said lot 2; thence west 50 feet along the south line of said lot 2 to the point of beginning.

Containing approximately 954 square feet.

## TRACT D

The north 15 feet of Block 4  
Containing approximately 4,500 square feet.

## TRACT E

That portion of lot 1, Block 5 described as follows: Beginning at the NE corner of said lot 1; thence (1) west 50 feet to the NW corner of said lot 1; thence (2) south along the west line of said lot 1 9.78 feet; thence (3) S. 86°18'06" E. 50.11 feet to the intersection thereof with the east line of said lot 1; thence (4) north along the east line of said lot 1, 13.04 feet to the point of beginning.

Containing approximately 571 square feet.

All the lands described have been declared to be "property" within the meaning of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 377, 40 U.S.C. section 471 (1964), and will be administered or disposed of under regulations of the General Services Administration.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2987; Filed, Mar. 11, 1970;  
8:48 a.m.]

[Public Land Order 4772]

[Utah 6825]

## UTAH

### Adjustment of Boundaries—Ashley National Forest Addition to Grazing District

By virtue of the authority vested in the President by section 24 of the Act of

March 3, 1891, 26 Stat. 1103, 16 U.S.C. § 471 (1964), and section 1 of the Act of June 4, 1897, 30 Stat. 34, 36, 16 U.S.C. § 473 (1964), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in section 1 of the Act of June 28, 1934, 48 Stat. 1269, as amended, 43 U.S.C. § 315, et seq. (1964), it is ordered as follows:

1. Subject to valid existing rights, the boundaries of the Ashley National Forest are hereby extended to include the following described lands:

## SALT LAKE MERIDIAN

T. 1 N., R. 23 E.,  
Sec. 17, lots 1 and 2.

The areas described aggregate 103.19 acres in Uintah County.

The above described lands shall hereafter be subject to all laws and regulations applicable to national forest lands.

2. The following described lands are hereby excluded from the Ashley National Forest:

## SALT LAKE MERIDIAN

## PUBLIC LANDS

T. 2 S., R. 22 E.,  
Sec. 12, lots 5, 6 and 7;  
Sec. 13, lots 1 to 4, incl.;  
Sec. 22, lot 1;  
Sec. 23, lots 1 to 6, incl.;  
Sec. 24, lots 1 to 9, incl., SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

## NONPUBLIC LANDS

T. 2 S., Rs. 21 and 22 E.,  
Mineral Survey Nos. 6778, 6907, 6908, and 6909, except Hercules, Pointer, and Plymouth Rock claims;  
Mineral Survey Nos. 6910, 6911, and 6912, except Republic, Solitaire, Gold Dollar, Modoc, and Flower of the West claims;  
Mineral Survey No. 6913, except Missouri, National, and Pythias claims;  
Homestead Entry Survey No. 41.

The areas described aggregate 10,273.30 acres of which 546.42 acres are public lands and 9,726.88 acres are non-public lands in Uintah County.

3. The public lands excluded from the Ashley National Forest by paragraph 2 of this order are hereby added to Utah Grazing District No. 8, and shall hereafter be subject to all laws and regulations applicable to public lands in grazing districts, effective on and after the date of publication of this order in the FEDERAL REGISTER.

The public lands have been and continue to be open to applications and offers under the mineral leasing laws, and to location under the United States mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2988; Filed, Mar. 11, 1970;  
8:48 a.m.]

[Public Land Order 4773]

[Montana 12807]

## MONTANA

### Partial Revocation of National Forest Administrative Site Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1110 of March 31, 1955, withdrawing public domain lands for use by the Forest Service, Department of Agriculture, in connection with the Boulder Administrative Site, is hereby revoked so far as it affects the following described land:

## PRINCIPAL MERIDIAN

T. 6 N., R. 4 W.,  
Sec. 29, lot 15.

The area described contains 32.99 acres in Jefferson County.

2. At 10 a.m. on April 10, 1970, the land shall be open to operation of the public land laws generally, and to location under the U.S. mining laws. All valid applications received at or prior to 10 a.m. on April 10, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

The land has been and will continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont.

HARRISON LOESCH,  
*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2989; Filed, Mar. 11, 1970;  
8:48 a.m.]

[Public Land Order 4774]

[Utah 0148813]

## UTAH

### Withdrawal for National Forest Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

## SALT LAKE MERIDIAN

## ASHLEY NATIONAL FOREST

## Lodgepole Campground

T. 1 N., R. 22 E.,  
Sec. 17, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 20, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

*Hacking Lake Campground*

T. 1 N., R. 19 E. (unsurveyed),  
When surveyed will probably be:  
Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
more particularly described as: Starting at the Lake shore on the north side of the outlet of Hacking Lake; thence N. 52° E., 180 feet; thence S. 83° E., 347 feet to a rock monument (Station C); thence S. 23° E., 900 feet; thence S. 57° W., 225 feet; thence N. 78° W., 430 feet to the shoreline of Hacking Lake; thence northerly on a meander line along the lake shore to the point of beginning. An additional tie is from Station C, S. 23° E., 132 feet; thence N. 89° E., 396 feet; thence S. 54° E., 104 feet to the junction of the campground road with Leidy Peak Road.

WASATCH NATIONAL FOREST

*Weber Cottonwood Picnic Ground*

T. 1 S., R. 6 E.,  
Sec. 14, lot 1.

*Yellow Pine Campground*

T. 2 S., R. 7 E.,  
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

*Beaver View Campground*

T. 1 N., R. 10 E.,  
Sec. 18, SE $\frac{1}{4}$  lot 1, NE $\frac{1}{4}$  lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

*Upper Provo River Bridge Campground*

T. 2 S., R. 9 E.,  
Sec. 17, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

UINTA SPECIAL MERIDIAN, UTAH

WASATCH NATIONAL FOREST

*Moosehorn Campground*

T. 4 N., R. 9 W.,  
Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 188.45 acres in Daggett, Duchesne, and Summit Counties.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,

*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2990; Filed, Mar. 11, 1970; 8:49 a.m.]

[Public Land Order 4775]

[Utah 6329]

UTAH

Partial Revocation of Coal Land Withdrawals

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive orders of July 7, 1910 and May 11, 1911 withdrawing certain lands in Utah as Coal Land Withdrawal—Utah No. 1, and Coal Land Withdrawal—Utah No. 9, respectively, for classification and appraisal with respect to coal values, are hereby revoked so far as they affect the following described lands:

SALT LAKE MERIDIAN

T. 22 S., R. 3 E.,  
Secs. 1 and 2;  
Sec. 9, E $\frac{1}{2}$ ;  
Secs. 10 to 16, incl.;  
Sec. 20, N $\frac{1}{2}$ ;  
Sec. 21, lots 1, 2, E $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Secs. 22 to 27, incl.;  
Sec. 28, E $\frac{1}{2}$ ;  
Sec. 33, E $\frac{1}{2}$ ;  
Secs. 34, 35 and 36.  
T. 23 S., R. 4 E.,  
Secs. 2 to 10, incl.;  
Secs. 14 to 22, incl.;  
Sec. 29, lots 3 and 4, W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 30, 31, and 32.  
T. 20 S., R. 5 E.,  
Sec. 1;  
Sec. 2, lots 1 to 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
Sec. 11, E $\frac{1}{2}$ ;  
Secs. 12, 13 and 14;  
Sec. 15, E $\frac{1}{2}$ ;  
Secs. 22 to 27, incl.;  
Sec. 28, E $\frac{1}{2}$ ;  
Secs. 33 to 36, incl.  
T. 37 S., R. 5 E. (partly surveyed)  
T. 13 S., R. 6 E.,  
Secs. 2 and 3;  
Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, lot 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 10 and 11;  
Sec. 13, lots 1-8, incl.;  
Secs. 14 and 15;  
Sec. 16, lots 1, 4, 5 and 8;  
Sec. 21, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 22 and 23;  
Sec. 24, W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
Secs. 25, 26 and 27;  
Sec. 28, lots 1, 4, 5 and 8;  
Sec. 33, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 34, 35 and 36.  
T. 20 S., R. 6 E.  
T. 37 S., R. 6 E. (partly surveyed)  
T. 38 S., R. 6 E. (partly surveyed)

T. 12 S., R. 7 E.,  
Secs. 10 to 15, incl.;  
Sec. 20, E $\frac{1}{2}$ ;  
Secs. 21 to 27, incl.;  
Sec. 28, N $\frac{1}{2}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 29, E $\frac{1}{2}$ ;  
Sec. 32, E $\frac{1}{2}$ ;  
Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
Secs. 34, 35 and 36.  
T. 14 S., R. 7 E.,  
Secs. 1 and 2;  
Sec. 3, lots 5, 6, 7 and 8, NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 7, lots 3 to 14, incl.;  
Secs. 8 to 36, incl.  
T. 38 S., R. 7 E. (partly surveyed)  
T. 12 S., R. 8 E.,  
Secs. 15 to 22, incl.;  
Secs. 27 to 34, incl.  
T. 17 S., R. 14 E.,  
Sec. 1, lots 1 to 8, incl., S $\frac{1}{2}$ N $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 12, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 13, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 24, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 25, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 36, E $\frac{1}{2}$ .  
T. 41 S., R. 1 W.,  
Sec. 3, lots 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, W $\frac{1}{2}$ ;  
Sec. 15, NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 16, E $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ ;  
Sec. 28, W $\frac{1}{2}$ ;  
Sec. 29, E $\frac{1}{2}$ ;  
Sec. 32, E $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 33, W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 42 S., R. 1 W.,  
Sec. 4, lots 2 to 7, incl., SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 5, all;  
Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 8, all;  
Sec. 9, lots 1 to 6, incl., SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 13, S $\frac{1}{2}$ ;  
Secs. 16 and 17;  
Sec. 18, E $\frac{1}{2}$ ;  
Sec. 19, E $\frac{1}{2}$ ;  
Secs. 20 to 27, incl.;  
Sec. 28, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 30, NE $\frac{1}{4}$ ;  
Sec. 34, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 35, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 36, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ .

The areas described aggregate approximately 222,201 acres in Carbon, Emery, Garfield, Kane, Sanpete, and Sevier Counties.

HARRISON LOESCH,

*Assistant Secretary of the Interior.*

MARCH 5, 1970.

[F.R. Doc. 70-2991; Filed, Mar. 11, 1970; 8:49 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Parts 211, 213 ]

### DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM AND TAX-FREE ALCOHOL

#### Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Director, Alcohol, Tobacco, and Firearms Division, Internal Revenue Service, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Director, Alcohol, Tobacco, and Firearms Division, within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

In order to (1) simplify the requirements now placed on States desiring to use specially denatured spirits or tax-free alcohol; (2) simplify the requirements now placed on others desiring to use not more than 60 gallons of specially denatured spirits or not more than 120 proof gallons of tax-free alcohol within a 12-month period; (3) extend the conditions under which certain qualification requirements may be waived; (4) liberalize the requirements relating to bonds; (5) eliminate the filing of a formula covering the use of specially denatured alcohol for certain laboratory purposes or for mechanical purposes; and (6) make other conforming and editorial changes, the regulations in 26 CFR Part 211, and in 26 CFR Part 213 are amended as follows:

PARAGRAPH A. 26 CFR Part 211 is amended as follows:

1. Section 211.42 is amended by revising the heading and by adding a new sentence immediately following the first sentence. As amended, § 211.42 reads as follows:

§ 211.42 Application, Form 1479, for permit to use or recover.

Every person desiring to use specially denatured alcohol or specially denatured rum, or both, and every person desiring to recover denatured alcohol, specially denatured rum, or articles shall, before commencing business, make application for and obtain an industrial use permit, Form 1481. Except as provided in § 211.42a, application for an industrial use permit shall be on Form 1479. Such application, and necessary supporting documents as required by this subpart for such permit, shall be filed with the assistant regional commissioner. All data, written statements, affidavits, and other documents submitted in support of the application shall be deemed to be a part thereof. Such application shall be accompanied by evidence which will establish the authority of the officer or other person who executes the application to execute the same and, where applicable, by the application for a withdrawal permit, Form 1485, required by § 211.161.

(72 Stat. 1370; 26 U.S.C. 5271)

2. A new section, § 211.42a, to prescribe the conditions for filing applications for limited industrial use and withdrawal permits, is inserted immediately following § 211.42 to read as follows:

§ 211.42a Application, Form 4326, for limited industrial use and withdrawal permits.

Any person desiring to use not more than 60 gallons of specially denatured alcohol and/or specially denatured rum during a calendar year may file application, Form 4326, for a limited industrial use permit and a limited withdrawal permit if (a) all such specially denatured spirits will be obtained from one supplier; (b) the maximum quantity of specially denatured spirits to be on hand, in transit, and unaccounted for at any one time will not exceed 5 gallons; and (c) specially denatured spirits or articles will not be recovered. A State or political subdivision thereof, and the District of Columbia, may file application on Form 4326, for a limited industrial use permit and limited withdrawal permit, regardless of the quantity to be procured or on hand: *Provided*, That no specially denatured spirits or articles are to be recovered, and all specially denatured spirits will be obtained from one supplier. The application, and necessary supporting documents as required by this subpart, shall be filed with the assistant regional commissioner. All data, written statements, affidavits, and other docu-

ments in support of the application shall be deemed to be a part thereof. Such application shall be accompanied by evidence which will establish the authority of the officer or other person who executes the application to execute the same. (72 Stat. 1370; 26 U.S.C. 5271)

3. A new section, § 211.43a, providing details for the application for limited permits, is added immediately following § 211.43 to read as follows:

§ 211.43a Data for application, Form 4326.

Each application on Form 4326 shall include the following information:

(a) Serial number and purpose for which filed.

(b) Name and business address of applicant.

(c) Location of the user's premises, if different from the business address.

(d) Type of business organization.

(e) Trade names (see § 211.52).

(f) Maximum quantity of specially denatured alcohol and/or specially denatured rum to be on hand, in transit, and unaccounted for at any one time.

(g) Maximum quantity of specially denatured alcohol and/or specially denatured rum to be withdrawn during a calendar year.

(h) Statement of the intended use of the specially denatured spirits.

(i) Specially denatured alcohol and/or specially denatured rum formula numbers.

(j) Name and address of the distilled spirits plant or bonded dealer from whom the specially denatured spirits will be procured.

(k) List of the offices, the incumbents of which are authorized by the articles of incorporation, bylaws, or the board of directors to act on behalf of the applicant or to sign his name.

(l) On specific request of the assistant regional commissioner, furnish a statement of the persons interested in the business, supported by any of the information listed in § 211.53; or such other information as may be necessary for the assistant regional commissioner to determine whether the applicant is entitled to the permit.

Where any of the information required by paragraphs (e) and (k) of this section is on file with the assistant regional commissioner, the applicant may, by incorporation by reference thereto, state that such information is made a part of the application.

(72 Stat. 1370; 26 U.S.C. 5271)

4. Section 211.44 is amended to extend the waiver of certain detailed application and supporting data to users withdrawing not more than 120 gallons per year as compared to present limitations of 60 gallons. As amended, § 211.44 reads as follows:



#### § 211.44 Exceptions to application requirements.

The assistant regional commissioner may, in his discretion, waive detailed application and supporting data requirements, other than the requirements of paragraphs (a), (b), (c), and (e) of § 211.43, and of paragraph (f) of such section as it relates to recovery, in the case of applications, Form 1479, filed by States or political subdivisions thereof or the District of Columbia. Also, he may waive such detailed application and supporting data requirements in the case of applications, Form 1479, filed by other applicants, if the quantity of specially denatured spirits to be obtained does not exceed 120 gallons per year. The waiver of the requirements for the submission of detailed application and supporting data shall terminate when a permittee, other than a State or a political subdivision thereof or the District of Columbia, files an application, Form 1485, for an increase in the quantity of specially denatured spirits to an amount in excess of 120 gallons per year; in such case the permittee shall furnish information in respect of the previously waived items, as provided in § 211.55.

5. Section 211.48 is amended to include coverage of applications for limited permits. As amended, § 211.48 reads as follows:

#### § 211.48 Disapproval of application.

If, on examination of an application on Form 1474 or 1479, for an industrial use permit, or of an application on Form 4326 for a limited industrial use permit and a limited withdrawal permit (or on basis of an inquiry or investigation with respect thereto), the assistant regional commissioner has reason to believe that—

(a) The applicant is not authorized by law and regulations issued pursuant thereto to withdraw or use specially denatured alcohol or specially denatured rum free of tax; or

(b) The applicant (including, in the case of a corporation, any officer, director, or principal stockholder, and, in the case of a partnership, a partner) is, by reason of his business experience, financial standing, or trade connections, not likely to maintain operations in compliance with Chapter 51, I.R.C., or regulations issued thereunder; or

(c) The applicant has failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

(d) The premises on which the applicant proposes to conduct the business are not adequate to protect the revenue; the assistant regional commissioner may institute proceedings for the disapproval of the application in accordance with the procedures set forth in Part 200 of this chapter.

(72 Stat. 1370; 26 U.S.C. 5271)

6. Section 211.52 is amended to include reference to new Form 4326. As amended, § 211.52 reads as follows:

#### § 211.52 Trade names.

Where a trade name is to be used by an applicant or permittee, he shall list such trade name on Form 1474, Form 1479, or Form 4326, and the offices where such name is registered, supported by copies of any certificate or other document filed or issued in respect of such name. Operations shall not be conducted under a trade name until the permittee is in possession of an industrial use permit on Form 1476 or Form 1481 covering the use of such name.

7. Section 211.54 is amended to include, in the parenthetical statement, a reference to § 211.43a. As amended, § 211.54 reads as follows:

#### § 211.54 Powers of attorney.

An applicant or permittee shall execute and file with the assistant regional commissioner a Form 1534, in accordance with the instructions on the form, for every person authorized to sign or to act on his behalf. (Not required for persons whose authority is furnished in accordance with § 211.43 or § 211.43a.)

8. Section 211.55 is amended to include provisions relating to changes affecting limited industrial use permits and limited withdrawal permits. As amended, § 211.55 reads as follows:

#### § 211.55 Changes affecting applications and permits.

(a) *General.* When there is a change relating to any of the information contained in, or considered as a part of, the application on Form 1474 or Form 1479 for an industrial use permit, or Form 4326 for a limited industrial use permit and a limited withdrawal permit, the permittee shall, within 30 days (except as otherwise provided in this subpart, and in § 211.163a as to changes affecting limited withdrawal permits), file with the assistant regional commissioner a written notice, in duplicate, of such change. Similarly, when any waiver under § 211.44 is terminated, the permittee shall file such a written notice furnishing current information as to the items previously waived. When the terms of an industrial use permit are affected by the change, and the permittee has not filed an application for an amended permit, the assistant regional commissioner shall require the permittee to file an application on Form 1474, Form 1479, or Form 4326, as the case may be, for an amended industrial use permit. Items which remain unchanged shall be marked "No change since Form 1474 (or Form 1479 or Form 4326), Serial No. \_\_\_\_\_." Where a permittee holds a limited industrial use permit and a limited withdrawal permit, and there is a change which would disqualify him for such limited permits under § 211.42a, the permittee shall immediately file application, Form 1479, for an industrial use permit. He shall also file application for a withdrawal permit as provided in § 211.163a.

(b) *Changes in officers, directors, and stockholders.* In case of a change in the officers or directors listed under the provisions of § 211.53(a)(2), the notice required by paragraph (a) of this section

shall be supported by a certified list, in duplicate, reflecting such change: *Provided,* That if the permittee shows to the satisfaction of the assistant regional commissioner that the holders of certain corporate offices, as listed on the original application, have no responsibilities in connection with operations under this part, the assistant regional commissioner may waive the requirement for the giving of the notice required by paragraph (a) of this section to cover changes in the holders of such corporate offices. Notices of changes in the list of stockholders furnished under the provisions of § 211.53(c)(1), may, in lieu of being submitted within 30 days as required by paragraph (a) of this section, be submitted annually by the permittee, except where the sale or transfer of capital stock results in a change in ownership or control which is required to be reported under § 211.56. Such annual notice of changes shall be submitted by July 10 of each year unless the permittee has filed a request with the assistant regional commissioner for permission to submit such annual notice at some other time, and the assistant regional commissioner has approved such request. The provisions of this paragraph shall apply in the case of changes in officers, directors, and stockholders of permittees operating under limited industrial use permits if the names of such persons were furnished in connection with a prior application on Form 4326 under the provisions of § 211.43a(1).

(72 Stat. 1370; 26 U.S.C. 5271)

9. Sections 211.57, 211.58, 211.59, and 211.60 are amended to include reference to Form 4326. As amended, §§ 211.57, 211.58, 211.59, and 211.60 read as follows:

#### § 211.57 Change in name of permittee.

Where there is to be a change in the individual, firm, or corporate name, the permittee shall file application on Form 1474, Form 1479, or Form 4326, as the case may be, to amend his industrial use permit. Operations may not be conducted under the new name prior to issuance of the amended permit.

#### § 211.58 Change in trade name.

Where there is to be a change in, or addition of, a trade name, the permittee shall file application on Form 1474, Form 1479, or Form 4326, as the case may be, to amend his industrial use permit. A new bond or consent of surety will not be required. Operations may not be conducted under the trade name prior to issuance of the amended permit.

#### § 211.59 Change in location.

When a permittee intends to move to a new location within the same region, he shall file application on Form 1474, Form 1479, or Form 4326, as the case may be, for an amended industrial use permit and, except in the case of a user not required to file bond, furnish a consent of surety on Form 1533, or a new bond to cover the new location. Business may not be commenced at the location prior to issuance of the amended permit.

(72 Stat. 1370; 26 U.S.C. 5271)

**§ 211.60 Adoption of documents by a fiduciary.**

If the business is to be operated by a fiduciary, such fiduciary may, in lieu of qualifying as a new proprietor, file an application on Form 1474, Form 1479, or Form 4326, as the case may be, to amend his predecessor's industrial use permit, furnish a consent of surety on Form 1533 extending the terms of the predecessor's bond, if any, and adopt the formulas and processes of the predecessor. The effective date of the qualifying documents filed by a fiduciary shall coincide with the effective date of the court order or the date specified therein for him to assume control. If the fiduciary was not appointed by the court, the date of his assuming control shall coincide with the effective date of the qualifying documents filed by him.

10. Section 211.72 is amended to raise the maximum quantity of specially denatured spirits authorized to be withdrawn, or to be on hand, in transit, and unaccounted for at one time, without the filing of a bond, and to add a new sentence immediately following the last sentence. As amended, § 211.72 reads as follows:

**§ 211.72 User's bond, Form 1480.**

Every person filing an application on Form 1479 shall, before issuance of the industrial use permit, file bond, Form 1480, with the assistant regional commissioner, except that no bond will be required where the application is filed by a State, or any political subdivision thereof, or the District of Columbia, or where the quantity of specially denatured alcohol and specially denatured rum authorized to be withdrawn does not exceed 120 gallons per annum and the quantity which may be on hand, in transit, and unaccounted for at any one time does not exceed 10 gallons. The penal sum of the bond shall be computed on each gallon of specially denatured alcohol or rum, including recovered or restored denatured alcohol or specially denatured rum or recovered articles in the form of denatured spirits, authorized to be on hand, in transit to the premises of the user, and unaccounted for at any one time, at double the rate prescribed by law as the internal revenue tax on a proof gallon of distilled spirits: *Provided*, That the penal sums of bonds covering specially denatured alcohol Formulas No. 18 and No. 19 shall be computed on each gallon at the rate prescribed by law as the tax on a proof gallon of distilled spirits. The penal sum of any such bond (or the total of the penal sums where original and strengthening bonds are filed) shall not exceed \$100,000 or be less than \$500. No bond is required where application is filed on Form 4326, as provided in § 211.42a.

(72 Stat. 1372; 26 U.S.C. 5272)

11. In § 211.101, paragraph (a) is amended to exclude from the provisions thereof persons desiring to use specially denatured spirits for laboratory and mechanical purposes. As amended, paragraph (a) reads as follows:

**§ 211.101 General.**

(a) *Form 1479-A.* Every person desiring to use specially denatured spirits for other than laboratory or mechanical purposes, as provided in § 211.169, or to recover denatured spirits or articles, shall, except where previously approved formulas are adopted or as provided in § 211.102, submit on Form 1479-A, directly to the Director, a description of each process or formula; a separate Form 1479-A shall be used for each such formula or process. In the case of articles to be manufactured with specially denatured spirits, quantitative formulas and processes shall be given. The preparation of Form 1479-A shall be in accordance with the headings and the instructions thereon.

(72 Stat. 1369, 1372; 26 U.S.C. 5241, 5273)

12. Sections 211.137 and 211.146 are amended to include reference to Form 4327. As amended, §§ 211.137 and 211.146 read as follows:

**§ 211.137 Shipment for account of bonded dealer.**

A bonded dealer may order specially denatured spirits shipped directly from a denaturer or another bonded dealer to his customers (bonded dealer or user), if he obtains a consent of surety, Form 1533, extending the terms of his bond, Form 1475, to cover the transportation of the specially denatured spirits from the consignor's premises to the consignee's premises. The bonded dealer's withdrawal permit, Form 1477, and the consignee's withdrawal permit, Form 1477, Form 1485, or Form 4327, as the case may be, shall be forwarded to the person actually making the shipment of specially denatured spirits.

(72 Stat. 1370; 26 U.S.C. 5271)

**§ 211.146 General.**

A bonded dealer may, pursuant to withdrawal permit on Form 1485, Form 4327, or Form 1477, as the case may be, dispose of specially denatured spirits to manufacturers using such spirits and to other bonded dealers. Samples of specially denatured spirits may be dispensed to persons as provided in § 211.281. Specially denatured spirits shall not be shipped to a manufacturer or a bonded dealer until the shipping bonded dealer receives the withdrawal permit, Form 1485, Form 4327, or Form 1477, issued to the consignee. Bonded dealers shall not ship specially denatured spirits in excess of the quantities set forth in such withdrawal permit.

13. Section 211.161 is amended by adding in paragraph (a) requirements relating to Form 4326 and to formulas used exclusively for laboratory or mechanical purposes; by adding in paragraph (b) instructions relating to limited permits and to limitations on withdrawals; and by adding clarifying language in paragraph (c). As amended, § 211.161 reads as follows:

**§ 211.161 Application for withdrawal permit.**

(a) *Application.* To procure specially denatured spirits, a user shall, unless application is filed on Form 4326 as provided in § 211.42a, file with the assistant regional commissioner an application on Form 1485 for a withdrawal permit. He shall specify in his application—

(1) The period to be covered by the withdrawal permit.

(2) The formula numbers of the denatured spirits to be withdrawn, listing only those formulas covered by Form 1479-A and formulas which will be used exclusively for laboratory or mechanical purposes as provided in § 211.169.

(3) The estimated average quantity, in gallons, of denatured spirits of each formula that will be required in 1 month. (The applicant shall specify the quantities and the formulas in accordance with his bona fide business needs.)

Where application is filed on Form 1485, a user may, if he so desires, file more than one application and receive more than one withdrawal permit; however, in such case he shall allot among the several applications the total to be withdrawn.

(b) *Limitations on withdrawals.* A user holding a permit on Form 1485 may, except as otherwise provided in this section, during any month and as to each formula specified, withdraw not more than twice the number of gallons specified under paragraph (a) (3) of this section, or 55 gallons (one drum), whichever is the larger: *Provided*, That, as to any one such formula, the total quantity withdrawn under the permit shall not exceed the number of gallons specified under paragraph (a) (3) of this section multiplied by the number of months (considering any fraction of a month as a month) in the period of withdrawal covered by the permit. Notwithstanding the provisions of this paragraph:

(1) A user holding a withdrawal permit on Form 1485 authorizing withdrawals of not more than 120 gallons during a 12-month period, without bond, may not withdraw at one time a quantity which would result in there being more than 10 gallons on hand, in transit, and unaccounted for.

(2) A user, other than a State or political subdivision thereof or the District of Columbia, holding a withdrawal permit on Form 4327 may not withdraw at one time a quantity which would result in there being more than 5 gallons on hand, in transit, and unaccounted for.

(3) A user who has filed bond, and a State, political subdivision thereof, or the District of Columbia may not withdraw at one time a quantity which would result in there being on hand, in transit, and unaccounted for a quantity in excess of that stated in the application for permit under § 211.43 or § 211.43a, as applicable.

(c) *Exceptions to limitations.* If, because of the seasonal nature of the user's business or for other valid reasons, the limitations contained in paragraph (b) of this section adversely affect the user's

operations, he may in his application request a larger withdrawal as to one or more formulas during a calendar month, still subject to the limitations in paragraph (b) of this section on withdrawals during the period covered by the permit and on the quantity which may be on hand, in transit, and unaccounted for at any one time. In such case he shall furnish with his application sufficient information to enable the assistant regional commissioner to judge the merits of the request. Such larger withdrawals may, if the user so requests in his application, be authorized on the basis of an aggregate quantity of a combination of two or more formulas; in such case the user's request shall be specific as to the aggregate quantity and the formulas involved.

(72 Stat. 1370; 26 U.S.C. 5271)

14. Section 211.162 is amended to include provisions relating to limited withdrawal permits. As amended, § 211.162 reads as follows:

**§ 211.162 Issuance and duration of withdrawal permit.**

If the application submitted in accordance with § 211.161 is approved, the assistant regional commissioner shall issue withdrawal permit on Form 1485 and shall forward the original to the permittee. If the application submitted in accordance with § 211.42a is approved, the assistant regional commissioner shall issue a limited withdrawal permit on Form 4327, and shall forward it to the permittee. Withdrawal permits on Form 1485 shall terminate on October 31 of each year: *Provided*, That a permit issued on or after May 1 of any year shall remain in effect through October 31 of the following year. Limited withdrawal permits on Form 4327 shall remain in effect until canceled as provided in § 211.165.

(72 Stat. 1370; 26 U.S.C. 5271)

15. The heading of § 211.163 is amended, for clarification, to read as follows:

**§ 211.163 Application for and renewal of withdrawal permit, Form 1485.**

16. A new section, § 211.163a, relating to changes affecting limited withdrawal permits, is added immediately following § 211.163, to read as follows:

**§ 211.163a Changes affecting limited withdrawal permits.**

Where a permittee holds a limited withdrawal permit and there is a change in operations which makes him no longer eligible to withdraw specially denatured spirits under such withdrawal permit (as provided in § 211.55), the permittee shall file application on Form 1485 for a withdrawal permit, in the manner provided in § 211.161. Where there is a change affecting information shown on the limited withdrawal permit, but which does not disqualify the permittee for withdrawals under a limited permit, application for an amended limited withdrawal permit shall be filed on Form 4326.

17. Section 211.165 is amended to include provisions for the cancellation of a limited withdrawal permit. As amended, § 211.165 reads as follows:

**§ 211.165 Cancellation of withdrawal permit.**

Should an industrial use permit on Form 1481 be terminated or surrendered or should the withdrawal permit on Form 1485 or the limited withdrawal permit on Form 4327, issued to the user be revoked, the withdrawal permit shall be returned immediately to the assistant regional commissioner for cancellation. Where a permittee holds a limited withdrawal permit on Form 4327 and is required to file application on Form 1485 for a new permit, the limited withdrawal permit shall be forwarded to the assistant regional commissioner for cancellation.

(72 Stat. 1370; 26 U.S.C. 5271)

18. Section 211.166 is amended by adding a new sentence immediately following the last sentence. As amended, § 211.166 reads as follows:

**§ 211.166 Withdrawals under permit.**

When the user desires to procure specially denatured alcohol or specially denatured rum, he shall forward the withdrawal permit to the denaturer or bonded dealer from whom he will procure the specially denatured alcohol or specially denatured rum. Shipments shall not be made by the consignor until he is in possession of a valid withdrawal permit, nor shall shipments exceed the quantity authorized by such permit. On shipment, the denaturer or bonded dealer shall enter the transaction on the permit and return it to the user, unless he has been authorized to retain it for the purpose of making future shipments. In the case of limited withdrawal permits, Form 4327, when space for entries on the form is no longer available, separate sheets, as needed, shall be attached to and made a part of the form, and entries covering each shipment shall be made thereon in the same manner as on the form.

19. Section 211.167 is amended by adding requirements relating to withdrawals by a user not required to file bond, and by making clarifying changes; and by subdividing the section into three paragraphs. As amended, § 211.167 reads as follows:

**§ 211.167 Regulation of withdrawals.**

(a) *Withdrawals covered by bond.* Withdrawals by a user required to file bond shall not exceed the quantity authorized by his permit on Form 1485 and shall be so regulated by him that he will not have on hand, in transit, and unaccounted for at any one time more than the quantity of specially denatured spirits, including the quantity of recovered or restored denatured alcohol or specially denatured rum, and recovered or restored articles (which are in the form of denatured spirits) shown in his application on Form 1479 for an industrial use permit.

(b) *Withdrawals not covered by bond.* Withdrawals by a user, not required to file bond, under withdrawal permit on Form 1485 shall not exceed the quantity authorized by his permit and shall be so regulated by him that he will not have more than 10 gallons on hand, in transit, and unaccounted for at any one time. Withdrawals by a user under a limited withdrawal permit on Form 4327 shall not exceed the quantity authorized by his permit and shall be so regulated by him that he will not have more than 5 gallons on hand, in transit, and unaccounted for at any one time: *Provided*, That, in the case of a State or political subdivision thereof, or the District of Columbia, the quantity which may be on hand, in transit, and unaccounted for at any one time shall not exceed the quantity shown in the application on Form 4326.

(c) *Spirits unaccounted for.* For purposes of this section, specially denatured spirits, recovered or restored denatured alcohol or specially denatured rum, and recovered or restored articles (which are in the form of denatured spirits) shall be deemed to be unaccounted for if lost under circumstances where a claim for allowance is required by this part and has not been allowed or if used or disposed of otherwise than as provided in this part.

20. Section 211.169 is amended to provide for the use of specially denatured alcohol formulas for certain laboratory purposes and for mechanical purposes, without the filing of Form 1479-A. As amended, § 211.169 reads as follows:

**§ 211.169 General.**

Uses of specially denatured spirits shall be as authorized under Part 212 of this chapter. Specially denatured spirits shall not be used until Form 1479-A showing the intended use, process, formula, or article has been approved, as required by Subpart G of this part: *Provided*, That Form 1479-A will not be required to cover the use of specially denatured alcohol Formulas No. 3-A and No. 30, by a permittee on his permit premises, exclusively for laboratory purposes not involving the development of a product and for mechanical purposes, if the quantity to be so used during a 12-month period will not exceed 60 gallons. Specially denatured spirits shall not be used in the manufacture of medicinal preparations or flavoring extracts for internal human use where any of the spirits remain in the finished product. Liquid products containing specially denatured spirits shall be unfit for beverage or internal human use. The essential oils and chemicals used in their manufacture shall make the finished products conform to the samples and formulas for such products submitted by the applicant with Form 1479-A and approved by the Director or, in the case of rubbing alcohol, by the assistant regional commissioner. Whenever the assistant regional commissioner has reason to believe that the spirits in any articles are being reclaimed or diverted to beverage or internal human use, the permittee

shall be directed to appear on a day named and show cause why the authorized formula and article should not be so changed and modified as to prevent such reclamation or diversion. In the event the permittee should fail to appear, or appearing should fail to provide to the satisfaction of the assistant regional commissioner that the spirits in the authorized article are not reclaimable and are not being diverted to beverage or internal human use, he shall, at the direction of the assistant regional commissioner, discontinue the use of the formula until it has been modified and again approved.

(72 Stat. 1372; 26 U.S.C. 5273)

21. In § 211.265, paragraph (b) is amended by deleting from the last sentence the words "Form 1485" and by inserting in lieu thereof the words "the withdrawal permit." As amended, the last sentence in § 211.265 (b) reads as follows:

**§ 211.265 Records of users of specially denatured spirits.**

\* \* \* \* \*

(b) *Persons manufacturing other articles.* \* \* \*

Where the estimated average monthly requirement of specially denatured spirits as stated on the withdrawal permit does not exceed 25 gallons, the records required by this paragraph (b) need not be maintained.

\* \* \* \* \*

(72 Stat. 1373; 26 U.S.C. 5275)

Paragraph B. 26 CFR Part 213 is amended as follows:

1. Section 213.41 is amended by adding a new sentence immediately following the first sentence and by making other clarifying changes. As amended, § 213.41 reads as follows:

**§ 213.41 Application for industrial use permit.**

Every person desiring to use tax-free alcohol shall, before commencing such use, make application for and obtain an industrial use permit, Form 1447. Except as provided in § 213.41a, application for an industrial use permit shall be on Form 2600. Such application, and necessary supporting documents, as required by this subpart, shall be filed with the assistant regional commissioner. All data, written statements, affidavits, and other documents submitted in support of the application shall be deemed to be a part thereof. A State, political subdivision thereof, or the District of Columbia may specify in its application that it desires a single permit authorizing the use of tax-free alcohol in a number of institutions under its control; such applications shall clearly show, on Form 2600 or an attachment thereto, the method of storing, distributing, and accounting for the alcohol to be withdrawn under the permit. Applications filed as provided in this section shall be accompanied by evidence which will establish the authority of the officer or other person who executes the application to execute the same and, where applicable, by the application for a with-

drawal permit, Form 1450, required by § 213.109.

(72 Stat. 1370; 26 U.S.C. 5271)

2. A new section, § 213.41a, to prescribe the conditions for filing applications for limited industrial use and withdrawal permits, is inserted immediately following § 213.41, to read as follows:

**§ 213.41a Application, Form 4326, for limited industrial use and withdrawal permits.**

Any person desiring to use not more than 120 proof gallons of tax-free alcohol during a calendar year may file application, Form 4326, for a limited industrial use permit and a limited withdrawal permit if (a) all such tax-free alcohol will be obtained from one supplier; (b) the maximum quantity of tax-free alcohol to be on hand, in transit, and unaccounted for at any one time will not exceed 10 proof gallons; and (c) tax-free alcohol will not be recovered. A State or political subdivision thereof, and the District of Columbia, may file application on Form 4326, for a limited industrial use permit and a limited withdrawal permit, regardless of the quantity to be procured or on hand: *Provided*, That no alcohol is to be recovered, and all tax-free alcohol will be obtained from one supplier. A State, political subdivision, or the District of Columbia may specify in its application that it desires a single permit authorizing the use of tax-free alcohol in a number of institutions under its control; such application shall clearly show, on Form 4326 or an attachment thereto, the method of storing, distributing and accounting for the alcohol to be withdrawn under the limited permit. Applications filed as provided in this section shall be accompanied by evidence which will establish the authority of the officer or other person who executes the application to execute the same.

(72 Stat. 1370; 26 U.S.C. 5271)

3. The heading of § 213.42 is amended, for clarification, to read as follows:

**§ 213.42 Data for application, Form 2600.**

4. A new § 213.42a, relating to data for application for limited permits, is added immediately following § 213.42 to read as follows:

**§ 213.42a Data for application, Form 4326.**

Each application on Form 4326 shall include the following information:

- (a) Serial number and purpose for which filed.
- (b) Name and principal business address of applicant.
- (c) Location (or locations) where tax-free alcohol is to be used, if different from the business address.
- (d) Type of business organization.
- (e) Trade names (see § 213.51).
- (f) Statement showing the specific manner in which, or purpose for which, tax-free alcohol will be used.
- (g) Maximum quantity, in proof gallons, of tax-free alcohol which will be on hand, in transit, and unaccounted for at any one time.

(h) Maximum quantity, in proof gallons, of tax-free alcohol to be withdrawn during a calendar year.

(i) Name and address of the distilled spirits plant from which the tax-free alcohol will be withdrawn.

(j) List of the offices, the incumbents of which are authorized by the articles of incorporation, the bylaws, or the board of directors to act on behalf of the applicant or to sign his name.

(k) On specific request of the assistant regional commissioner, furnish a statement of the persons interested in the business, supported by any of the information listed in § 213.52; or such other information as may be necessary for the assistant regional commissioner to determine whether the applicant is entitled to the permit.

Where any of the information required by paragraphs (e) and (j) of this section is on file with the assistant regional commissioner, the applicant may, by incorporation by reference thereto, state that such information is made a part of the application.

(72 Stat. 1370; 26 U.S.C. 5271)

5. Section 213.43 is amended to extend the waiver of certain detailed application and supporting data to permittees withdrawing not more than 240 proof gallons of tax-free alcohol per year as compared to present limitations of 120 gallons. As amended, § 213.43 reads as follows:

**§ 213.43 Exceptions to application requirements.**

The assistant regional commissioner may, in his discretion, waive detailed application and supporting data requirements, other than the requirements of paragraphs (a), (b), (c), and (e) of § 213.42, and of paragraph (f) of such section as it relates to recovery, in the case of applications, Form 2600, filed by States or political subdivisions thereof or the District of Columbia. Also, he may waive such detailed application and supporting data requirements in the case of applications, Form 2600, filed by other applicants, if the quantity of tax-free alcohol to be obtained does not exceed 240 proof gallons per year. The waiver of the requirements for the submission of detailed application and supporting data shall terminate when a permittee, other than a State or a political subdivision thereof or the District of Columbia, files an application, Form 1450, for an increase in the quantity of tax-free alcohol to an amount in excess of 240 proof gallons per year; in such case the permittee shall furnish information in respect of the previously-waived items, as provided in § 213.54.

(72 Stat. 1370; 26 U.S.C. 5271)

6. Section 213.47 is amended to include coverage of applications for limited permits. As amended, § 213.47 reads as follows:

**§ 213.47 Disapproval of application.**

If, on examination of an application, Form 2600, for an industrial use permit, or of an application on Form 4326 for a

limited industrial use permit and a limited withdrawal permit (or on basis of an inquiry or investigation with respect thereto), the assistant regional commissioner has reason to believe that:

(a) The applicant is not authorized by law and regulations issued pursuant thereto to withdraw or use alcohol free of tax; or

(b) The applicant (including, in the case of a corporation, any officer, director, or principal stockholder, and; in the case of a partnership, a partner) is, by reason of his business experience, financial standing, or trade connections, not likely to maintain operations in compliance with Chapter 51, I.R.C., or regulations issued thereunder; or

(c) The applicant has failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

(d) The premises on which the applicant proposes to conduct the business are not adequate to protect the revenue;

The assistant regional commissioner may institute proceedings for the disapproval of the application in accordance with the procedures set forth in Part 200 of this chapter.

(72 Stat. 1370; 26 U.S.C. 5271)

7. Section 213.51 is amended to include reference to Form 4326. As amended, § 213.51 reads as follows:

§ 213.51 Trade names.

Where a trade name is to be used by an applicant or permittee, he shall list such trade name on Form 2600 or Form 4326, as the case may be, and the offices where such name is registered, supported by copies of any certificate or other document filed or issued in respect of such name. Operations shall not be conducted under a trade name until the permittee is in possession of an industrial use permit, Form 1447, covering the use of such name.

8. Section 213.53 is amended to include, in the parenthetical statement, a reference to Form 4326. As amended, § 213.53 reads as follows:

§ 213.53 Powers of attorney.

An applicant or permittee shall execute and file with the assistant regional commissioner a Form 1534, in accordance with the instructions on the form, for every person authorized to sign or to act on his behalf. (Not required for persons whose authority is furnished in accordance with § 213.42(h) or § 213.42a(j).)

9. Section 213.54 is amended to include provisions relating to changes affecting limited industrial use permit and limited withdrawal permit, and to require the annual notice to be filed by January 10, in lieu of July 10. As amended, § 213.54 reads as follows:

§ 213.54 Changes affecting applications and permits.

(a) *General.* When there is a change relating to any of the information contained in, or considered as part of, the application on Form 2600 for an industrial

use permit, or Form 4326 for a limited industrial use permit and a limited withdrawal permit, the permittee shall, within 30 days (except as otherwise provided in this subpart, and in § 213.11a as to changes affecting limited withdrawal permits), file with the assistant regional commissioner a written notice, in duplicate, of such change. Similarly, when any waiver under § 213.43 is terminated the permittee shall file such a written notice furnishing current information as to the items previously waived. When the terms of an industrial use permit are affected by the change, and the permittee has not filed an application for an amended permit, the assistant regional commissioner shall require the permittee to file an application on Form 2600 or Form 4326, as the case may be, for an amended industrial use permit. Items which remain unchanged shall be marked "No change since Form 2600 (or Form 4326) Serial No. \_\_\_\_\_." Where a permittee holds a limited industrial use permit and a limited withdrawal permit, and there is a change which would disqualify him for such limited permits under § 213.41a, the permittee shall immediately file application, Form 2600, for an industrial use permit. He shall also file application for a withdrawal permit as provided in § 213.11a.

(b) *Changes in officers, directors, and stockholders.* In case of a change in the officers or directors listed under the provisions of § 213.52(a)(2), the notice required by paragraph (a) of this section shall be supported by a certified list, in duplicate, reflecting such change: *Provided,* That if the permittee shows to the satisfaction of the assistant regional commissioner that the holders of certain corporate offices, as listed on the original application, have no responsibilities in connection with operations under this part, the assistant regional commissioner may waive the requirement for the giving of the notice required by paragraph (a) of this section to cover changes in the holders of such corporate offices. Notices of changes in the list of stockholders furnished under the provision of § 213.52(c)(1), may, in lieu of being submitted within 30 days as required by paragraph (a) of this section, be submitted annually by the permittee, except where the sale or transfer of capital stock results in a change in ownership or control which is required to be reported under § 213.55. Such annual notice of changes shall be submitted by January 10 of each year unless the permittee has filed a request with the assistant regional commissioner for permission to submit such annual notice at some other time, and the assistant regional commissioner has approved such request. The provisions of this paragraph shall apply in the case of changes in officers, directors, and stockholders of permittees operating under limited industrial use permits if the names of such persons were furnished in connection with a prior application on Form 4326 under the provisions of § 213.42a(k).

(72 Stat. 1370; 26 U.S.C. 5271)

10. Sections 213.56, 213.59, 213.60, and 213.61 are amended to include reference to Form 4326. As amended, §§ 213.56, 213.59, 213.60, and 213.61 read as follows:

§ 213.56 Adoption of documents by a fiduciary.

If the business is to be operated by a fiduciary, such fiduciary may, in lieu of qualifying as a new proprietor, file an application on Form 2600 or Form 4326, as the case may be, to amend his predecessor's industrial use permit and furnish a consent of surety on Form 1533 extending the terms of the predecessor's bond, if any. The effective date of the qualifying documents filed by a fiduciary shall coincide with the effective date of the court order or the date specified therein for him to assume control. If the fiduciary was not appointed by the court, the date of his assuming control shall coincide with the effective date of the qualifying documents filed by him.

§ 213.59 Change in name of permittee.

Where there is to be a change in the individual, firm, or corporate name, the permittee shall file application on Form 2600 or Form 4326, as the case may be, to amend his industrial use permit. Operations may not be conducted under the new name prior to issuance of the amended permit.

§ 213.60 Change in trade name.

Where there is to be a change in, or addition of, a trade name, the permittee shall file application on Form 2600 or Form 4326, as the case may be, to amend his industrial use permit. A new bond or consent of surety will not be required. Operations may not be conducted under the trade name prior to issuance of the amended permit.

§ 213.61 Change in location.

When a permittee intends to move to a new location within the same region, he shall file application on Form 2600 or Form 4326, as the case may be, for an amended industrial use permit and, if a bond on Form 1448 had been given, furnish a consent of surety, Form 1533, or a new bond to cover the new location. Tax-free alcohol may not be stored or used at the new location prior to issuance of the amended permit.

(72 Stat. 1370; 26 U.S.C. 5271)

11. Section 213.71 is amended to raise the maximum quantity of tax-free alcohol authorized to be withdrawn, or to be on hand, in transit, and unaccounted for at one time, without the filing of a bond, and to add a new sentence immediately following the last sentence. As amended, § 213.71 reads as follows:

§ 213.71 Bond, Form 1448.

Every person filing an application, Form 2600, shall, before issuance of the industrial use permit, file bond, Form 1448, with the assistant regional commissioner, except that no bond will be required where the application is filed by a State, any political subdivision thereof, or the District of Columbia, or where the quantity of tax-free alcohol authorized

to be withdrawn does not exceed 240 proof gallons per annum and the quantity which may be on hand, in transit, and unaccounted for at any one time will not exceed 20 proof gallons. The penal sum of the bond on Form 1448 shall be computed on each proof gallon of tax-free alcohol, including recovered and restored tax-free alcohol, authorized to be on hand, in transit to the permittee, and unaccounted for at any one time, at the rate prescribed by law as the internal revenue tax on distilled spirits: *Provided*, That the penal sum of any bond (or the total of the penal sums where original and strengthening bonds are filed) shall not exceed \$100,000 nor be less than \$500. No bond is required where application is filed on Form 4326, as provided in § 213.41a.

(72 Stat. 1314, 1372; 26 U.S.C. 5001, 5272)

12. Section 213.109 is amended by making clarifying changes in paragraph (a), dividing paragraph (b) into two paragraphs, adding provisions for withdrawals under limited withdrawal permits, and making clarifying and conforming changes. As amended, § 213.109 reads as follows:

**§ 213.109 Application for withdrawal permit.**

(a) *Application.* Except as provided in Subpart I of this part and in § 213.41a, every person desiring to procure tax-free alcohol shall file with the assistant regional commissioner an application on Form 1450 for a withdrawal permit. He shall specify in his application the period to be covered by the withdrawal permit and the estimated average quantity, in proof gallons, of tax-free alcohol that will be required in 1 month. The quantity specified shall be in accordance with the applicant's bona fide needs. Where application is filed on Form 1450, the applicant may, if he so desires, file more than one application and receive more than one withdrawal permit; however, in such case he shall allot among the several applications the total to be withdrawn.

(b) *Limitation on withdrawals.* A user holding a permit on Form 1450 may, except as otherwise provided in this section, during any month, withdraw not more than twice the number of proof gallons specified under paragraph (a) of this section, or 55 wine gallons (one drum), whichever is the larger: *Provided*, That the total quantity withdrawn during the period of withdrawal specified under paragraph (a) of this section shall not exceed the number of proof gallons specified under paragraph (a) of this section multiplied by the number of months (considering any fraction of a month as a month) in such period of withdrawal. Notwithstanding the provisions of this paragraph:

(1) A user holding a withdrawal permit on Form 1450 authorizing withdrawals of not more than 240 proof gallons during a 12-month period, without bond, may not withdraw at one time a quantity which would result in there being more than 20 proof gallons on hand, in transit, and unaccounted for.

(2) A user, other than a State or political subdivision thereof or the District of Columbia, holding a limited withdrawal permit on Form 4327 may not withdraw at one time a quantity which would result in there being more than 10 proof gallons on hand, in transit, and unaccounted for.

(3) A user who has filed bond, and a State, political subdivision thereof, or the District of Columbia, may not withdraw at one time a quantity which would result in there being on hand, in transit, and unaccounted for a quantity in excess of that stated in the application for permit under § 213.41 or § 213.41a, as applicable.

(c) *Exceptions to limitations.* If, because of the seasonal nature of usage or for other valid reasons, the limitations contained in paragraph (b) of this section adversely affect the permittee's operations, he may request a larger withdrawal during a calendar month, still subject to the limitations in paragraph (b) of this section on total withdrawals during the period of the permit and on the quantity which may be on hand, in transit, and unaccounted for at any one time. In such case he shall furnish with his application sufficient information to enable the assistant regional commissioner to judge the merits of the request.

(72 Stat. 1370; 26 U.S.C. 5271)

13. Section 213.110 is amended to include provisions relating to limited withdrawal permits. As amended, § 213.110 reads as follows:

**§ 213.110 Issuance and duration of withdrawal permit.**

If the application submitted in accordance with § 213.109 is approved, the assistant regional commissioner shall issue a withdrawal permit on Form 1450 and shall forward the original to the permittee. If the application submitted in accordance with § 213.41a is approved, the assistant regional commissioner shall issue a limited withdrawal permit on Form 4327, and shall forward it to the permittee. Withdrawal permits on Form 1450 shall terminate on April 30 of each year: *Provided*, That a permit issued less than six months before April 30 of any year shall remain in effect through April 30 of the following year. Limited withdrawal permits on Form 4327 shall remain in effect until canceled as provided in § 213.113.

(72 Stat. 1370; 26 U.S.C. 5271)

14. The heading of § 213.111 is amended, for clarification, to read as follows:

**§ 213.111 Application for renewal of withdrawal permit, Form 1450.**

15. New section 213.111a, relating to changes affecting limited withdrawal permits, is added immediately following § 213.111, to read as follows:

**§ 213.111a Changes affecting limited withdrawal permits.**

Where a permittee holds a limited withdrawal permit and there is a change in operations which makes him no longer eligible to withdraw alcohol free of tax

under such withdrawal permit (as provided in § 213.54), the permittee shall file an application on Form 1450 for a withdrawal permit, in the manner provided in § 213.109. Where there is a change affecting information shown on the limited withdrawal permit, but which does not disqualify the permittee for withdrawals under a limited permit, application for an amended limited withdrawal permit shall be filed on Form 4326.

16. Section 213.113 is amended to include provisions for the cancellation of a limited withdrawal permit. As amended, § 213.113 reads as follows:

**§ 213.113 Cancellation of withdrawal permit.**

Should an industrial use permit on Form 1447 be terminated or surrendered, or should the withdrawal permit on Form 1450 or the limited withdrawal permit on Form 4327, issued to the permittee be revoked, the withdrawal permit shall be returned immediately to the assistant regional commissioner for cancellation. Where a permittee holds a limited withdrawal permit on Form 4327 and is required to file application on Form 1450 for a new permit, the limited withdrawal permit shall be forwarded to the assistant regional commissioner for cancellation.

(72 Stat. 1370; 26 U.S.C. 5271)

17. Section 213.114 is amended by adding a new sentence immediately following the last sentence. As amended, § 213.114 reads as follows:

**§ 213.114 Withdrawals under permit.**

When the permittee desires to procure tax-free alcohol, he shall forward the withdrawal permit to the proprietor of the distilled spirits plant from whom he will procure such alcohol. Shipments shall not be made by the proprietor of a distilled spirits plant until he is in possession of a valid withdrawal permit, nor shall shipments exceed the quantity authorized by such permit. On shipment, the consigner shall enter the transaction on the withdrawal permit and return it to the permittee, unless he has been authorized to retain it for the purpose of making future shipments. In the case of limited withdrawal permits, Form 4327, when space for entries on the form is no longer available, separate sheets, as needed, shall be attached to and made a part of the form, and entries covering each shipment shall be made thereon in the same manner as on the form.

(72 Stat. 1370; 26 U.S.C. 5271)

18. Section 213.115 is amended by adding requirements relating to withdrawals by a user not required to file bond, and by making clarifying changes. As amended, § 213.115 reads as follows:

**§ 213.115 Regulation of withdrawals.**

(a) *Withdrawals covered by bond.* A permittee required to file bond shall so regulate his withdrawals that he will not have on hand, in transit, and unaccounted for at any one time more than the quantity of tax-free alcohol shown

in his application on Form 2600 for an industrial use permit. Recovered alcohol and alcohol received under § 213.117 shall be taken into account in determining the quantity of alcohol on hand.

(b) *Withdrawals not covered by bond.* Withdrawals by a user not required to file bond, under withdrawal permit on Form 1450, shall not exceed the quantity authorized by his permit and shall be so regulated by him that he will not have more than 20 proof gallons on hand, in transit, and unaccounted for at any one time. Withdrawals by a user under a limited-withdrawal permit on Form 4327 shall not exceed the quantity authorized by his permit and shall be so regulated by him that he will not have more than 10 proof gallons on hand, in transit, and unaccounted for at any one time: *Provided*, That, in the case of a State or political subdivision thereof, or the District of Columbia, the quantity which may be on hand, in transit, and unaccounted for at any one time shall not exceed the quantity shown in the application on Form 4326.

(c) *Alcohol unaccounted for.* For purposes of this section, tax-free alcohol and recovered alcohol shall be deemed to be unaccounted for if lost under circumstances where a claim for allowance is required by this part and such claim has not been allowed, or if used or disposed of otherwise than as provided in this part.

19. Section 213.117 is amended to delete reference to Form 1450. As amended, § 213.117 reads as follows:

§ 213.117 Alcohol received from General Services Administration.

Any eleemosynary institution holding an industrial use permit, Form 1447, and receiving alcohol from General Services Administration under the provisions of section 5688(a)(2)(B), I.R.C., shall include any quantity of alcohol so received in computing the quantity of tax-free alcohol that may be procured under its withdrawal permit during the calendar month. Such alcohol shall, on receipt, be placed in the storage facilities prescribed in § 213.91 and kept there under lock until withdrawn for use.

[F.R. Doc. 70-3025; Filed, Mar. 11, 1970; 8:51 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 991 ]

### HOPS OF DOMESTIC PRODUCTION

#### Notice of Proposed Terms and Conditions Applicable to the Disposition of 1969 Crop Pooled Reserve Hops

Notice is hereby given of a proposal to provide a method of allocating and pricing 1969 crop pooled reserve hops by providing that eligible handlers may purchase their respective pro rata shares of the 1969 crop pooled reserve hops at

specified prices. The proposal would implement § 991.40 of Order No. 991, as amended (7 CFR Part 991), regulating the handling of hops of domestic production, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Hop Administrative Committee.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, within 10 days after the date of 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 official hours of business (7 CFR 1.27(b)).

The proposal is as follows:

#### § 991.140 Disposition of 1969 crop pooled reserve hops.

(a) *Eligible handlers.* Any handler who handled hops as the first handler thereof during the 1968-69 marketing year is eligible to participate in an offer by the committee to sell 1969 crop pooled reserve hops.

(b) *Prices.* The committee shall offer the 1969 pooled reserve hops for sale to eligible handlers at 66 cents per pound plus 1 cent per pound premium for each percentage less than 6 percent leaf and stem content.

(c) *Handlers' shares.* Each eligible handler's share of the 1969 crop pooled reserve hops offered by the committee shall be the same proportion of the quantity offered as the proportion of the quantity so handled by him is to the total quantity of hops so handled by all eligible handlers: *Provided*, That the committee may adjust the share of any handler by less than one bale to avoid splitting of individual bales.

(d) *Reoffer.* Any hops unpurchased at the end of the offer period shall be reoffered to handlers who accepted their full shares during the offer period without regard to shares; and approval of handlers' applications to purchase shall be made in the same order in which the applications are received by the committee.

Dated: March 6, 1970.

PAUL A. NICHOLSON,  
Deputy Director,  
Fruit and Vegetable Division.

[F.R. Doc. 70-2970; Filed, Mar. 11, 1970; 8:47 a.m.]

[ 7 CFR Part 991 ]

### HANDLING OF HOPS OF DOMESTIC PRODUCTION

#### Proposed Salable Quantity and Allotment Percentage for the 1970-71 Marketing Year

Notice is hereby given of a proposal to establish, for the 1970-71 marketing

year, which begins August 1, 1970, a salable quantity and allotment percentage of 40,626,000 pounds and 80 percent, respectively, applicable to hops produced in Washington, Oregon, Idaho, and California. The proposed salable quantity and allotment percentage would be established in accordance with the provisions of Marketing Order No. 991, as amended (7 CFR Part 991), regulating the handling of hops of domestic production, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was recommended by the Hop Administrative Committee.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, within 10 days after the date of 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 official hours of business (7 CFR 1.27(b)).

The proposed salable quantity and allotment percentage are based upon recommendations of the Committee made at their meetings of January 17, 1970, and February 24, 1970, and derive from the following determinations for the marketing year beginning August 1, 1970:

(1) Total domestic consumption of 34 million pounds of hops;

(2) Minus imports of 12,500,000 pounds of hops or a resultant domestic consumption of U.S. hops of 21,500,000 pounds;

(3) Plus total U.S. exports of hops, 21 million pounds equaling 42,500,000 pounds total usage of hops; and

(4) Minus a desirable inventory adjustment, as of September 1, 1971, of 1,874,000 pounds, resulting in a proposed salable quantity of 40,626,000 pounds of hops.

The proposal is as follows:

§ 991.208 Allotment percentage and salable quantity for hops during the marketing year beginning August 1, 1970.

The allotment percentage during the marketing year beginning August 1, 1970, shall be 80 percent, and the salable quantity shall be in an amount of 40,626,000 pounds or the amount resulting from multiplying the total of all producer allotment bases by the allotment percentage, whichever amount is the higher.

Dated: March 6, 1970.

PAUL A. NICHOLSON,  
Deputy Director,  
Fruit and Vegetable Division.

[F.R. Doc. 70-3030; Filed, Mar. 11, 1970; 8:52 a.m.]

## [ 7 CFR Part 1030 ]

[Docket No. AO-361-A2]

**MILK IN CHICAGO REGIONAL  
MARKETING AREA****Notice of Recommended Decision and  
Opportunity To File Written Excep-  
tions on Proposed Amendments to  
Tentative Marketing Agreement  
and to Order***Correction*

In F.R. Doc. 70-2645 appearing at page 4064 in the issue for Wednesday, March 4, 1970, the second line of § 1030.16 (d) (5) should read, "diverts milk from the plant of another".

**DEPARTMENT OF  
TRANSPORTATION****Coast Guard**

[ 33 CFR Part 117 ]

[CGFR 69-132]

**DRAWBRIDGE OPERATION  
REGULATIONS****Waters Located in the Ninth Coast  
Guard District**

1. Notice is hereby given that the Commandant, U.S. Coast Guard under authority of section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g) (2) of the Department of Transportation Act (49 U.S.C. 1655(g) (2) and 49 CFR 1.4(a) (3) (v) is considering revising § 117.641a to extend its applicability to all waterways within the Ninth Coast Guard District and to substitute "during the winter season \* \* \*" for "the presence of ice" as an appropriate time for suspension of the general requirement for constant attendance by drawtenders.

2. The revised § 117.641a would read as follows:

§ 117.641a Waterways located in the Ninth Coast Guard District; seasonal operation of drawbridges.

(a) Drawtenders need not be in constant attendance at drawbridges across streams or waterways located within the boundaries of the Ninth Coast Guard District during the winter season when general navigation is curtailed.

(b) Any bridge where a drawtender is not in constant attendance for the reason stated in (a) above, shall be opened on 12 hours advance notice.

(c) The bridges affected and the periods of time when this section is to be in effect shall be determined by the Commander, Ninth Coast Guard District and shall be published in Notice to Mariners or otherwise.

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before March 30, 1970. All submissions should be made in writing to the Commander, Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, Ohio 44199.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended; the reasons for any recommended change, and the name, address and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, 9th Coast Guard District, 1240 East Ninth Street, Cleveland, Ohio 44199.

6. After the time set for the submission of comments by the interested parties, the Commander 9th Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: March 3, 1970.

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

[F.R. Doc. 70-3037; Filed, Mar. 11, 1970;  
8:51 a.m.]

**Federal Aviation Administration**

[ 14 CFR Part 39 ]

[Docket No. 10186]

**AIRWORTHINESS DIRECTIVES****British Aircraft Corporation Model  
BAC 1-11 200 and 400 Series  
Airplanes**

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to British Aircraft Corporation Model BAC 1-11 200 and 400 series airplanes. A case has been reported of failure of the APU starting system to disconnect; resulting in the APU starter motor burning out and the APU starter cable overheating. This could result in an inflight electrical fire and/or the loss of other electrical circuits. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require modifications to the APU starting system to replace the existing 200-ampere fuse with a 150-ampere fuse, to incorporate a second power relay, and to incorporate a separate APU start control.

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 docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Inde-

pendence Avenue SW., Washington, D.C. 20590. All communications received on or before April 13, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is 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, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Model BAC 1-11 200 and 400 series airplanes.

Compliance is required as indicated.

(a) Within the next 750 hours time in service after the effective date of this AD, unless already accomplished, replace the existing 200-ampere fuse in the APU starter motor circuit with a 150-ampere fuse in accordance with British Aircraft Corp. Model BAC 1-11 Service Bulletin No. 49-PM4480 dated November 10, 1969, or later ARB-approved issue, or an FAA-approved equivalent.

(b) For airplanes which have not incorporated BAC 1-11 Modification PM2518 on or before the effective date of this AD, within the next 750 hours time in service after the effective date of this AD, unless already accomplished, modify the APU starting system as follows:

(1) Incorporate a second power relay in accordance with British Aircraft Corp. Model BAC 1-11 Service Bulletin No. 49-PM2429, Revision 4, dated June 1, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(2) Incorporate a separate APU start control in accordance with British Aircraft Corp. Model BAC 1-11 Service Bulletin No. 49-PM2891, Revision 5 dated December 15, 1969, or later ARB-approved issue, or an FAA-approved equivalent.

(c) For airplanes which have incorporated BAC 1-11 Modification PM2518 on or before the effective date of this AD, within the next 1,500 hours time in service after the effective date of this AD unless already accomplished, modify the APU starting system in accordance with paragraphs (b) (1) and (b) (2) of this AD. (British Aircraft Corp. Model BAC 1-11 Alert Service Bulletin No. 49-A-PM4480 covers this subject.)

Issued in Washington, D.C. on March 5, 1970.

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

[F.R. Doc. 70-2999; Filed, Mar. 11, 1970;  
8:49 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 70-EA-7]

**FEDERAL AIRWAY SEGMENTS****Proposed Designation and Alteration**

The Federal Aviation Administration (FAA) has under consideration amendments to Part 71 of the Federal Aviation Regulations that would realign segments



of VOR Federal airway Nos. 6, 14, 45, and 435.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

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

The FAA proposes the following airspace actions:

1. Designate VOR Federal airway No. 6 south alternate segment from Waterville, Ohio, to Cleveland, Ohio, via the intersection of Waterville 108° T (110° M) and Cleveland 258° T (261° M) radials.

2. Realign VOR Federal airway No. 14 segment from Findlay, Ohio, to Cleveland via the intersection of Findlay 095° T (097° M) and Cleveland 241° T (244° M) radials.

3. Extend VOR Federal airway No. 45 from Waterville to the Vermilion, Ohio, Intersection (intersection of Waterville 085° T (087° M) and Cleveland 335° T (338° M) radials).

4. Realign VOR Federal airway No. 435 segment from Rosewood, Ohio, to Sandusky via the intersection of Rosewood 045° T (046° M) and Sandusky 221° T (224° M) radials.

These proposed airway actions are designed to improve the traffic handling capability within the Cleveland terminal area.

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

Issued in Washington, D.C., on March 4, 1970.

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

[F.R. Doc. 70-2995; Filed, Mar. 11, 1970;  
8:49 a.m.]

#### [ 14 CFR Part 75 ]

[Airspace Docket No. 70-CE-3]

### JET ROUTE SEGMENT

#### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 75 of the Federal Aviation Regulations that

would realign Jet Route No. 35 between Memphis, Tenn., and St. Louis, Mo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

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

A segment of J-35 is presently aligned from the Memphis, Tenn., VORTAC direct to the St. Louis, Mo., VORTAC.

The FAA proposes the realignment of J-35 segment from the Memphis VORTAC direct to the Farmington, Mo., VORTAC direct to the St. Louis VORTAC.

The proposed realignment of J-35 would facilitate the transition of aircraft into and out of the St. Louis area and reduce controller workload and clearance verbiage.

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

Issued in Washington, D.C., on March 3, 1970.

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

[F.R. Doc. 70-2994; Filed, Mar. 11, 1970;  
8:49 a.m.]

### Office of Pipeline Safety

#### [ 49 CFR Part 192 ]

[Notice 70-3; Docket No. OPS-3C]

### MINIMUM FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

#### Minimum Requirements for Customer's Meters, Service Regulators and Service Lines

The Department of Transportation is developing proposals for the comprehensive minimum Federal safety standards for gas pipeline facilities and for the transportation of gas, as required by section 3(b) of the Natural Gas Pipeline Safety Act of 1968. This notice of proposed rule making is the fourth of a series of notices by which the proposed Federal safety standards will be issued for public comment.

Interested persons are invited to participate in the making of these proposed

rules by submitting written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice number and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received before May 6, 1970, will be considered before taking final action on the notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposals contained in this notice may be changed in light of comment received.

The first notice in this series was published in the FEDERAL REGISTER on November 21, 1969 (Notice 69-3; 34 F.R. 18556). That notice discussed both the Department's plan for establishing the minimum Federal standards and the source materials to be used in developing proposals for these standards. It also proposed, without stating specific regulatory language, several requirements for inclusion in the minimum Federal standards. This notice sets forth the specific regulations that are being proposed as minimum requirements for customer's meters, service regulators and service lines.

Included in this notice is proposed Subpart H of Part 192 which contains the general requirements for locating and installing customer's meters and service regulators, for the installation and testing of service lines, and for service line connections to main piping, that are presently contained in chapter IV, sections 848 and 849 of the USAS B31.8 Code.

Although these proposed regulations closely parallel the presently effective interim standards that are set forth in the USAS B31.8 Code, a number of differences will be noted. For the most part, these are nonsubstantive in nature.

A number of Code provisions are not included on the basis that they contain unnecessarily detailed specifications for which a performance requirement already existed or could be readily substituted. Any person reviewing the proposed regulation who feels that the omission of any language or the manner of revisions would decrease the presently required level of safety should state his conclusions and supporting reasons in his comments. Similarly, if a proposed performance requirement does not appear to be an adequate substitute for an omitted specification requirement, this should also be stated with supporting reasons.

To the maximum extent possible, the proposed regulations combined similar requirements for different kinds of pipe. For example, the requirements for cast iron service lines and for ductile iron service lines, and also the requirements for the installation of steel, plastic, or copper service lines into and under buildings, are all stated separately for each type of pipe in the B31.8 Code, even though they are all virtually identical in content. These are all combined in proposed §§ 192.431 (cast iron and ductile iron service lines) and 192.411(e) and

(f) (installation of service lines into and under buildings). Additionally, § 192.417 (b)(2) would combine in one section requirements concerning rubber gaskets in compression fittings that are now stated separately but identically for service line connections to steel mains (§ 849.223(c)), for service line connections to cast iron mains (§ 849.322), and for service line connections to ductile iron mains (§ 849.422).

In a few cases, requirements that appeared to be applicable only to certain types of pipe, such as steel or plastic, were obviously intended to apply to all types of pipe and the proposed regulation has been so written (see for example, proposed § 192.417(b)(1), based on § 849.522 (c)). Other requirements that are intended to be applicable only to certain types of pipeline have been retained as such. Consequently, each section of the proposed regulations should be examined to determine whether it is applicable to all service lines or mains, or only to certain kinds of pipe.

#### SUBSTANTIVE CHANGES

**Section 192.413(d).** The requirement in § 849.12(d) that certain service line valves on high pressure service lines be designed and constructed so as to minimize the possibility of the removal of the core of the valve by accident or with ordinary household tools, would be extended to cover all service line valves on high pressure service lines, instead of only those installed inside of a building, or in a confined location outside of a building.

In commenting, state whether or not this is the actual practice followed today by the industry, and the cost-benefit ratio of such a requirement. Would it be feasible to also extend this requirement to service line valves on low pressure service lines?

**Sections 192.419 and 192.421.** As is the case throughout these proposed regulations, methods for connecting service lines to steel mains, and to cast iron or ductile iron mains, that are stated permissively in the Code (§§ 849.223, 849.32, and 849.42), are made mandatory. Are there other equally safe ways of accomplishing service line to main connections? If so, in commenting, describe these additional methods, indicating the type of main to which they apply.

**Section 192.427(c).** Although based on § 849.152 (b) and (c), this section would be changed to conform to a proposed NARUC Model Code recommendation that the word "lesser" be changed to "greater." As § 849.152(b) is now written, using the word "lesser," a service line with a maximum operating pressure of 200 p.s.i.g. is required to be tested only to 100 p.s.i.g.

**Section 192.427(d)** refers to testing of "plastic service lines," although § 849.152 (d) on which it is based, refers only to "service lines" without specifying what kind. However, since the reference to § 842.5 contained in § 849.152(d) concerns testing of plastic piping, it was concluded that the omission of the word "plastic" was inadvertent, and that

§ 849.152(d) was actually intended to cover only plastic service lines.

**Section 192.415(b)** is based on 849.13 (c) which requires an outside valve on all service lines 2 or more inches in diameter, or operated at a pressure greater than 10 p.s.i.g., or supplying buildings where large numbers of persons assemble. In view of the experience in Gary, Ind., in June 1969, and the subsequent recommendations of the National Transportation Safety Board in February 1970, proposed § 192.415(b) would require that all service lines have gas shutoff valves located outside of buildings in readily accessible locations.

#### NONSUBSTANTIVE CHANGES

In this notice, the following sections of proposed Subpart H make no substantive changes in the provisions of the B31.8 (1968) Code on which they are based. However, if the comments received in response to the questions set forth below indicate the desirability of changes, the language of the proposed sections may be revised in the final rule to reflect these comments.

**Section 192.409(b).** This paragraph is based on the provision in § 848.4 that "The use of standard weight close nipples is prohibited" in the installation of meters and regulators. The proposed NARUC Model Code recommended the insertion of the words "all thread" before the word "nipples". It was believed that the reason behind this prohibition and the NARUC clarification would be satisfied by a requirement that threaded nipples used in installing meters or regulators must have sufficient unthreaded length to permit proper use of tools without damaging the threads, and that pipe used for threaded nipples must have the wall thickness of standard wall pipe, since light wall pipe will not allow a proper thread. Does this provision meet all the purposes of the prohibition against use of standard weight close nipples in § 848.4? Should the word "close" be retained in the prohibition in this section?

**Section 192.409 (a) and (b).** This section is based on § 848.2 and would provide that an iron or aluminum case meter may not be used at a pressure that is higher than the "manufacturer's rating for the meter", while a new tinned steel case meter may not be used at a pressure higher than 50 percent of the "manufacturer's test pressure". Are the methods used by manufacturers for rating meters uniform throughout the industry? Does "manufacturer's rating" mean the same thing as "manufacturer's test pressure"? In commenting, state whether it is possible to set a different standard that would be more objective than "manufacturer's rating".

**Section 192.413(e),** based on § 849.12 (e), would provide that each service line valve installed on a high pressure service line must be tested by the manufacturer or the operator to establish that it is capable of meeting operating conditions. Is there any reason why this testing requirement should not be extended to valves on low pressure service lines as well?

**Section 192.423(a)** would require that a metal service line connection to a plastic main must use a compression type connection or transition fitting. This section is based on § 849.522(b) which requires "suitable fittings" for this purpose. Are there other equally safe and suitable methods for this type of service line to main connection?

**Section 192.427(b),** like § 849.152(a) on which it is based, provides no minimum leak test requirements for service lines which operate at a pressure under 1 p.s.i.g. This is inconsistent with a recommendation of the Technical Pipeline Safety Standards Committee that pipelines and mains to be operated at less than 1 p.s.i.g. be tested to at least 10 p.s.i.g. for at least 5 minutes. Should such a requirement be included for service lines to be operated at less than 1 p.s.i.g.?

To assist persons in reviewing and commenting on the proposed regulations, this notice contains a derivation table showing, to the extent possible, the source of proposed requirements. In most cases, this is the USAS B31.8 Code although some requirements are derived from the proposed NARUC Model Code.

In consideration of the foregoing, the Department proposes to amend Title 49 of the Code of Federal Regulations by adding a new Part 192 to contain Subpart H as set forth below.

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671 et seq.), Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

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

W. C. JENNINGS,  
Acting Director,  
Office of Pipeline Safety.

#### SUBPART H

##### DERIVATION TABLE

New section	Source
192.403	848.1, 848.31.
192.405(a)	848.32.
192.405(b)	848.33.
192.405(c)	848.34.
192.407	848.4, NARUC Model Code.
192.409	848.2.
192.411 (a), (b) and (c)	849.11.
192.411(d)	849.21(c).
192.411(e)	849.222(a), 849.521 (a), and 849.62 (b).
192.411(f)	849.222(b), 849.521 (b), and 849.62 (c).
192.413 (a), (b), and (c)	849.12 (a), (b), and (c).
192.413(d)	849.12(d).
192.413(e)	849.12(e).
192.415	849.13.
192.417(a)	849.14.
192.417(b)(1)	849.522(c).
192.417(b)(2)	849.223(c), 849.322 (c), and 849.422.
192.419	849.223.
192.421(a)	831.33(b), 831.33(c), 849.32, and 849.42.

SUBPART H—Continued

DERIVATION TABLE—continued

New section	Source
192.421 (b)-----	849.322 and 849.422.
192.421 (c)-----	849.321 and 849.421.
192.423-----	842.39 and 849.522.
192.425-----	849.63.
192.427 (a)-----	849.151.
192.427 (b), (c), and (c)-----	849.152 and NARUC Model Code.
192.429 (a)-----	849.21.
192.429 (b)-----	849.221.
192.431-----	849.31 and 849.41.
192.433 (a)-----	849.51 (a).
192.433 (b)-----	849.52.
192.433 (c)-----	849.521.
192.435 (a)-----	849.611 (c).
192.435 (b)-----	849.62 (a).

Subpart H—Customer's Meters, Service Regulators, and Service Lines

Sec.	Scope.
192.401	Customer's meters and regulators: Location.
192.405	Customer's meters and regulators: Protection from damage.
192.407	Customer's meters and regulators: Installation.
192.409	Customer's meter installations: Operating pressure.
192.411	Service lines: Installation.
192.413	Service lines: Valve requirements.
192.415	Service lines: Location of valves.
192.417	Service lines: General requirements for connections to main piping.
192.419	Service lines: Connections to steel mains.
192.421	Service lines: Connections to cast iron or ductile iron mains.
192.423	Service lines: Connections to plastic mains.
192.425	Service lines: Connections to copper mains.
192.427	Service lines: Testing after construction.
192.429	Service lines: Steel.
192.431	Service lines: Cast iron and ductile iron.
192.433	Service lines: Plastic.
192.435	Service lines: Copper.

§ 192.401 Scope.

This subpart prescribes minimum requirements for installing customer's meters and service regulators, and for service lines. It applies to steel, cast iron, ductile iron, plastic, and copper service lines, to their testing after construction, to service line connections to mains, and to valves used on service lines.

§ 192.403 Customer's meters and regulators: Location.

(a) Each meter and service regulator, whether inside or outside of a building, must be installed in a readily accessible location that provides protection from corrosion and other damage.

(b) Each service regulator installed within a building must be located near the point of service line entrance.

(c) Each meter installed within a building must be located in a ventilated place no closer than 3 feet to any source of ignition or heat which might damage the meter.

(d) On each service line requiring series regulation in accordance with (presently 845.53 (a) of the B31.8 Code), the upstream regulator must be located outside the building.

§ 192.405 Customer's meters and regulators: Protection from damage.

(a) *Back-pressure regulators and check valves.* (1) If the utilization equipment might induce a vacuum at the customer's meter, a back-pressure regulator must be installed downstream from the meter.

(2) A check valve or equivalent must be installed downstream of the customer's meter if—

(i) The utilization equipment might induce a back pressure;

(ii) The utilization equipment is connected to a source of oxygen or compressed air; or

(iii) Liquefied petroleum gas or other supplementary gas is used as stand-by and might flow back into the meter.

(b) *Service regulator vents and relief vents.* The outside terminal of each service regulator vent and relief vent must—

(1) Have a rain and insect resistant fitting;

(2) Be located at a place where gas from the vent can escape freely into the atmosphere and away from any opening into the building; and

(3) Be protected from damage by submergence in areas where flooding may occur.

(c) *Pits and vaults.* Each pit or vault that houses a customer's meter or regulator at a place where there is vehicular traffic must be capable of supporting that traffic.

§ 192.407 Customer's meters and regulators: Installation.

(a) Each meter and each regulator must be installed so as to minimize stresses upon the connecting piping and the meter.

(b) Threaded nipples used in installing meters and regulators must have sufficient unthreaded length to permit proper use of tools in making up joints, without damaging the threads. Pipe used for threaded nipples must meet the wall thickness requirements of standard wall pipe as defined in USAS B36.10, "Wrought Steel and Wrought Iron Pipe" (1959).

(c) Connections made of lead or other easily damaged material may not be used in the installation of meters or regulators.

§ 192.409 Customer's meter installations: Operating pressure.

(a) An iron or aluminum case meter may not be used at a pressure that is higher than the manufacturer's rating for the meter.

(b) A new tinned steel case meter may not be used at a pressure that is more than 50 percent of the manufacturer's test pressure, and a rebuilt tinned steel case meter may not be used at a pressure that is more than 50 percent of the pressure used to test the meter after rebuilding.

§ 192.411 Service lines: Installation.

(a) *Depth.* Each buried service line must be installed with at least 12 inches of cover in private property and at least 18 inches of cover in streets and roads. Where an underground structure prevents installation at those depths, the

service line must be encased, bridged, or strengthened to withstand any anticipated external load.

(b) *Support and backfill.* Each service line must be properly supported at all points on undisturbed or well-compacted soil, and material used for backfill must be free of rocks and building materials.

(c) *Grading for drainage.* Where condensate in the gas might cause interruption in the gas supply to the customer, the service line must be graded so as to drain into the main or into drips at the low points in the service line.

(d) *Protection against piping strain and external loading.* Each service line must be installed so as to minimize piping strain and external loading.

(e) *Installation of service lines into buildings.* Each underground service line installed below grade through the outer foundation wall of a building must—

(1) In the case of a steel or copper service line, be encased in a sleeve or otherwise protected against corrosion;

(2) In the case of plastic service line, be encased in a rigid sleeve with protection from shearing action and backfill settlement; and

(3) Where a sleeve is used, be sealed at the foundation wall to prevent leakage into the building.

(f) *Installation of service lines under buildings.* Each underground service line installed under a building must be encased in a gastight conduit. If the service line supplies the building it underlies, the conduit and the service line must extend into a normally usable and accessible part of the building, and at the point where the conduit terminates, the space between the conduit and the service line must be sealed to prevent gas leakage into the building.

§ 192.413 Service lines: Valve requirements.

(a) Each service line must have a service line valve that meets the applicable requirements of Subparts B and D of this Part.

(b) A soft seat service line valve may not be used if its ability to control the flow of gas could be adversely affected by exposure to excessive heat.

(c) A valve incorporated in a meter bar, that permits the meter to be bypassed, may not be used as a service line valve.

(d) Each service line valve on a high-pressure service line must be designed and constructed so as to minimize the possibility of the removal of the core of the valve by accident or with ordinary household tools.

(e) Each service line valve installed on a high-pressure service line must be tested by the operator or by the manufacturer to establish that it is capable of meeting the operating conditions.

§ 192.415 Service lines: location of valves.

(a) *Relation to regulator or meter.* Each service line valve must be installed upstream of the regulator, or if there is no regulator, upstream of the meter.

(b) *Outside valves.* Each service line must be equipped with a shut-off valve

in a readily accessible location outside the building.

(c) *Underground valves.* Each underground valve must be located in a covered durable curb box or standpipe that permits ready operation of the valve and is supported independently of the service line.

**§ 192.417 Service lines: General requirements for connections to main piping.**

(a) *Location.* Each service line connection to a main must be located at the top of the main or, if that is not practical, at the side of the main, so as to minimize the possibility of dust and moisture being carried from the main into the service line.

(b) *Compression-type connection to main.* Each compression-type service line to main connection must—

(1) Be designed and installed to effectively sustain the longitudinal pull-out or thrust forces caused by contraction or expansion of the piping, or by external or internal loading; and

(2) If compression fittings with rubber or rubberlike gaskets are used to connect the service line to the main connection fitting in a manufactured gas system, use gaskets that effectively resist that kind of gas.

**§ 192.419 Service lines: Connections to steel mains.**

(a) Each service line connected to a steel main must be connected by either—

(1) Welding a service line tee or similar device to the main;

(2) Using a service line clamp or saddle on the main; or

(3) Welding a steel service line directly to the main.

(b) If the method described in subparagraph (1) or (2) of paragraph (a) of this section is used, then compression fittings or welded connections must be used to connect the service line to the main connection fitting.

**§ 192.421 Service lines: Connections to cast iron or ductile iron mains.**

(a) Each service line connected to a cast iron or ductile iron main must be connected by drilling and tapping the main, except that if a threaded tap is being inserted, the diameter of the tapped hole may not be more than 25 percent of the nominal diameter of the pipe, unless covered by a reinforcing sleeve.

(b) Compression fittings or welded connections must be used to connect the service line to the main connection fitting.

(c) A service line connection may not be brazed directly to a cast iron or a ductile iron main.

**§ 192.423 Service lines: Connections to plastic mains.**

(a) Each metal service line connection to a plastic main must use a compression type connection or transition fitting.

(b) Each plastic service line connection to a plastic main must be done in accordance with the requirements of § 192.261.

**§ 192.425 Service lines: Connections to copper mains.**

Each service line connection to a copper main must use a copper or cast bronze service line tee or an extension fitting, sweat brazed to the copper main.

**§ 192.427 Service lines: Testing after construction.**

(a) Each service line must be tested against leakage before being placed in service. The service line connection to the main must be included in the test if feasible.

(b) Each service line operated at a pressure of 1 p.s.i.g. or more, but not more than 40 p.s.i.g., must be given a leak test with air or gas at a pressure of not less than 50 p.s.i.g. for at least 5 minutes before being placed in service.

(c) Each service line operated at pressures of more than 40 p.s.i.g. must be tested to the maximum operating pressure or 100 p.s.i.g., whichever is the greater, except that each steel service line stressed to 20 percent or more of the specified minimum yield must be tested in accordance with the requirements for mains in \_\_\_\_\_ (presently 841.4 of the B31.8 Code).

(d) Except where modified by the pressure requirements of paragraphs (b) and (c) of this section, each plastic service line must be tested in accordance with the applicable provisions of \_\_\_\_\_ (presently 842.5 of the B31.8 Code).

**§ 192.429 Service lines: Steel.**

(a) *Design.* Steel service pipe operated at less than 100 p.s.i.g. pressure must be designed for a minimum of 100 p.s.i.g. pressure.

(b) *Installation of steel service lines in bores.* If a service line of coated steel pipe is installed by boring, driving, or other similar method, precautions must be taken to prevent damage to the coating during installation.

**§ 192.431 Service lines: Cast iron and ductile iron.**

(a) Cast iron pipe less than 6 inches in diameter may not be used for service lines.

(b) If cast iron pipe or ductile iron pipe is used for a service line, that portion of the service line which extends through the building wall must be of steel pipe.

(c) A cast iron or ductile iron service line may not be installed in unstable soil or under a building.

**§ 192.433 Service lines: Plastic.**

(a) Plastic pipe and tubing may not be used for service lines where the piping strain or external loading will be excessive.

(b) A plastic service line may not be installed above ground, except that a plastic service line may terminate above ground and outside the building if—

(1) The above ground part of the plastic service line is completely enclosed in a rigid metal tube or pipe of a minimum wall thickness of 0.035 inches, that is protected from corrosion, and extends a minimum of 6 inches below grade; and

(2) The plastic service line and its casing are not used to support the customer's meter or its connecting piping.

(c) A plastic service line inside a building may not be exposed.

**§ 192.435 Service lines: Copper.**

(a) The minimum wall thickness for copper pipe or tubing used for service lines may not be less than type "L" as specified in ASTM B88.

(b) Each copper service line installed within a building must be un concealed and protected against external damage.

[F.R. Doc. 70-2965; Filed, Mar. 11, 1970; 8:46 a.m.]

## FEDERAL POWER COMMISSION

[18 CFR Parts 101, 201]

[Docket No. R-381]

### ACCOUNTING TREATMENT FOR EXPENDITURES FOR RESEARCH AND DEVELOPMENT

#### Notice of Extension of Time

MARCH 4, 1970.

Upon consideration of the requests for an extension of time filed by the American Gas Association and the Independent Natural Gas Association of America, notice is hereby given that the time is extended to and including April 16, 1970, within which any interested person may file views and comments in writing to the notice of proposed amendments of the Uniform System of Accounts Under the Federal Power Act and the Natural Gas Act to Reflect Changes in Accounting Treatment of Research and Development Expenditures issued January 27, 1970.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3019; Filed, Mar. 11, 1970; 8:51 a.m.]

[18 CFR Parts 101, 104, 105, 201, 204, 205]

[Docket No. R-379]

### ACCOUNTING TREATMENT FOR LAND HELD FOR FUTURE UTILITY USE AND FOR PROFITS OR LOSSES REALIZED THROUGH SALES OF THOSE LANDS

#### Notice of Extension of Time

MARCH 4, 1970.

Upon consideration of the requests for an extension of time filed by the American Gas Association and the Independent Natural Gas Association of America, notice is hereby given that the time is extended to and including April 30, 1970, within which any interested person may file data, views, and comments in writing to the notice of proposed rulemaking issued January 22, 1970, in the above-designated matter.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3018; Filed, Mar. 11, 1970; 8:50 a.m.]

# Notices

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### CERTAIN HUD EMPLOYEES IN REGION II (PHILADELPHIA)

#### Redelegation of Authority To Administer Oaths

Each of the following named employees in the Department of Housing and Urban Development, Region II (Philadelphia), is hereby authorized to administer oaths under section 811(a) of the Civil Rights Act of 1968, Public Law 90-284, 42 U.S.C. 3611(a):

1. Wagner D. Jackson.
2. William M. Cousins.
3. Walter L. Purnell.
4. Theodore M. Daly.
5. Robert H. Myers, Jr.
6. Benton C. Epps.
7. J. Carroll Graham.
8. Lois E. Davis.

**Revocation.** The redelegations of authority to administer oaths effective April 18, 1969 (34 F.R. 6664, Apr. 18, 1969), as amended November 5, 1969 (34 F.R. 17922, Nov. 5, 1969), are hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Redelegation of authority by Regional Administrator effective Apr. 18, 1969, 34 F.R. 6664, Apr. 18, 1969)

**Effective date.** This redelegation of authority shall be effective upon publication in the FEDERAL REGISTER.

WAGNER D. JACKSON,  
Assistant Regional Administrator  
for Equal Opportunity, Region II.

[F.R. Doc. 70-3026; Filed, Mar. 11, 1970;  
8:51 a.m.]

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### EDGAR ALLEN BECKETT

#### Notice of Granting of Relief

Notice is hereby given that Edgar Allen Beckett, Callaway, Va., 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 July 9, 1935, and May 23, 1936, in the U.S. District Court, Roanoke, Va., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Edgar Allen Beckett, 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 Edgar Allen Beckett to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Edgar Allen Beckett's application and:

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

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

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

Signed at Washington, D.C., this 3d day of March 1970.

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

[F.R. Doc. 70-3022; Filed, Mar. 11, 1970;  
8:51 a.m.]

#### L. B. WILSON

#### Notice of Granting of Relief

Notice is hereby given that L. B. Wilson, 6537 15th Street, Detroit, Mich., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on or about April 6, 1948, in the Recorder's Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for L. B. Wilson because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be un-

lawful for L. B. Wilson to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered L. B. Wilson's application and:

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

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

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

Signed at Washington, D.C., this 3d day of March 1970.

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

[F.R. Doc. 70-3021; Filed, Mar. 11, 1970;  
8:51 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management NEVADA AND CALIFORNIA

#### Modification of Certain Grazing Districts; Correction

In F.R. Doc. No. 70-542 (35 F.R. 10), in the issue of January 15, 1970, the following corrections are made:

Near the top of the first column, within T. 33 N., R. 20 E., immediately following "sec. 22", change "W $\frac{1}{2}$ SE $\frac{1}{4}$ " to "W $\frac{1}{2}$ , SE $\frac{1}{4}$ "; also, near the top of the second column, immediately after "sec. 36, T. 43 N., R. 25 E.," add "T. 43 N., R. 26 E."

JOHN O. CROW,  
Associate Director.

MARCH 6, 1970.

[F.R. Doc. 70-2978; Filed, Mar. 11, 1970;  
8:48 a.m.]

#### UTAH

#### Notice of Filing of Plats of Survey and Order Providing for Opening of Public Lands

1. Plats of survey of the lands described below will be officially filed in the

Land Office, Salt Lake City, Utah, effective at 10 a.m. on April 2, 1970:

## SALT LAKE MERIDIAN

- Plats of survey accepted January 21, 1970:  
 T. 6 N., R. 10 W.,  
 Sec. 16, lots 1 to 4, inclusive, S $\frac{1}{2}$ ;  
 Secs. 32 and 36.  
 T. 6 N., R. 11 W.,  
 Sec. 2, lots 1 to 4, inclusive;  
 Sec. 3, lots 1 to 12, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ;  
 Sec. 4, lots 1 to 12, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ;  
 Sec. 5, lots 1 to 12, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ;  
 Sec. 6, lots 1 to 15, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
 Sec. 7, lots 1 to 4, inclusive, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Secs. 8, 9, and 10;  
 Sec. 11, lots 1 to 6, inclusive, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 12, lots 1 to 4, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Secs. 13 to 17, inclusive;  
 Sec. 18, lots 1 to 4, inclusive, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 19, lots 1 to 4, inclusive, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Secs. 20 to 29, inclusive;  
 Sec. 30, lots 1 to 4, inclusive, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 31, lots 1 to 4, inclusive, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Secs. 32 to 36, inclusive.

The area described aggregates 23,904.94 acres.

2. Except for and subject to valid existing rights, it is presumed that title to the following lands passed to the State of Utah upon the acceptance of plats of survey:

## SALT LAKE MERIDIAN

- T. 6 N., R. 10 W.,  
 Sec. 16, lots 1 to 4, inclusive, S $\frac{1}{2}$ ;  
 Secs. 32 and 36.  
 T. 6 N., R. 11 W.,  
 Sec. 2, lots 1 to 4, inclusive;  
 Secs. 16, 32, and 36.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the remaining lands are hereby open to application, petition, location, and selection except for appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C., sec. 334), and from sales under sec. 2455 of Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m., April 2, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. These lands are barren, alkali and clay desert lands on the southwest shoreline of the Great Salt Lake.

4. Inquiries concerning the lands should be addressed to the Manager, Utah Land Office, Post Office Box 11505, Salt Lake City, Utah 84111.

J. E. KEOGH,

Manager, Utah Land Office.

MARCH 3, 1970.

[P.R. Doc. 70-2979; Filed, Mar. 11, 1970; 8:48 a.m.]

[Serial Number A 4445]

## ARIZONA

### Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) it is proposed to

classify the public lands described below for transfer out of Federal ownership by sale, exchange, State indemnity lieu selections or mineral patent. The transfers would be accomplished either by sale under the authority of the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27); lease or sale under the Recreation and Public Purposes Act (44 Stat. 741); private exchange (43 U.S.C. 315g (b)); exchange for Lake Mead National Recreation Area under authority of the Act of October 8, 1964 (16 U.S.C. 640n); exchange for Point Reyes National Seashore under authority of Act of September 13, 1962 (16 U.S.C. 459c); or State indemnity lieu selection (43 U.S.C. 851, 852). The lands will remain open to appropriation under the mining laws until final disposition is made. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934 as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from all forms of appropriation under the public land laws except those listed in section 1 above and except that these lands will remain open to the operation of the State exchange and right-of-way laws. The lands will remain open to the operation of the mining and mineral leasing laws.

3. The public lands proposed for classification in this notice are shown on maps on file and available for inspection in the Phoenix District Office, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Ariz. 85017, the Kingman Area Office, Post Office Box 386, Kingman, Ariz. 86401, and the Land Office, 3022 Federal Building, Phoenix, Ariz. 85025.

4. The lands involved are located in Mohave County and are described as follows:

## GILA AND SALT RIVER MERIDIAN, ARIZONA

- T. 17 N., R. 11 W.,  
 Sec. 19, lot 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 18 N., R. 11 W.,  
 Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 17 N., R. 12 W.,  
 Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
 T. 18 N., R. 12 W.,  
 Sec. 16;  
 Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 32.  
 T. 19 N., R. 12 W.,  
 Sec. 21.  
 T. 17 N., R. 13 W.,  
 Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 11, E $\frac{1}{2}$ E $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 12;  
 Sec. 13;  
 Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
 Sec. 24;  
 Sec. 25;  
 Sec. 36, lots 1, 2, 3, 4, N $\frac{1}{2}$ S $\frac{1}{2}$ , and N $\frac{1}{2}$ .  
 T. 18 N., R. 13 W.,  
 Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 36, all.  
 T. 19 N., R. 13 W.,  
 Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 7, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
 Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
 Sec. 36, all.  
 T. 20 N., R. 13 W.,  
 Sec. 36.  
 T. 22 N., R. 13 W.,  
 Sec. 1, lots 1 to 12, inclusive, N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 4, lots 1 to 12, inclusive, and S $\frac{1}{2}$ ;  
 Sec. 8;  
 Sec. 10;  
 Sec. 12;  
 Sec. 14.  
 T. 23 N., R. 13 W.,  
 Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ .  
 T. 20 N., R. 14 W.,  
 Sec. 23, that part of SE $\frac{1}{4}$  not in Mineral Surveys;  
 Sec. 25, that part of W $\frac{1}{2}$ NW $\frac{1}{4}$  not in Mineral Surveys;  
 Sec. 26, those parts of NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$  not in Mineral Surveys.  
 T. 23 N., R. 14 W.,  
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 5, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 6, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and SW $\frac{1}{4}$ ;  
 Sec. 7, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 Sec. 8;  
 Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 10;  
 Sec. 14, W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 16, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 17, N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 18;  
 Sec. 19, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Sec. 20;  
 Sec. 21, unpatented parts of the W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
 Sec. 22, SW $\frac{1}{4}$ ;  
 Sec. 27, lots 1, 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 28, SW $\frac{1}{4}$  and unpatented parts of N $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
 Sec. 29, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
 Sec. 31, NE $\frac{1}{4}$ ;  
 Sec. 32;  
 Sec. 36, lots 1, 2, 3, 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 24 N., R. 14 W.,  
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ .  
 T. 25 N., R. 14 W.,  
 Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
 Sec. 32, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ .  
 T. 22 N., R. 15 W.,  
 Sec. 13, S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 34, S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 23 N., R. 15 W.,  
 Sec. 12.  
 T. 25 N., R. 15 W.,  
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 Sec. 8;  
 Sec. 10;  
 Sec. 14;  
 Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
 Sec. 20;  
 Sec. 22;  
 Sec. 24;  
 Sec. 26;  
 Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
 Sec. 34.  
 T. 26 N., R. 15 W.,  
 Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
 Sec. 32.  
 T. 23 N., R. 16 W.,  
 Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
 T. 24 N., R. 16 W.,  
 Sec. 2, lot 1;  
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
 Sec. 6, lots 1 to 26, inclusive, and SE $\frac{1}{4}$ ;  
 Sec. 8;  
 Sec. 10;  
 Sec. 12;  
 Sec. 16;  
 Sec. 18, lots 1 to 16, inclusive, and E $\frac{1}{2}$ ;  
 Sec. 20;



- Sec. 12;  
Sec. 14;  
Sec. 15, N $\frac{1}{2}$  except patented M.S. 3842;  
Sec. 18, lots 1 to 6, inclusive, W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 19, lots 3, 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 20;  
Sec. 22;  
Sec. 24;  
Sec. 26;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 32;  
Sec. 34;  
Sec. 36.
- T. 20 N., R. 19 W.,  
Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10;  
Sec. 12;  
Sec. 14;  
Sec. 16;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20;  
Sec. 22;  
Sec. 24;  
Sec. 26;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 32;  
Sec. 34;  
Sec. 36.
- T. 21 N., R. 19 W.,  
Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 5, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 8;  
Sec. 10;  
Sec. 11;  
Sec. 14;  
Sec. 16;  
Sec. 17;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 19, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20;  
Sec. 22;  
Sec. 24;  
Sec. 26;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 31, lots 5 to 20, inclusive;  
Sec. 32;  
Sec. 34;  
Sec. 36.
- T. 22 N., R. 19 W.,  
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10;  
Sec. 12;  
Sec. 14;  
Sec. 16;  
Sec. 18, lots 1, 2, NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 20;  
Sec. 22;  
Sec. 24;  
Sec. 26;  
Sec. 28;  
Sec. 30, lot 1, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 34, W $\frac{1}{2}$ ;  
Sec. 36.
- T. 23 N., R. 19 W.,  
Sec. 26;  
Sec. 28;  
Sec. 30;  
Sec. 32;  
Sec. 34;  
Sec. 36, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$ , and W $\frac{1}{2}$ .
- T. 24 N., R. 19 W.,  
Sec. 1, lots 1, 2, 3, 4, and S $\frac{1}{2}$ ;  
Sec. 4, lots 1, 2, 3, 4, and S $\frac{1}{2}$ ;
- Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
T. 25 N., R. 19 W.,  
Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10, all except Airport Lease AR 035777 (approx. 40 acres);  
Sec. 12;  
Sec. 14;  
Sec. 16, S $\frac{1}{2}$ ;  
Sec. 18, lots 1, 2, 3, 4, and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 20, E $\frac{1}{2}$ ;  
Sec. 22;  
Sec. 26;  
Sec. 28;  
Sec. 34;  
Sec. 35, N $\frac{1}{2}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ .
- T. 26 N., R. 19 W.,  
Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10;  
Sec. 12;  
Sec. 14;  
Sec. 16;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 22;  
Sec. 24;  
Sec. 26;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 32;  
Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 22 N., R. 20 W.,  
Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 12;  
Sec. 13, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 24;  
Sec. 36, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 23 N., R. 20 W.,  
Sec. 12, all except patented M.S. 4517;  
Sec. 13, all except patented M.S. 4517 and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 14;  
Sec. 23, SE $\frac{1}{4}$ ;  
Sec. 24;  
Sec. 25, W $\frac{1}{2}$ ;  
Sec. 26;  
Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ , and SE $\frac{1}{4}$ .
- T. 24 N., R. 20 W.,  
Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , and S $\frac{1}{2}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10, SE $\frac{1}{4}$ ;  
Sec. 12, N $\frac{1}{2}$ , SE $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 14, S $\frac{1}{2}$ , and NW $\frac{1}{4}$ ;  
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 16;  
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20;  
Sec. 22;  
Sec. 24;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 36.
- T. 25 N., R. 20 W.,  
Sec. 4, SE $\frac{1}{4}$ ;  
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 8;  
Sec. 10, N $\frac{1}{2}$ ;  
Sec. 12, SE $\frac{1}{4}$ ;  
Sec. 16;  
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 20;  
Sec. 22;
- Sec. 24, W $\frac{1}{2}$ ;  
Sec. 26;  
Sec. 28;  
Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , and E $\frac{1}{2}$ ;  
Sec. 32;  
Sec. 34;  
Sec. 36.

The lands described aggregate approximately 258,000 acres of public land.

5. The above lands have been identified as not being needed for Federal land management programs. The purpose of this classification is to identify the means by which these public lands should be transferred out of Federal ownership for either local public use or private ownership and development.

For a period of 60 days from date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions or objections in connection with the proposed classification may present their views in writing to the State Director, Bureau of Land Management, Federal Building, Phoenix, Ariz. 85025.

6. A public hearing on the proposed classification will be held on April 9, 1970 at 1 p.m. at the Holiday Inn in Kingman, Ariz.

Dated: March 5, 1970.

FRED J. WEILER,  
State Director.

[F.R. Doc. 70-2959; Filed, Mar. 11, 1970; 8:46 a.m.]

## CALIFORNIA

### Notice of Proposed Withdrawal and Reservation of Lands

MARCH 4, 1970.

The Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, has filed an application, Serial No. S 3531, for the withdrawal of the lands described below, subject to valid existing rights, from prospecting, location, entry, and patenting under the U.S. mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws.

The applicant desires the land for an addition to the Honey Lake Waterfowl Management Area for use by the California Department of Fish and Game.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room E-2807, Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

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



minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

#### MOUNT DIABLO MERIDIAN

##### HONEY LAKE WATERFOWL MANAGEMENT AREA

T. 28 N., R. 14 E.,  
Sec. 9, SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and E  $\frac{1}{2}$  SE  $\frac{1}{4}$ .  
T. 28 N., R. 15 E.,  
Sec. 7, lots 3, 4, 5, and 6.

The areas described aggregate approximately 263 acres in Lassen County.

ELIZABETH H. MIDTBY,  
Chief, Lands Adjudication Section.

[F.R. Doc. 70-2960; Filed, Mar. 11, 1970;  
8:46 a.m.]

[OR 114]

#### OREGON

### Notice of Proposed Classification of Public Lands

MARCH 5, 1970.

1. 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 following described public lands in Harney County, Oreg., for disposal through exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g):

#### WILLAMETTE MERIDIAN

T. 23 S., R. 27 E.,  
Sec. 18, NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and S  $\frac{1}{2}$  SE  $\frac{1}{4}$ ;  
Sec. 20, NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , S  $\frac{1}{2}$  NW  $\frac{1}{4}$ , and N  $\frac{1}{2}$  SW  $\frac{1}{4}$ ;  
Secs. 22 and 26;  
Sec. 28, NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;  
Sec. 24, S  $\frac{1}{2}$ .  
T. 24 S., R. 29 E.,  
Secs. 6, 8, 10, 14, 18, 20, 22, and 24.

The areas described aggregate 7,072.38 acres.

2. Publication of this notice will segregate the lands from all forms of disposal under the public land laws, including the mining laws, except as to application under section 8 of the Taylor Grazing Act (38 Stat. 1272), as amended.

3. Publication of this proposed classification order will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 60 days from the date of publication of this notice, all

persons who wish to submit comments, suggestions or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Department of the Interior, 74 South Alford Street, Burns, Oreg. 97720.

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

After having considered comments received as a result of this publication and hearing if such is deemed necessary to be held, the undersigned officer will classify the above-described lands, which classification shall be published in the FEDERAL REGISTER.

IRVING W. ANDERSON,  
Acting State Director.

[F.R. Doc. 70-2961; Filed, Mar. 11, 1970;  
8:46 a.m.]

[Order No. 2508, Amdt. 86]

#### Office of the Secretary

### COMMISSIONER OF INDIAN AFFAIRS Delegation of Authority With Respect to Specific Legislation

Section 30 of Order 2508, as amended, is further amended by the addition under paragraph (a) of a new subparagraph to read as follows:

SEC. 30. *Authority under specific acts.*  
(a) In addition to any authority delegated elsewhere in this order, the Commissioner of Indian Affairs, except as provided in paragraph (b) of this section, is authorized to perform the functions and exercise the authority vested in the Secretary of the Interior by the following acts or portions of acts or any acts amendatory thereof:

(45) Section 7, which permits dedication of land for public purposes; section 8, which permits contracts with the State of Arizona or its political subdivisions for public services; and section 9, which permits enactment of zoning, building and sanitary ordinances; of the Act of November 2, 1966 (80 Stat. 1112), providing for long-term leases and other purposes on the San Xavier and Salt River Pima-Maricopa Indian Reservation, Ariz.

WALTER J. HICKEL,  
Secretary of the Interior.

MARCH 2, 1970.

[F.R. Doc. 70-2977; Filed, Mar. 11, 1970;  
8:48 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Office of Education

#### FUNDS UNDER THE EDUCATIONAL TALENT SEARCH PROGRAM

### Notice of Establishment of Closing Date for Receipt of Application

The Higher Education Act of 1965, Title IV, Part A, section 408, as amended by the Higher Education Amendments of

1968, provides for programs which (1) identify qualified youths of financial or cultural need with an exceptional potential for post-secondary educational training and encourage them to complete secondary school and undertake post-secondary educational training; (2) publicize existing forms of student financial aid; and (3) encourage secondary school or college dropouts of demonstrated aptitude to reenter educational programs, including post-secondary programs.

Notice is hereby given that in order to be considered, applications of institutions eligible for assistance under the Educational Talent Search Program during the Fiscal Year 1970 must be post-marked no later than April 9, 1970, if mailed, or received no later than April 12, 1970.

The Application forms and instructions will be mailed between March 3 and March 10, 1970, to all institutions currently participating in this program, as well as to all institutions which have indicated an intent to apply for assistance under this program. Such forms as well as further information may be obtained from the Talent Search Branch, Division of Student Special Services, Bureau of Higher Education, Office of Education, Washington, D.C. 20202.

Dated: March 3, 1970.

PETER P. MUIRHEAD,  
Associate Commissioner  
for Higher Education.

Approved: March 9, 1970.

JAMES E. ALLEN, JR.,  
U.S. Commissioner  
of Education.

[F.R. Doc. 70-3060; Filed, Mar. 11, 1970;  
8:52 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGFR 70-30]

### CENTRAL RAILROAD OF NEW JERSEY BRIDGE, NEWARK BAY

### Notice of Public Hearing of Proposed Bridge Alteration

Notice is hereby given that a public hearing will be held on April 8, 1970, regarding The Central Railroad of New Jersey (John E. Farrell, Trustee) drawbridge across Newark Bay between Elizabethport and Bayonne, N.J., by the authority of section 3 of the Act of June 21, 1940 (Truman-Hobbs Act), 54 Stat. 498, 33 U.S.C. 513; section 6(g) (3), 80 Stat. 937, 49 U.S.C. 1655(g) (3); 33 CFR 116.20 and 49 CFR 1.4(a) (3) (vi). The hearing will be held in the Great Hall of the New York State Chamber of Commerce Building, 65 Liberty Street, New York, N.Y., beginning at 10 a.m. on April 8, 1970. A number of complaints have been received alleging that the bridge is obstructive. The purpose of the hearing is to determine whether an alteration is

needed, and if so what alterations are needed, having due regard to the necessity of free and unobstructed water navigation and to the necessities of the rail traffic.

The existing lift bridge provides for horizontal clearances of 216 feet in the west draw and 134 feet in the east draw when measured normal to the axis of the channel. Vertical clearances of 35 feet in the down or closed position, and 135 feet when fully opened, are provided at both the east and west drawspans.

The purpose of the public hearing is to obtain complete information so the Commander, Third Coast Guard District, may submit to the Commandant of the Coast Guard a full report including statements on whether the bridge unreasonably obstructs navigation; whether watercraft have difficulty in passing the draw openings or drawspans; the changes necessary to render navigation through or under the bridge reasonably free, easy, and unobstructed; the character and the approximate amount of commerce affected by the obstructive features of the bridge; and whether the commerce affected is sufficient to justify the proposed changes in the bridge.

A chart section showing the location of the drawbridge is on file in the Office of the Commander, Third Coast Guard District, Governors Island, New York, N.Y. 10004.

All interested parties are invited to be present or to be represented at the hearing. They will be given an opportunity to express their views concerning the alteration of the bridge and to suggest any changes that may be considered desirable.

Each person who wishes to make an oral statement should notify the Commander, Third Coast Guard District, Governors Island, New York, N.Y. 10004, not later than April 6, 1970, indicating the amount of time required for initial statement. Depending on the number of scheduled statements, it may be necessary to limit the amount of time allocated to each speaker. Persons requesting time to present oral statements will be notified if such allocation is necessary. Written statements and exhibits may be submitted in place of or in addition to oral statements and will be made a part of the record of hearing. Such statements and exhibits may be delivered at the hearing on April 8, 1970, or mailed prior to that date to the Commander, Third Coast Guard District, Governors Island, New York, N.Y. 10004.

Dated: March 9, 1970.

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

[F.R. Doc. 70-3035; Filed, Mar. 11, 1970;  
8:51 a.m.]

**Federal Aviation Administration  
GENERAL AVIATION DISTRICT OFFICES AT EUGENE, OREG., ET AL.**

**Notice of Opening and Boundary Changes**

Notice is hereby given that on or about March 2, 1970, a new General Aviation

District Office will be opened at Eugene, Oreg.

The southern Oregon counties of Coos, Curry, Deschutes, Douglas, Harney, Jackson, Josephine, Klamath, Lake, and Lane, which were formerly serviced by the Portland GADO, have been transferred to the Eugene GADO.

The northern Oregon counties of Benton, Clackamas, Clatsop, Columbia, Crook, Gilliam, Grant, Hood River, Jefferson, Lincoln, Linn, Marion, Multnomah, Polk, Sherman, Tillamook, Wasco, Washington, Wheeler, and Yamhill, and the southern Washington counties of Clark, Klickitat, and Skamania will continue to be serviced by the Portland GADO; the northeastern Oregon counties of Morrow, Umatilla, and Walla Walla formerly serviced by the Spokane GADO, and the northeastern Oregon counties of Union and Baker, formerly serviced by the Boise GADO, have been transferred to the Portland GADO.

Communications to the new General Aviation District Office should be addressed as follows:

General Aviation District Office No. 20,  
Department of Transportation, Federal  
Aviation Administration, 1065 High Street,  
Eugene, Oreg. 97401.

This information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Los Angeles, Calif., on February 25, 1970.

ARVIN O. BASNIGHT,  
Director, Western Region.

[F.R. Doc. 70-2998; Filed, Mar. 11, 1970;  
8:49 a.m.]

**CIVIL AERONAUTICS BOARD**

[Docket No. 20993; Order 70-3-35]

**INTERNATIONAL AIR TRANSPORT ASSOCIATION**

**Order Regarding Specific Commodity Rates**

Issued under delegated authority March 9, 1970.

By Order 70-2-51, dated February 12, 1970, action was deferred, with a view toward eventual approval, on an agreement adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 70-2-51 will herein be made final.

Accordingly, it is ordered, That:

Agreement C.A.B. 21380, R-22 and R-23, be and it hereby is, approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-3006; Filed, Mar. 11, 1970;  
8:50 a.m.]

**CIVIL SERVICE COMMISSION**

**DEPARTMENT OF LABOR**

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

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-3007; Filed, Mar. 11, 1970;  
8:50 a.m.]

**NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES**

**Notice of Revocation of Authority To Make a Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the National Foundation on the Arts and Humanities to fill by noncareer executive assignment in the excepted service the additional identical position of Deputy Chairman, National Endowment for the Arts.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-3008; Filed, Mar. 11, 1970;  
8:50 a.m.]

**EDUCATION PROGRAM ADMINISTRATOR, ALBUQUERQUE VOCATIONAL-TECHNICAL SCHOOL**

**Manpower Shortage; Notice of Listing**

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on February 27, 1970, for the single position of Education Program Administrator, GS-1710-14, Albuquerque Vocational-Technical School, Bureau of Indian Affairs, Albuquerque, N. Mex.

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

finding is self-canceling when the position is filled.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-3009; Filed, Mar. 11, 1970;  
8:50 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 482]

### COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

#### Domestic Public Radio Services Appli- cations Accepted for Filing<sup>2</sup>

MARCH 9, 1970.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary.

<sup>1</sup>All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

<sup>2</sup>The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

#### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

- 4913-C2-P-(3)-70—Answerphone, Inc. (KFL930), C.P. for three additional channels to operate on frequencies 454.075, 454.125, 454.325 MHz at station located at Lookout Mountain near Golden, Colo.
- 4984-C2-P-70—Radio Relay Corp. (KSC645), C.P. to make antenna changes for base frequency 35.58 MHz at station located at 188 West Randolph Street, Chicago, Ill.
- 4986-C2-P-70—Plant Telephone & Power Co., Inc. (New), C.P. for a new 1-way station to be located near U.S. Highway 319, 5 miles south of Tifton, Ga., to operate on frequency 152.84 MHz.
- 4987-C2-MP-70—Tel-Page Corp. (KEK291), Modification of C.P. to change antenna location by 200 feet to: Johnson Hill, Rutland, N.Y., lat. 43°47'23" N., long. 75°50'28" operating on frequency 152.24 MHz. Also change transmitter.
- 4988-C2-MP-70—Tel-Page Corp. (KQZ790), Modification of C.P. to change antenna location by 200 feet to: Johnson Hill, Rutland, N.Y., lat. 43°57'23" N., long. 75°50'28" operating on frequency 152.21 MHz.
- 4989-C2-P-70—South Shore Radio Telephone, Inc. (KSB591), C.P. to change antenna system and replace transmitter operating on base frequency 152.21 MHz at station located at 6405 Olcott Avenue, Hammond, Ind.
- 4995-C2-P/L-70—W. S. White, doing business as Ace Answering Service (KFJ889), C.P. and license to reinstate facilities to operate on base frequency 152.03 MHz to be located at 0.25 mile southeast of Del Rio, Tex.

##### Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

##### Iowa

Econocom Inc. (New), 2530-C2-P-70.  
Iowa City Communications Corp. (KJU809), 3508-C2-P-70.

##### Iowa

Econocom Inc. (New), 2531-C2-P-70.  
Iowa City Communications Corp. (New), 3507-C2-P-70.

##### RURAL RADIO SERVICE

4990-C1-P/L-70—Jim Mayfield (New), C.P. and license for a new fixed station to be located at 40½ miles at 203°55', Clayton, N. Mex., to operate on frequency 158.55 MHz.

##### POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

- 4914-C1-P-70—Continental Telephone Co. of California (KMJ37), C.P. to add frequency 2178.0 MHz toward Bakersfield, Calif., via passive reflector. Station location: 314 Main Street, Taft, Calif.
- 4915-C1-P-70—Continental Telephone Co. of California (KMH83), C.P. to add frequency 2128.0 MHz toward Taft, Calif., via passive reflector. Station location: 1520 20th Street, Bakersfield, Calif.
- 4916-C1-P-70—The Southern New England Telephone Co. (KCE72), C.P. to add frequency 6034.2 and 6152.8 MHz toward Norwalk, Conn. Station location: 430 John Street, Bridgeport, Conn.
- 4917-C1-P-70—The Southern New England Telephone Co. (KTQ40), C.P. to add frequencies 6286.2 and 6404.8 MHz toward Bridgeport and Stamford, Conn. Station location: Willard Road, Norwalk, Conn.
- 4918-C1-P-70—The Southern New England Telephone Co. (New), C.P. for a new station to be located at 555 Main Street, Stamford, Conn. Frequencies: 6034.2 and 6152.8 MHz toward Norwalk, Conn.
- 4993-C1-P-70—Illinois Bell Telephone Co. (KZS93), C.P. to add frequency 2175.2 MHz toward Zion, Ill., a new point of communication. Station location: 2.4 miles north-northwest of center of Libertyville, Ill.
- 4994-C1-P-70—Illinois Bell Telephone Co. (New), C.P. for a new station to be located at Lake Front, Foot of 29th Street, Zion, Ill. Frequency: 2125.2 MHz toward Libertyville, Ill.

##### Correction

- 4503-C1-P-70—Southern Pacific Communications, Inc. (New), Correct to read: C.P. for a new fixed station to be located at Tiger Mountain, 3 miles south of Preston, Wash., to operate on frequencies 6226.89 and 6345.50 MHz toward Tacoma, Wash., and 6197.24 and 6315.84 MHz toward Seattle, Wash. See report No. 479 dated Feb. 16, 1970.
- 4509-C1-P-70—Southern Pacific Communications, Inc. (New), Correct frequencies toward Portland, Ore., to read: 6256.54 and 6375.14 MHz. All other terms same as indicated in report No. 479 dated Feb. 16, 1970.

##### POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

- 4912-C1-MP-70—Mountain Microwave Corp. (KBI23), Modification of C.P. to change frequency 6215.9 MHz to 6404.8 MHz on azimuth 122°25'. Location: 12 miles west-southwest of Eads, Colo., at lat. 38°24'29" N., long. 102°58'29" W.
- 5022-C1-MP-70—West Texas Microwave Co. (WAY37), Modification of C.P. to power split frequencies 11,265 and 11,345 MHz on azimuth 42°15'. Location: 2 miles southeast of Cotton Center, Tex., at lat. 33°57'56" N., long. 101°58'54" W. (Informative: Applicant proposes to replace the facilities at station KZI26 at Abernathy, Tex., with the above facilities.)

## Major Amendment

4199-C1-P-70—Western Telecommunications, Inc. (New), Change frequencies to: 6019.3, 6049.0, 6078.6 and 6108.3 MHz.

4200-C1-P-70—Western Telecommunications, Inc. (New), Change frequencies to: 6271.4, 6301.0, 6330.7, and 6360.3 MHz. (Applicant also requests a waiver of section 21.701(1) of the Commission's rules.) All other particulars same as reported on public notice dated Feb. 9, 1970.

[F.R. Doc. 70-3011; Filed, Mar. 11, 1970; 8:50 a.m.]

[FCC 70-248]

## OBSERVANCE OF EX PARTE RULES

MARCH 5, 1970.

The Commission, on March 5, 1970, dispatched letters of reprimand to two attorneys engaged in practice before the agency for violation of § 1.1201 et seq. of the rules, which are those dealing with ex parte contacts with the Commission.

In order that other members of the bar may be reminded of the provisions of our rules and of the necessity for strict compliance therewith, the following outline of the case is being set forth. If the rule is not completely clear, this should help to clarify its applicability to the kind of situation involved here.

The attorneys were retained to represent an applicant (hereafter referred to as A) for a new broadcast facility. Initially there was a competing applicant, but it was dismissed from the proceeding. The Review Board, in accordance with the position urged by the Commission's Broadcast Bureau, issued a decision denying A's application. A's counsel filed a petition for review; it was opposed by the Broadcast Bureau and was ultimately denied by the Commission, without the Commissioners having been informed of the matters set forth herein.

After the hearing was completed and the other party had been dismissed, one of A's principals suggested that he could perhaps enlist Congressional support for A's application. The attorney to whom he made this proposal advised him that this would do no good and the matter was dropped. After counsel had filed the petition for review, it was again suggested that Congressional assistance be sought. The attorney to whom this was proposed, who had handled most of the proceedings in the case, consulted his more experienced colleague about the matter. The latter, without referring to the Commission's rules, expressed the opinion that such a course probably would neither help nor hurt the client's cause, but that it could appropriately be done if it would make the client happier. He knew that the competing applicant had been dismissed so that there was no other private interest involved any longer, but he failed to consider the fact that the Broadcast Bureau was still a party advancing a position adverse to A's interests.

Thereupon the less experienced attorney prepared and sent to the principals of A, a draft of a letter which could be forwarded to someone in the Congress to serve as basis for a letter from him to the then Chairman of the Commission. Another of A's principals wrote to a Senator, enclosing the draft letter. This apparently was received by a junior em-

ployee in the Senator's office, who clearly must not have read the communication carefully, but simply attached a forwarding slip and sent both the incoming letter and the enclosed draft to the Commission. Upon receipt at this agency the packet was routed to the Executive Director in accordance with the ex parte rules. There is nothing in the entire record to indicate that the Senator or any senior staff member in his office ever saw any of these papers or knew anything about the incident. The draft letter simply recited the rulings of the examiner and the Review Board, pointed out that there was no other applicant for the facility, indicated that approval of the Review Board's holding would delay inauguration of a new service to the people in the area, and asked to be advised of the status of the matter.

Commission investigators were then dispatched to interview the two attorneys and the principals of A. All parties cooperated fully and their accounts of the matter are mutually consistent. Both attorneys, on being reminded of the rules and of the Broadcast Bureau's role in the case, candidly admitted that they had inadvertently violated the rule and expressed great regret.

The attorneys and their counsel were afforded an opportunity to appear and explain the circumstances giving rise to the violation of the rules. The Commission is completely satisfied that neither of the attorneys realized that the conduct outlined above would violate the rules, and is convinced that they had no improper motives in the matter.

However, it is important that all concerned understand the ex parte rules and observe them meticulously. It is emphasized, therefore, that the dismissal of all other parties having adverse private interests does not remove a case from restricted adjudicative status—especially where staff attorneys of the Commission are still involved in the proceeding and are taking a position adversely to that of the only remaining private party. In such a situation, neither the latter nor its attorneys should make, solicit or permit any ex parte presentation to the Commission. Indeed, once a matter has become the subject of adjudication, no such presentation to the Commission is proper until the adjudicative status of the case has been terminated by final Commission disposition and its order is no longer subject to reconsideration by the Commission or to review by any court. Section 1.1203(a) of the rules.

Since the conduct here involved represented a violation of the rules, the Commission has reprimanded the attorneys involved and closed the case with the issuance of this notice for the in-

formation and guidance of parties and attorneys dealing with the agency.

Action by the Commission March 5, 1970. Commissioners Burch (chairman), Bartley, Robert E. Lee, Cox, Johnson, H. Rex Lee, and Wells.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary,

[F.R. Doc. 70-3012; Filed, Mar. 11, 1970;  
8:52 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI63-20]

JOE BALLANFONTE, SR.

Order Substituting Respondent, Re-designating Proceeding, Making Rate Change Effective, and Requiring Filing of Agreement and Undertaking

MARCH 2, 1970.

By order issued September 8, 1966, in Docket No. G-2947, et al., the Commission amended the order issuing a certificate of public convenience and necessity to McCurdy & McCurdy in Docket No. G-18434 by authorizing Joe Ballanfonte, Sr., to continue the sale of natural gas in interstate commerce to Florida Gas Transmission Co., from the Luby Field, Nueces County, Tex., pursuant to the contract on file as McCurdy & McCurdy FPC Gas Rate Schedule No. 1 which was redesignated as Joe Ballanfonte, Sr., FPC Gas Rate Schedule No. 1. On July 6, 1962, McCurdy & McCurdy filed with the Commission a notice of change in rate under its FPC Gas Rate Schedule No. 1. By order issued July 31, 1962, in Docket No. RI63-20 the Commission suspended the proposed change until January 6, 1963, and thereafter until made effective. The notice of change was designated as Supplement No. 1 to the subject rate schedule. On December 2, 1969, Joe Ballanfonte, Sr., filed a motion to be substituted in lieu of McCurdy & McCurdy as respondent in the proceeding pending in Docket No. RI63-20 and to make the change in rate suspended therein effective subject to refund. Therefore, Joe Ballanfonte, Sr., will be substituted as respondent; the proceeding will be redesignated accordingly; the change in rate will be made effective subject to refund; and Joe Ballanfonte, Sr., will be required to file an agreement and undertaking to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in Docket No. RI63-20.

The Commission orders:

(A) Joe Ballanfonte, Sr., is substituted in lieu of McCurdy & McCurdy as respondent in the proceeding pending in Docket No. RI63-20 and the proceeding is redesignated accordingly.

(B) The rate set forth in Supplement No. 1 to Joe Ballanfonte, Sr., FPC Gas Rate Schedule No. 1 shall be effective subject to refund as of December 2, 1969,

and shall be charged and collected as of the effective date subject to any future orders of the Commission in Docket No. RI63-20. Joe Ballanfonte, Sr., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Within 30 days from the issuance of this order, Joe Ballanfonte, Sr., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI63-20 to assure the refund of any amounts collected, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent.....)

Docket No. ....

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. ...., and has caused this agreement and undertaking to be executed and sealed in its name by a duly authorized officer this ..... day of ....., 196....

(Name of Respondent)

By .....

Attest:

[F.R. Doc. 70-2950; Filed, Mar. 11, 1970; 8:45 a.m.]

[Project No. 2700]

CITY OF STATESVILLE, N.C. ET AL.  
Notice of Application for Preliminary Permit for Unconstructed Project

MARCH 6, 1970.

Public notice is hereby given that application for a preliminary permit has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by city of Statesville, N.C., acting for itself and on behalf of other North Carolina municipal corporations owning and operating their own electric distribution systems (correspondence to: Mayor J. Garner Baginal, Post Office Box 191, Statesville, N.C. 28677) and North Carolina Electric membership corporation, of Raleigh, N.C. (correspondence to: J. C. Brown, Jr.,

Executive Secretary, North Carolina Electric membership corporation, Post Office Box 1699, Raleigh, N.C. 27601) for proposed Project No. 2700, known as Green River Pumped Storage Project, to be located on Green River in Polk County, N.C., in the region of Columbus and Saluda, in Polk County, N.C., and Hendersonville in Henderson County, N.C.

According to the application, the proposed pumped storage hydroelectric project would be developed in stages and would consist of: (1) An upper reservoir, located about 1 mile east of the west boundary of Polk County, formed by a rockfill dam (Pulliam Dam Site) 300 feet high, providing about 25,000 acre-feet of usable storage between elevation 1,980 and 2,100 feet (USGS Datum); (2) a forebay channel, approximately 2,800 feet long; (3) a power tunnel, approximately 2,800 feet long; (4) a powerhouse with two generator/motors each rated at 250,000 kw.; (5) a 600-foot long tailrace; (6) a lower reservoir at approximately river mile 29, providing 25,000 acre-feet of usable storage between elevations 1,060 and 1,100, with a rockfill dam (Foster Dam Site) about 165 feet high; (7) a substation; and (8) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2940; Filed, Mar. 11, 1970; 8:45 a.m.]

[Docket No. CP70-199]

CUMBERLAND NATURAL GAS CO.,  
INC.

Notice of Application

MARCH 2, 1970.

Take notice that on February 24, 1970, Cumberland Natural Gas Co., Inc. (Applicant), Post Office Box 1, Greenville, Ky. 42345, filed in Docket No. CP70-199 an application pursuant to section 7(b) of the Natural Gas Act for an order of the Commission granting permission and approval to abandon service to Texas Gas Transmission Corp. (Texas Gas) and certain related natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon service to Texas Gas and its own 14 miles of 6-inch line at an existing point of physical connection near Nortonville, Hopkins County, Ky. Applicant states that no service has been rendered for over a year since all gas supply connected to this line has reached such a low pressure that it is not feasible to compress and deliver this gas to Texas Gas. Applicant further states that at this time it has no gas supply to deliver and abandonment is necessary so that the line can be removed or sold.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 23, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2942; Filed, Mar. 11, 1970; 8:45 a.m.]

[Docket No. CP68-129]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

MARCH 5, 1970.

Take notice that on February 27, 1970, El Paso Natural Gas Co. (applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP68-129 a petition to amend the order of the Commission issued on August 5, 1968, to reflect alterations in the locations of certain authorized 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 states that failure to obtain the originally contemplated right-of-way forced it to reroute a part of its Twin Buttes Lateral Extension, resulting in an increase of overall length from 39.2 miles to 40.89 miles, and relocate its Rio Rico and Nogales No. 2 Meter Stations, all in Santa Cruz County, Ariz.

Applicant states that the total cost of the lateral extension project, including the rerouting is \$1,435,549, as compared to the originally contemplated \$1,063,643.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 30, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3013; Filed, Mar. 11, 1970;  
8:50 a.m.]

[Docket No. CP69-309]

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

MARCH 5, 1970.

Take notice that on February 26, 1970, Michigan Wisconsin Pipe Line Co. (applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP69-309 a petition to amend the order of the Commission issued on August 12, 1969, to authorize an increase in the maximum daily quantity of natural gas to be delivered by applicant to Allerton Gas Co. (Allerton) as of April 1, 1970, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant proposes to increase the heretofore authorized maximum daily quantity of 910 Mcf to 1,500 Mcf per day. Applicant states that the additional 590 Mcf per day is necessary to meet the anticipated increase in requirements of one of Allerton's customers to begin on April 1, 1970.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 30, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with

the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3014; Filed, Mar. 11, 1970;  
8:50 a.m.]

[Docket No. CP70-198]

**MONTANA-DAKOTA UTILITIES CO.**  
**Notice of Application**

MARCH 2, 1970.

Take notice that on February 19, 1970, Montana-Dakota Utilities Co. (applicant), 400 North Fourth Street, Bismarck, N. Dak. 58501, filed in Docket No. CP70-198 a budget-type application pursuant to section 7(c) of the Natural Gas Act and § 157.7 of the regulations thereunder for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate certain gas sales and transmission facilities for the purpose of making direct sales of natural gas to consumers for industrial purposes. Applicant states that deliveries to any one consumer through the proposed facilities will not exceed 100,000 Mcf per year and none of the gas delivered will be used for boiler fuel purposes. The application states that the consumers to whom applicant proposes to make direct sales are located outside the franchise area of other local distributors.

The total estimated cost of the proposed facilities will not exceed \$300,000 and will be financed with internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 23, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and

procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2943; Filed, Mar. 11, 1970;  
8:45 a.m.]

**NATIONAL POWER SURVEY EXECUTIVE ADVISORY COMMITTEE**

**Determination of Continuance**

MARCH 3, 1970.

Pursuant to section 8 of Executive Order No. 11007, issued February 26, 1962 (27 F.R. 1875, 3 CFR 1959-1963 Comp., p. 573) and paragraph 3 of the Commission's Order Establishing the National Power Survey Executive Advisory Committee issued March 8, 1962 (27 F.R. 2496, March 15, 1962), the Commission hereby determines that the continued existence of the National Power Survey Executive Advisory Committee for an additional period of two years, from March 8, 1970, through March 7, 1972, is in the public interest.

The Secretary shall cause prompt publication of this determination to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2949; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Docket No. CP70-119; Phase 1]

**NATURAL GAS PIPELINE COMPANY OF AMERICA**

**Findings and Order**

MARCH 5, 1970.

Findings and order after statutory hearing issuing certificate of public convenience and necessity, order granting motion for severance and order granting petitions to intervene.

On November 5, 1969, Natural Gas Pipeline Company of America (applicant) filed in Docket No. CP70-119 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities, the sale and/or transportation and delivery of additional quantities of natural gas to existing customers, additional storage service under an existing rate schedule and under a

proposed new rate schedule, and the transportation and delivery of natural gas to Michigan Wisconsin Pipe Line Co. (Michigan) for storage service by the latter for applicant, all as more fully set forth in the application in this proceeding.

Specifically, applicant proposes: (a) The sale and/or transportation and delivery to existing customers under existing FPC Gas Rate Schedules of an additional 157,744 Mcf of natural gas per day;

(b) Additional storage service of 124,800 Mcf per day to existing customers under applicant's FPC Gas Rate Schedule S-1; and

(c) A new storage service totalling 91,593 Mcf per day under a proposed new FPC Gas Rate Schedule S-2.

In order to render the proposed service, applicant requests authorization to construct and operate the following facilities:

#### TRANSMISSION FACILITIES

(1) Approximately 31.40 miles of 36-inch pipeline looping at various locations in Effingham, Shelby, Livingston, Grundy, and Du Page Counties, Ill.;

(2) Approximately 3.36 miles of 42-inch pipeline looping in Cook County, Ill.;

(3) Approximately 7.98 miles of 24-inch pipeline looping in Ogle and Winnebago Counties, Ill.; and

(4) Approximately 15.54 miles of 16-inch pipeline looping in Ogle and De Kalb Counties, Ill.

#### STORAGE FACILITIES

(1) Four injection-withdrawal wells and approximately 1 mile of 6-inch gathering pipeline at the Cairo Storage Field, Louisa County, Iowa;

(2) Four injection-withdrawal wells and approximately 1.50 miles of 6-inch gathering pipeline at the Columbus City Storage Field, Louisa County, Iowa;

(3) Two injection-withdrawal wells and approximately 0.75 mile of 12-inch gathering pipeline at the Herscher Northwest Storage Field, Kankakee County, Ill.; and

(4) Approximately 1.75 miles of 8-inch gathering pipeline at the Loudon Storage Field, Fayette and Effingham Counties, Ill.

Miscellaneous facilities appurtenant to the above and existing facilities and cushion gas estimated at 9,800,000 Mcf.

The total estimated cost of these facilities is \$15,157,000, exclusive of Commission filing fees, which cost will be initially financed with funds obtained through bank credit and short-term borrowing from applicant's parent, Peoples Gas Co.

In order to render the proposed service, applicant has contracted to purchase 155,000 Mcf per day (14.73 p.s.i.a.) of flow gas from Great Lakes Gas Transmission Co. (Great Lakes) and has also contracted for a related transportation-exchange service to be rendered by Michigan. Additionally, applicant has also contracted to purchase 90,000 Mcf per day (14.73 p.s.i.a.) of storage service from Michigan. All of the additional flow

gas referred to above will originate in Canada and will be purchased by Great Lakes from Trans-Canada Pipelines, Ltd. and imported into the United States. The Great Lakes and Michigan proposals are the subject of the proceedings before this Commission in Docket No. CP70-19 et al.

By order issued January 6, 1970, in Docket No. CP70-19 et al., the Commission severed certain portions of the Michigan application in that proceeding and, among other things, authorized Michigan to develop and operate the storage fields which will be used by Michigan to provide the new storage service for applicant.

On February 19, 1970, applicant filed in the instant proceeding a motion for severance and prompt issuance of a certificate of public convenience and necessity. Applicant requests that the following portions of the subject application be served and authorized because they are not related to the Canadian gas aspects of the proceedings in Docket No. CP70-19 et al.:

(1) The construction and operation of all proposed facilities. Applicant states that said facilities are all necessary either for further development of its storage fields or for implementation of the proposed additional S-1 storage service and the new S-2 storage service;

(2) The proposed additional S-1 storage service;

(3) The proposed new S-2 storage service; and

(4) Deliveries of gas to Michigan for injection and withdrawal for redelivery during the 1970-71 heating season.

Applicant proposes to render the additional S-1 storage service to the following customers commencing December 1, 1970:

Customer	Additional daily withdrawals (Mcf)
Associated Natural Gas Co.....	170
Commonwealth Edison Co.....	4,807
Illinois Power Co.....	4,201
Interstate Power Co.....	1,534
Iowa Electric Light & Power Co.....	2,326
Iowa-Illinois Gas & Electric Co.....	10,582
Iowa Power & Light Co.....	809
Iowa Southern Utilities Co.....	420
Nebraska City, Nebr.....	194
North Shore Gas Co.....	5,050
Northern Illinois Gas Co.....	41,298
Northern Indiana Public Service Co.....	16,764
The Peoples Gas Light & Coke Co.....	35,347
Sullivan, Ill.....	121
Wisconsin Southern Gas Co.....	1,127
Total .....	124,800

Applicant proposes to render the new S-2 storage service to the following customers:

Customer	Daily withdrawals (Mcf)
Associated Natural Gas Co.....	97
Illinois Power Co.....	4,738
Interstate Power Co.....	1,785
Iowa Electric Light & Power Co.....	330
Iowa-Illinois Gas & Electric Co.....	3,524
Iowa Southern Utilities Co.....	44
Nebraska City, Nebr.....	104
North Shore Gas Co.....	3,629
Northern Illinois Gas Co.....	32,412
Northern Indiana Public Service Co.....	18,902
The Peoples Gas Light & Coke Co.....	24,885

Customer	Daily withdrawals (Mcf)
Sullivan, Ill.....	26
Wisconsin Southern Gas Co.....	627
Central Illinois Public Service Co.....	52
Corning Municipal Utilities.....	45
Missouri Utilities Co.....	87
Monarch Gas Co.....	148
Peoples Natural Gas Division.....	88
United Cities Gas Co.....	70
Total .....	91,593

The immediately above-described portions of the subject application shall be severed and hereinafter authorized and designated as Phase I of this proceeding. The remaining portions of this proceeding shall be designated Phase II, and consideration thereof shall be held in abeyance pending Commission action in the proceeding in Docket No. CP70-19 et al.

The following petitions to intervene have been filed in this proceeding:

Petitions	Filing dates
Central Illinois Public Service Co.	Nov. 28, 1969.
Iowa-Illinois Gas & Electric Co.	Dec. 1, 1969.
Northern Indiana Public Service Co.	Do.
Northern Illinois Gas Co.....	Do.
Illinois Power Co.....	Do.
Iowa Southern Utilities Co.....	Do.
Mississippi River Transmission Corp.	Dec. 2, 1969.
North Shore Gas Co.....	Do.
Northern Natural Gas Co.....	Do.
The Peoples Gas Light & Coke Co.	Do.
Iowa Electric Light & Power Co.	Do.
Interstate Power Co.....	Do.

None of the above petitioners requests a formal hearing in this proceeding. However, in addition to stating that it does not request a formal hearing, Northern Natural Gas Co. asserts that it takes the same position on the instant application as it does as a party to the proceeding in Docket No. CP70-19 et al., insofar as the instant application concerns the purchase, receipt and resale of the Canadian gas which applicant proposes to purchase from Great Lakes. Inasmuch as the Commission by its order issued January 6, 1970, has authorized the storage service Michigan proposes to render to applicant in Docket No. CP70-19 et al., and inasmuch as the Phase I portion of the instant application involves only applicant's related storage service proposals, it appears to us that we can sever and authorize said Phase I portion without affecting the Canadian gas aspects of the proceeding in Docket No. CP70-19 et al.

After due notice by publication in the FEDERAL REGISTER on November 20, 1969 (34 F.R. 18495), no other petition to intervene, notice of intervention or protest to the granting of the application has been filed.

At a hearing held on March 4, 1970, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application and exhibits, submitted in support of the authorization sought herein, and upon consideration of the record,

The Commission finds:

(1) Applicant, Natural Gas Pipeline Company of America, a Delaware corporation having its principal place of business in Chicago, Ill., is a "natural-gas company" within the meaning of the Natural Gas Act, as heretofore found by the Commission in its order of October 13, 1942, in Docket No. G-235 (3 FPC 830).

(2) It is in the public interest to sever that portion of the subject application requested by applicant and as set forth in the motion for severance in this proceeding and to designate said portion as Phase I and to designate the remaining portion as Phase II.

(3) The facilities hereinbefore described, as more fully described in the application in this proceeding (Phase I), are to be used in the transportation and delivery of natural gas in interstate commerce, subject to the jurisdiction of the Commission, and the construction and operation thereof and the proposed transportation and delivery of natural gas by applicant are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(4) Applicant is able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) The construction and operation of the proposed facilities and the proposed transportation and delivery of natural gas by applicant are required by the public convenience and necessity and a certificate therefor should be issued as hereinafter ordered and conditioned.

(6) Public convenience and necessity require that the certificate issued hereinafter and the rights granted thereunder be conditioned upon applicant's compliance with all applicable Commission regulations under the Natural Gas Act and particularly the general terms and conditions set forth in paragraphs (a), (b), (c) (1), (c) (2), (c) (3), (c) (4), (e), (f), and (g) of § 157.20 of such regulations.

(7) Good cause has been shown for waiver of the notice requirements of the Commission's regulations and applicant's FPC Gas Tariff Sheets filed February 19, 1970, pertaining to Rate Schedule S-2 should be accepted for filing to become effective on the date this order issues.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the petitions to intervene filed in this proceeding, and hereinabove set forth, should be granted as hereinafter ordered.

The Commission orders:

(A) That portion of the subject application requested by applicant to be severed in its motion for severance in this proceeding is severed and designated as Phase I. The remaining portion is designated as Phase II and consideration thereof shall be held in abeyance pending Commission action in the proceeding in Docket No. CP70-19 et al.

(B) A certificate of public convenience and necessity is issued authorizing applicant, Natural Gas Pipeline Company of America, to construct and operate the proposed facilities, to render the proposed natural gas storage service and to transport and deliver natural gas as hereinabove described, all as more fully described in the application in this proceeding (Phase I), upon the terms and conditions of this order.

(C) The certificate issued by paragraph (B) above and the rights granted thereunder are conditioned upon applicant's compliance with all applicable Commission regulations under the Natural Gas Act and particularly the general terms and conditions set forth in paragraphs (a), (c) (1), (c) (2), (c) (3), (c) (4), (e), (f), and (g) of § 157.20 of such regulations.

(D) The facilities authorized shall be constructed and placed in actual operation, as provided by paragraph (b) of § 157.20 of the Commission's regulations under the Natural Gas Act, within 1 year from the date this order issues.

(E) The authorization hereinabove granted for the additional S-1 storage service is conditioned as follows:

(1) The maximum inventory of gas stored in applicant's storage fields is limited as follows:

Storage field:	Maximum inventory million Mcf @ 14.73 p.s.i.a. and 60° F.
Herscher (Galesville).....	54.7
Herscher (Mount Simon).....	63.5
Cooks Mill.....	5.2
Cairo.....	20.4
Keota.....	5.3
Loudon.....	27.9
Herscher, Northwest.....	7.0
Columbus City.....	3.0

<sup>1</sup> Authorized in Docket No. CP65-169; 55 million Mcf @ 14.65 p.s.i.a.

<sup>2</sup> Authorized in Docket No. CP69-164.

(2) Applicant shall continue to comply with the reporting requirements of ordering paragraphs (D) (2) of the Commission's orders issued May 31, 1966, and June 24, 1968, in Dockets Nos. CP66-141 and CP68-288, respectively, and ordering paragraph (F) of the Commission's order issued March 18, 1969, in Docket No. CP69-164.

(F) The notice requirements of the Commission's regulations are waived and applicant's FPC Gas Tariff Sheets filed February 19, 1970, pertaining to Rate Schedule S-2 are accepted for filing to become effective on the date this order issues.

(G) The Petitioners hereinabove set forth are permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in their respective petitions to intervene; *And, provided, further,* That the admission of said interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order

or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2951; Filed, Mar. 11, 1970; 8:45 a.m.]

[Docket No. CP70-203]

## NORTHERN NATURAL GAS CO. Notice of Application

MARCH 3, 1970.

Take notice that on February 24, 1970, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP70-203 an application pursuant to section 7(b) of the Natural Gas Act for an order of the Commission granting permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon approximately 35,227 feet of 3-inch pipeline, 4,100 feet of 4-inch pipeline, and 35,227 feet of 3-inch pipeline loop, all running from the Mertzon Gas Processing Plant to applicant's 16-inch El Dorado-Spraberry line, all in Irion County, Tex. Applicant states that the facilities it proposes to abandon are no longer needed to receive its declining volumes from the Mertzon plant.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 27, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.



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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2944; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Docket No. CP70-202]

## NORTHERN NATURAL GAS CO.

### Notice of Application

MARCH 3, 1970.

Take notice that on February 24, 1970, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP70-202 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate up to 9,500 compressor horsepower and appurtenant facilities in its Lea County, N. Mex., gas field gathering system in order to maintain its present delivery capability of 180,000 Mcf per day from the Lea County area for the 1970-71 heating season.

The total estimated cost of the proposed facilities is \$3,600,000, which will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 27, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2946; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Docket No. CP70-201]

## NORTHERN NATURAL GAS CO.

### Notice of Application

MARCH 5, 1970.

Take notice that on February 24, 1970, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP70-201 an application pursuant to section 7(b) and 7(c) of the Natural Gas Act for an order of the Commission granting permission and approval to abandon certain natural gas facilities, and a certificate of public convenience and necessity authorizing the construction and operation of certain other natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon approximately 1,100 feet of 4-inch tie-over line at its Hobbs Extraction Plant in Lea County, N. Mex., and construct in its place approximately 1,100 feet of 8-inch tie-over line. Applicant states that the proposed facilities are necessary to accommodate the routing of increased volumes carried in the 10-inch Buckeye line into the Hobbs Plant facilities.

The total estimated cost of the proposed facilities is \$34,587, which will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 30, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate or permission and approval for the proposed abandonment is required by

the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3015; Filed, Mar. 11, 1970;  
8:50 a.m.]

[Project No. 2082]

## PACIFIC POWER & LIGHT CO.

### Notice of Application for Approval for Constructed Project

MARCH 3, 1970.

Public notice is hereby given that application for approval of Exhibit R has been filed under the regulations under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Power & Light Co. (correspondence to: George L. Beard, Senior Vice President, Pacific Power & Light Co., Public Service Building, Portland, Oreg. 97204) as part of the license for the Klamath Basin Project No. 2082, located on the Klamath River in Siskiyou County, Calif., and in Jackson and Klamath Counties, Oreg., in the vicinity of the towns of Klamath Falls and Medford.

The project consists of 6 developments known as Iron Gate, Copco No. 1, Copco No. 2, John C. Boyle, Link River, and Keno. According to the Exhibit R, the existing recreation facilities consist of 6 sanitary facilities, 5 picnic areas, 2 beaches, and 2 boat ramps at Iron Gate; 1 sanitary facility, 1 picnic area, and 1 boat ramp at Copco No. 1; 1 sanitary facility, 1 picnic area, 1 camping site, and 1 boat ramp at John C. Boyle; and 1 sanitary facility, 1 picnic area, 1 camping site, and 1 boat ramp at Keno. Within the next 3 years, the licensee plans to add: 1 picnic area, 1 beach and 1 boat ramp at Iron Gate; and 1 sanitary facility and 1 boat ramp at John C. Boyle. The licensee is reserving project land for development beyond the 3-year period to consist of 1 camping area at Iron Gate; and 1 sanitary facility, 2 picnic areas, and 1 camping area at Keno.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
*Secretary.*

[F.R. Doc. 70-3016; Filed, Mar. 11, 1970;  
8:50 a.m.]

[Docket No. G-13633 etc.]

### PENNZOIL PRODUCING CO.

#### Notice of Petition To Amend

MARCH 6, 1970.

Take notice that on February 6, 1970, Pennzoil Producing Co. filed in Docket No. G-13633 et al., a petition to amend the orders issuing certificates of public convenience and necessity to Union Producing Co. pursuant to section 7(c) of the Natural Gas Act by changing the name of the certificate holder to Pennzoil Producing Co. to reflect a change in corporate name, effective as of January 1, 1970, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 31, 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. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,  
*Secretary.*

[F.R. Doc. 70-2945; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Project No. 2079]

### PLACER COUNTY WATER AGENCY

#### Notice of Application for Approval for Constructed Project

MARCH 6, 1970.

Public notice is hereby given that application for approval of Exhibit R has been filed under the regulations under the Federal Power Act (16 U.S.C. 791a-825r) by Placer County Water Agency (correspondence to: William S. Briner, Chairman, Board of Directors, Placer County Water Agency, County Administrative Center, Auburn, Calif. 95603) as part of the license for the Middle American River Project No. 2079, located on Middle Fork of the American River and Rubicon River and their respective tributaries, in Placer and El Dorado Counties, Calif.

According to the Exhibit R, the licensee plans to provide initially: Four family camping areas, three group camping areas, two trail access camping areas, three boat launching areas with ramps, two swimming beach areas, two vista points, four picnicking areas, and two Administration Visitor Centers, one within the Tahoe National Forest and the other within the Eldorado National Forest. In the future, the licensee will develop additional recreational facilities consisting of: Six family camping areas, one group camping area, one trail access camping area, two swimming beach areas, and three picnicking areas. Extensive hiking and riding trails interlace the project area and access areas and auto parking facilities are to be provided at all facilities except trail access camping areas which are accessible only by trail or boat. Sanitation facilities are to be provided at all recreation areas.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
*Secretary.*

[F.R. Doc. 70-2941; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Docket No. CP70-200]

### TEXAS GAS TRANSMISSION CORP.

#### Notice of Application

MARCH 2, 1970.

Take notice that on February 24, 1970, Texas Gas Transmission Corp. (Applicant), Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP70-200 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7 of the regulations thereunder for a certificate of public convenience and necessity authorizing the construction in the 12-month period commencing May 30, 1970, and operation of certain facilities to enable applicant to take into its certificated pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget type application is to augment applicant's ability to act with reasonable dispatch in contracting for and connecting to its

pipeline system new supplies of natural gas in areas generally coextensive with said system.

Applicant states that the total cost will not exceed \$5 million, with no single project cost to exceed \$1 million. Applicant requests a waiver of the project cost limitation of § 2.58(a)(2) of the Commission's rules of practice and procedure. The proposed facilities will be financed by funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 23, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
*Secretary.*

[F.R. Doc. 70-2947; Filed, Mar. 11, 1970;  
8:45 a.m.]

[Docket No. CP70-204]

### TEXAS GAS UTILITIES CO. AND AMERICAN SMELTING AND REFINING CO.

#### Notice of Joint Application

MARCH 6, 1970.

Take notice that on February 27, 1970, Texas Gas Utilities Co. (Texas Gas), Post Office Drawer 521, Corpus Christi, Tex. 78403, and American Smelting and Refining Co. (American), 120 Broadway, New York, N.Y. 10005, filed in Docket No. CP70-204 a joint application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing

the continued exportation of natural gas from the United States to Mexico and an increase in the volume exported, all as more fully described in the application which is on file with the Commission and open to public inspection.

By its order of March 26, 1965, in Docket No. G-228, the Commission granted American and its then joint applicant, Border Pipe Line Co., an extension until March 26, 1970, of its original export authorization issued on October 10, 1942, in Docket No. G-228. By order of the Commission issued on April 27, 1967, in Docket No. CP67-72, Texas Gas was authorized until March 26, 1970, to continue the exportation of natural gas as successor to Border Pipe Line Co.

Under these authorizations, Texas Gas sells and delivers and American receives up to 14,000 Mcf per day at a point in Texas near the international boundary with Mexico, to be delivered to Asarco Mexicana, S.A. Applicants have executed a new agreement calling for a 2,000 Mcf per day increase in the volumes exported so that the maximum daily delivery volume will be 16,000 Mcf.

Applicant states that no change in the border facilities is necessary, and no new or amended Presidential Permits are requested.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 30, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-2948; Filed, Mar. 11, 1970;  
8:45 a.m.]

## FEDERAL RESERVE SYSTEM

### BARNETT BANKS OF FLORIDA, INC. Order Approving Application Under Bank Holding Company Act

In the matter of the application of Barnett Banks of Florida, Inc., Jacksonville, Fla., for approval of acquisition of 80 percent or more of the voting shares of Tropical Bank & Trust Co., Sebring, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), the application of Barnett Banks of Florida, Inc., Jacksonville, Fla., for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Tropical Bank & Trust Co., Sebring, Fla.

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

Notice of receipt of the application was published in the FEDERAL REGISTER on December 20, 1969 (34 F.R. 20008), 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 5th day of March 1970.

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

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-2992; Filed, Mar. 11, 1970;  
8:49 a.m.]

### MID-OHIO BANC-SHARES, INC.

#### Order Approving Application Under Bank Holding Company Act

In the matter of the application of Mid-Ohio Banc-Shares, Inc., Mansfield, Ohio, for approval of action to become

<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: Governors Mitchell, Maisel, Brimmer, and Sherrill. Absent and not voting: Chairman Burns and Governors Robertson and Daane.

a bank holding company through the acquisition of 80 percent or more of the voting shares of The Sutton State Bank, Attica, Ohio.

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 Mid-Ohio Banc-Shares, Inc., Mansfield, Ohio, for the Board's prior approval of action whereby applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of The Sutton State Bank, Attica, Ohio. Applicant presently owns almost all of the voting shares of The Richland Trust Co., Mansfield, Ohio.

As required by section 3(b) of the Act, the Board notified the Superintendent of Banks of the State of Ohio of receipt of the application and requested his views and recommendation. The Superintendent recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on December 30, 1969 (34 F.R. 20369), 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 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 period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of March 1970.

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

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-2952; Filed, Mar. 11, 1970;  
8:45 a.m.]

### SECURITY NEW YORK STATE CORPORATION

#### Order Approving Application Under Bank Holding Company Act

In the matter of the application of Security New York State Corp., Rochester, N.Y., for approval of the acquisition of all of the voting shares of The Citizens Bank, Attica, N.Y.

<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 Cleveland.

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

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Security New York State Corp., Rochester, N.Y., a registered bank holding company, for the Board's prior approval of the acquisition of all of the voting shares of The Citizens Bank, Attica, N.Y.

As required by section 3(b) of the Act, the Board notified the Superintendent of Banks of the State of New York of the application and requested his views and recommendation. The New York State Banking Board advised the Board of its action, consistent with a recommendation made to it by the Superintendent, approving an application filed pursuant to the New York Banking Law with respect to the same transaction.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 16, 1969 (34 F.R. 16566), providing an opportunity for interested persons to submit comments and views with respect to the proposed acquisition. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

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

Dated at Washington, D.C., this 5th day of March 1970.

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

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-2953; Filed, Mar. 11, 1970;  
8:45 a.m.]

### SECURITY NEW YORK STATE CORPORATION

#### Order Approving Application Under Bank Holding Company Act

In the matter of the application of Security New York State Corp., Rochester, N.Y., for approval of acquisition of all of the voting shares of The Bank of Le Roy, Le Roy, N.Y.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of

<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 New York.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, and Brimmer. Absent and not voting: Governor Sherrill. Chairman Burns was not a member of the Board on the date of the Board's decision.

1956 (12 U.S.C. 1842(a)(3)), and §222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Security New York State Corp., Rochester, N.Y., a registered bank holding company, for the Board's prior approval of the acquisition of all of the voting shares of The Bank of Le Roy, Le Roy, N.Y.

As required by section 3(b) of the Act, the Board notified the Superintendent of Banks of the State of New York of the application and requested his views and recommendation. The New York State Banking Board advised the Board of its action, consistent with a recommendation made to it by the Superintendent, approving an application filed pursuant to the New York Banking Law with respect to the same transaction.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 16, 1969 (34 F.R. 16566), which provided an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. The time for filing comments and views has expired and all those received have been considered by the Board.

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 acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of New York pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of March 1970.

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

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-2954; Filed, Mar. 11, 1970;  
8:45 a.m.]

### SECURITIES AND EXCHANGE COMMISSION

[70-4841]

#### JERSEY CENTRAL POWER & LIGHT CO., AND NEW JERSEY POWER & LIGHT CO.

#### Notice of Proposed Intrasystem Sale and Acquisition of Utility Assets

MARCH 6, 1970.

Notice is hereby given that Jersey Central Power & Light Co. ("JCP&L") and

<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 New York.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, and Brimmer.

Absent and not voting: Governor Sherrill. Chairman Burns was not a member of the Board on the date of the Board's decision.

New Jersey Power & Light Co. ("NJP&L") Madison Avenue at Punch Bowl Road, Morristown, N.J. 07960, both public-utility subsidiary companies of General Public Utilities Corp., a registered holding company, have filed a declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating section 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

JCP&L proposes to sell and NJP&L proposes to acquire certain utility assets now owned by JCP&L including primarily five power transformers and related equipment, two steel towers, remote control equipment, high voltage cable, and line termination equipment, at the original cost thereof with respect to unused equipment or in the case of used equipment at the original cost thereof less depreciation. If the sale and acquisition had been consummated at December 31, 1969, the aggregate consideration would have been approximately \$293,600. The actual consideration will be of a lesser amount to reflect additional depreciation occurring after December 31, 1969. It is stated that the assets have ceased to be useful to JCP&L in the operation of its utility business and that the assets are needed by NJP&L in the operation of its utility business. It is further stated that the transaction is not being made pursuant to a written agreement.

The Board of Public Utility Commissioners of the State of New Jersey has jurisdiction over the proposed sale by JCP&L. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The total fees and expenses, all of which are to be paid by JCP&L, are estimated at \$1,800, including \$1,600 for legal fees.

Notice is further given that any interested person may, not later than March 23, 1970, request the Commission 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 the declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request shall 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 each declarant at the above-stated address, and proof of service (by affidavit, or in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as amended, may be 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 its rules as provided in Rules 20(a) and 100, 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. 70-2963; Filed, Mar. 11, 1970;  
8:46 a.m.]

[File No. 1-3421]

## CONTINENTAL VENDING MACHINE CORP.

### Order Suspending Trading

MARCH 6, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of subordinated debentures due September 1, 1976, 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 March 8, 1970, through March 17, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 70-2964; Filed, Mar. 11, 1970;  
8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 595 (31 F.R. 12981), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

AalFs Mfg. Co., Le Mars, Iowa; 2-13-70 to 2-12-71; 10 learners (boys' jeans).

Albain Shirt Co., Inc., Kinston, N.C.; 2-18-70 to 2-17-71 (men's shirts).

Bali Bra Mfg. Co., Johnstown, Pa.; 2-19-70 to 2-18-71 (brassieres and girdles).

Becker Industries, Becker, Miss.; 2-16-70 to 2-15-71 (men's and boys' pants).

Michael Berkowitz Co., Inc., Waynesburg, Pa.; 2-16-70 to 2-15-71 (men's and women's pajamas).

Carwood Mfg. Co., Plant No. 1, Cornelia, Ga.; 2-19-70 to 2-18-71 (men's work and sport shirts).

Carwood Mfg. Co., Layonia, Ga.; 2-19-70 to 2-18-71 (men's and boys' pants).

Carwood Mfg. Co., Plant No. 1, Monroe, Ga.; 2-19-70 to 2-18-71 (men's and boys' jackets).

Carwood Mfg. Co., Plant No. 2, Monroe, Ga.; 2-19-70 to 2-18-71 (men's and boys' work pants).

Covington Industries, Inc., Florida, Ala.; 2-10-70 to 2-9-71; 10 learners (men's slacks).

Curtis Mfg. Co., Inc., Orlando, Fla.; 2-16-70 to 2-15-71; 10 learners (men's and boys' pants).

Elder Mfg. Co., McLeansboro, Ill.; 2-7-70 to 2-6-71 (men's and boys' shirts).

The Jay Garment Co., Clarksville, Tenn.; 2-9-70 to 2-8-71 (men's work clothing).

Jomax Garment Co., Inc., York, Pa.; 2-13-70 to 2-12-71; 10 learners (women's dresses).

Jonbill Mfg. Co., Inc., Chase City, Va.; 2-14-70 to 2-13-71 (men's, boys', girls', and children's jeans).

Junction City Mfg. Corp., Junction City, La.; 2-7-70 to 2-6-71 (women's foundation garments).

Kentown Corp.; Barnardsville, N.C.; 2-7-70 to 2-6-71 (women's dresses).

Mid South Mfg. Co., Richton, Miss.; 2-9-70 to 2-8-71 (men's work pants).

Prairie Mfg. Co., East Prairie, Mo.; 2-10-70 to 2-9-71; 10 learners (men's and boys' pants).

Rowland Mfg. Co., Rowland, N.C.; 2-11-70 to 2-10-71 (men's and boys' shirts).

Salemberg Mfg. Co., Salemberg, N.C.; 2-17-70 to 2-16-71 (women's dresses).

Samsons Mfg. Corp., Wilson, N.C.; 2-9-70 to 2-8-71 (men's dress shirts).

Smith Brothers Mfg. Co., Columbus, Kans.; 2-13-70 to 2-12-71; 10 learners (boys' jeans and men's jackets).

Smith Brothers Mfg. Co., Carthage, Mo.; 2-10-70 to 2-9-71 (men's work clothing, men's and boys' jeans).

Smith Brothers Mfg. Co., Lamar, Mo.; 2-10-70 to 2-9-71 (men's work jackets and jeans).

Tompkinsville Mfg. Co., Tompkinsville, Ky.; 2-13-70 to 2-12-71 (men's pants).

The following plant expansion certificate was issued authorizing the number of learners indicated.

The H. D. Lee Company, Inc., Sulphur Springs, Tex.; 2-16-70 to 8-15-70; 40 learners for plant expansion purposes (men's western pants).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Banner Elk Glove Co., Banner Elk, N.C.; 2-14-70 to 2-13-71; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Good Luck Glove Co., Metropolis, Ill.; 2-13-70 to 2-12-71; 10 percent of the total

number of machine stitchers for normal labor turnover purposes (work gloves).

D. N. Pariso Industrial Glove Mfg. Co., Knox, Ind.; 2-19-70 to 2-18-71; 10 learners for normal labor turnover purposes (work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

Mistee Lingerie, Inc., Boyertown, Pa.; 2-5-70 to 2-4-71; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 5th day of March 1970.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 70-2962; Filed, Mar. 11, 1970;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 23]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

MARCH 6, 1970.

The following applications are governed by Special Rule 247<sup>1</sup> of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the Special Rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 263 (Sub-No. 195), filed February 6, 1970. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Green (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Cheese and cheese curd*, between Stevensville, Mont., and Salmon, Idaho, from Stevensville over unnumbered highway to junction U.S. Highway 93, thence over U.S. Highway 93 to Salmon, and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Reno, Nev.

No. MC 292 (Sub-No. 16), filed December 12, 1969. Applicant: KINGS VAN & STORAGE, INC., 918 North Broadway, Oklahoma City, Okla. 73102. Applicant's representative: Robert J. Gallagher, 703

Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Texas, Louisiana, and Missouri, on the one hand, and, on the other, points in Arizona and California. NOTE: Common control may be involved. Applicant states it intends to tack at points in Texas, Louisiana, and Missouri to serve points in California and Arizona plus points in presently held authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., New Orleans, La., or Los Angeles, Calif.

No. MC 730 (Sub-No. 321), filed February 3, 1970. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Alfred G. Krebs (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment), between Harrisburg, Pa., and Hartford, Conn., from Harrisburg over Interstate Highway 83 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 84, and thence over Interstate Highway 84 to Hartford, Conn. (also, from junction Interstate Highway 81 and Interstate Highway 83 over Interstate Highway 81 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction U.S. Highway 25, thence over U.S. Highway 25 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction New Jersey Highway 521, thence over New Jersey Highway 521 to junction Interstate Highway 84, thence over Interstate Highway 84, to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Interstate Highway 84, thence over Interstate Highway 84, to junction New York Highway 17, thence over New York Highway 17 to New York Highway 211, thence over New York Highway 211 to New York Highway 17K, thence over New York Highway 17K, to junction Interstate Highway 84, thence over Interstate Highway 84 to Lake Carmel, N.Y., thence over New York Highway 311 to junction New York Highway 52, thence over New York Highway 52 to U.S. Highway 6, thence over U.S. Highway 6 to junction Interstate Highway 84, at or near Brewster, N.Y., and thence over Interstate Highway 84 to Hartford, Conn.), and return over the same routes, as an alternate route for operating convenience only, serving no intermediate points, and serving Harrisburg for the purpose of joinder only. NOTE: If a hearing is deemed necessary applicant requests it be held at San Francisco, Calif., or Washington, D.C.

No. MC 1824 (Sub-No. 50), filed February 4, 1970. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md. 21655. Applicant's representative: Frank V. Klein (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in tank vehicles), from the plantsite and warehouse facilities of Stouffer Foods Corp. at Cleveland and Solon, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, the District of Columbia, and those in Pennsylvania on and east of U.S. Highway 15. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 2368 (Sub-No. 26), filed February 9, 1970. Applicant: BRALLEY-WILLET TANK LINES, INCORPORATED, Post Office Box 495, 2212 Deepwater Terminal Road, Richmond, Va. 23204. Applicant's representative: E. S. Heisley, Suite 705, McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products* (except petro chemicals), in bulk, in tank vehicles, from Roanoke, Va., to points in Sullivan County, Tenn.; and (2) *vegetable oils*, in bulk, in tank vehicles, from Suffolk, Va., to Pawtucket, R.I. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2900 (Sub-No. 190), filed February 11, 1970. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*; products produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk); and (2) *materials and supplies* used in the manufacture and distribution of the above described commodities and returned and rejected shipments, from the plantsites and warehouse facilities of International Paper Co. at or near Ticonderoga, N.Y., to points in Alabama, Connecticut, Florida, Georgia, Illinois, Iowa, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., Atlanta, Ga., or Washington, D.C.

No. MC 4405 (Sub-No. 479), filed February 5, 1970. Applicant: DEALERS

TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Specially designed tractor-trailer combinations*, in drive-away service, from Windsor Locks, Conn., to Vandenberg Air Force Base, Calif.; Minot Air Force Base and Grand Forks Air Force Base, N. Dak.; Malmstrom Air Force Base, Mont.; Francis E. Warren Air Force Base, Wyo.; Hill Air Force Base, Utah; and Chanute Air Force Base, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4687 (Sub-No. 7), filed February 4, 1970. Applicant: BURGESS & COOK, INC., 21 North Second Street, Fernandina Beach, Fla. 32034. Applicant's representative: Sol H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products* (not in bulk), from Yulee and Fernandina Beach, Fla., to points in Alabama north of U.S. Highway 80 but including all of Montgomery and its commercial zone; Florida east and south of the eastern boundary of Jefferson County; and Atlanta, Ga., and its commercial zone; and (2) *materials and supplies used in the manufacture of pulp, paper, and paper products and refused, rejected, or returned shipments of paper and paper products* (not in bulk), from points in Alabama, Georgia, South Carolina, and points in Florida east and south of the eastern boundary of Jefferson County to Yulee and Fernandina Beach, Fla. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 11899 (Sub-No. 21) filed February 9, 1970. Applicant: STEVENS TRUCK LINES, INC., 893 Ridge Road, Webster, N.Y. Applicant's representatives: Francis E. Barrett and Francis P. Barrett, 60 Adams Street, Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt* (except in bulk), from Akron, Ohio, to points in New York State on and west of a line beginning at Oswego, N.Y., thence over New York Highway 57 to Syracuse, thence over Interstate Highway 81 to Binghamton, thence over New York Highway 17 to Waverly, thence over U.S. Highway 220 to New York State line, including all of Syracuse and Binghamton, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29120 (Sub-No. 114), filed February 5, 1970. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500

Industrial Avenue, Post Office Box 769, Sioux Falls, S. Dak. 57101. Applicant's representative: E. J. Dwyer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), between Louisville, Ky., and Minneapolis-St. Paul, Minn., from Louisville over Interstate Highway 65 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Interstate Highway 465, thence over Interstate Highway 465 to junction Interstate Highway 65, thence over Interstate Highway 65 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Interstate 94, thence over Interstate Highway 94 to Minneapolis-St. Paul, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 29613 (Sub-No. 6) (Amendment), filed December 8, 1969, published FEDERAL REGISTER issue of January 15, 1970, amended February 27, 1970, and republished as amended this issue. Applicant: JAYNE'S MOTOR FREIGHT, INC., 860 North Avenue East, Elizabeth, N.J. 07201. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between points in the township of Southampton, N.J., on the one hand, and, on the other, points in New Jersey on and north of New Jersey Highway 70; and (2) between points in the township of Southampton, N.J., on the one hand, and, on the other, points in New Jersey on and south of New Jersey Highway 70. NOTE: Common control may be involved. Applicant states that it proposes to tack (1) and (2) above. The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 30844 (Sub-No. 313), filed February 13, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, from the plantsite

of Sioux-Preme Packing Co., and storage facilities used by Sioux-Preme Packing Co., at or near Sioux Center, Iowa, to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 30844 (Sub-No. 314), filed February 5, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products and frozen foods*, from Caribou, Maine to Albany, N.Y., and points in New York on and west of U.S. Highway 15, points in Pennsylvania west of the Susquehanna River, and points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Portland, Maine.

No. MC 30844 (Sub-No. 317), filed February 16, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles); (a) from plantsite and cold storage facilities utilized by Oscar Mayer & Co. at Davenport, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; (b) from cold storage facilities utilized by Oscar Mayer & Co. at Des Moines, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; and (c) from plantsite of Oscar Mayer & Co. at Perry, Iowa, to points in Connecticut, Delaware, Maine, New Hampshire, Rhode Island, Vermont, Virginia, and West Virginia, restricted to traffic originating at the above-named plantsites and cold storage facilities utilized by Oscar Mayer & Co. and destined to the above-specified destination

points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 31024 (Sub-No. 37), filed February 9, 1970. Applicant: NEPTUNE WORLD-WIDE MOVING, INC., 55 Weyman Avenue, New Rochelle, N.Y. Applicant's representative: S. S. Eisen, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission in Ex Parte No. MC-19, *Practices of Motor Common Carrier of Household Goods*, between points in the United States (except Alaska and Hawaii). NOTE: Applicant states that upon approval of the authority herein sought, it will tender up for cancellation all of its presently held tabulating machine authority in Sub-Nos. 17, 20, 24, 33, 35, and 36. Applicant further states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 48635 (Sub-No. 4), filed February 5, 1970. Applicant: CLOQUET TRANSFER COMPANY, a corporation, 107 Avenue C, Cloquet, Minn. 55720. Applicant's representative: Arnold Atwood (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Paper*, printing, other than newsprint; *paper*, wrapping; *paper*, not printed; *woodpulp*, and *machinery and parts used in the manufacture of paper and paper products*; between Cloquet and Brainerd, Minn., from Cloquet over Minnesota Highway 33 to junction U.S. Highway 210, thence over U.S. Highway 210 to Brainerd, Minn., and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis or Duluth, Minn.

No. MC 48987 (Sub-No. 2), filed February 8, 1970. Applicant: RAYMOND ROY, 175 Avon Street, Lowell, Mass. Applicant's representative: J. Aiden Connors, 527 Lexington Avenue, New York, N.Y. 10017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods and products*, *bakery goods shipping containers*, *return stale bakery goods and products*, in packages, between Mansfield, Mass. (Bristol County), on the one hand, and, on the other, Nashua, Manchester, and Portsmouth, N.H., under contract with Drake Bakeries, Division of Borden Foods, Borden, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 56679 (Sub-No. 38) (Correction), filed January 5, 1970, published in the FEDERAL REGISTER on February 12, 1970, and corrected February 16, 1970, and republished as corrected, this issue. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE., Atlanta, Ga. 30315. Applicant's representative: B. K. McClain (same address as above).

Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight), between Birmingham, Ala., and Atlanta, Ga., over U.S. Highway 78 to Atlanta, Ga., and return over the same route to Birmingham, serving all intermediate points, and the off-route points of Bessemer, Graysville, Gardendale, Center Point, Trussville, and Pelham, Ala., and those within 5 miles of Birmingham, Ala., and Atlanta, Ga. NOTE: The purpose of this republication is to correctly set forth authority sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Birmingham, Ala.

No. MC 58152 (Sub-No. 19), filed February 9, 1970. Applicant: OGDEN & MOFFETT COMPANY, a corporation, 1515 Busha Highway, Marysville, Mich. 48040. Applicant's representative: Robert A. Sullivan 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Farmington Township, Novi, Wixom, and Walled Lake, Mich., as off-route points in connection with carrier's authorized regular route operations to and from Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 58152 (Sub-No. 20), filed February 9, 1970. Applicant: OGDEN & MOFFETT COMPANY, a corporation, 1515 Busha Highway, Marysville, Mich. 48040. Applicant's representatives: Robert A. Sullivan and Thomas J. Misko, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Willow Run Airport, Ypsilanti, Mich., as an off-route point in connection with applicant's authorized operations to and from Detroit, Mich., restricted to traffic having an immediate, prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 59117 (Sub-No. 35), filed February 12, 1970. Applicant: ELLIOTT TRUCK LINE, INC., 101 West Excelsior, Vinita, Okla. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, from the Carthage Terminal of the William Bros. Pipeline Co. in

Jasper County, Mo., to points in Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Kansas City, Mo.

No. MC 59323 (Sub-No. 4), filed January 30, 1970. Applicant: BAY MOTOR EXPRESS, INC., 150th and Exterior Streets, Bronx, N.Y. 10451. Applicant's representative: John B. Guider (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobile parts and accessories*, between points in the New York, N.Y., commercial zone as defined by the Commission, Bethpage, N.Y., and Hillside and Teterboro, N.J., on the one hand, and, on the other, points in Fairfield, New Haven, Litchfield, and Hartford Counties, Conn.; and (2) *such merchandise as dealt in by food business houses*, between points in the New York, N.Y., commercial zone as defined by the Commission, on the one hand, and, on the other, points in Fairfield, New Haven, Litchfield, and Hartford Counties, Conn. NOTE: Applicant states that it intends to tack at points in the New York, N.Y., commercial zone to serve points in Connecticut. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 59640 (Sub-No. 19), filed February 16, 1970. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, N.J. 07016. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business*; (1) between points in Woodbridge Township, N.J., on the one hand, and, on the other, points in Berks County, Pa.; and (2) from Waterbury, Conn., to points in Woodbridge Township, N.J., under a continuing contract, or contracts with Supermarkets General Corp. NOTE: Applicant states that the authority sought in (1) above is to serve a new Pathmark store under construction in the named county, and (2) above is to permit applicant to return with similar merchandise that it now transports to Waterbury under its Sub 16 permit. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 61592 (Sub-No. 165), filed February 2, 1970. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ships spare parts, supplies, equipment, and machinery* (in bond), loose or in packages, from New Orleans, La., city front



docks and docks in Chalmette, La., area, and New Orleans International Airport, to docks located at Baton Rouge, Burnside, Gramercy, Port Allen, and St. Rose, La. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at same time and place as identical application of Waterfront Haulers, Inc., MC-133964, Sub 1.

No. MC 61592 (Sub-No. 166), filed February 2, 1970. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen hushpuppies, frozen onion rings, frozen fish and chip dinners, and frozen shrimp creole dinners*; and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b) (6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with the above-named commodities, between Glynn and Chatham Counties, Ga., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 65665 (Sub-No. 11), filed January 5, 1970. Applicant: WEATHERS BROS. TRANSFER CO., INC., 2728 Northeast Freeway, Atlanta, Ga. 30329. Applicant's representatives: Robert J. Gallagher, The Washington Building, Washington, D.C. 20005, and R. J. Reynolds III, Suite 604, Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in the United States. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 65941 (Sub-No. 32), filed February 9, 1970. Applicant: TOWER LINES, INC., Post Office Box 6010, Wheeling, W. Va. 26003. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and conduit fittings*, on vehicles equipped with mechanical unloaders, from Benwood, W. Va., to points in Maine,

Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, Georgia, Florida, Louisiana, Mississippi, Alabama, Tennessee, Kentucky, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Wheeling, W. Va., or Pittsburgh, Pa.

No. MC 75320 (Sub-No. 152), filed February 13, 1970. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, Mo. 65801. Applicant's representative: P. E. Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities of unusual value, and those injurious or contaminating to other lading), between Fort Smith, Ark., and Baton Rouge, La., from Fort Smith over U.S. Highway 71 to junction U.S. Highway 190, thence over U.S. Highway 190 to Baton Rouge, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Little Rock, Ark.

No. MC 83539 (Sub-No. 273), filed February 16, 1970. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222. Applicant's representatives: Kenneth Weeks (same address as applicant), and Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, requires the use of special equipment, and *related machinery parts and related contractor's materials and supplies* when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment; and (2) *self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities which are transported on trailers), between points in California in and north of San Mateo, Santa Clara, Stanislaus, Tuolumne, and Alpine Counties, Calif., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it can and does presently serve the entire eastern area herein in-

volved (except Maine, New Hampshire, and Vermont), through its wholly owned affiliate C & H Freightways, by traversing Arizona. The purpose of this application is to eliminate circuitous operations or effect a more economical operations by being permitted to operate over a more direct and short-line route. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Washington, D.C.

No. MC 92983 (Sub-No. 539), filed February 2, 1970. Applicant: ELDON MILLER, INC., Post Office Box 2508, Kansas City, Mo. 64142. Applicant's representative: Eldon Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, from Des Moines, Iowa, to points in Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Washington, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 99540 (Sub-No. 772), filed February 15, 1970. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in North Dakota, to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 95876 (Sub-No. 98) (Clarification), filed January 16, 1970, published in the FEDERAL REGISTER issue of February 5, 1970, and republished as clarified this issue. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55301. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Iron and steel pipe, tubing and billets*, from Milwaukee, Wis., to points in Iowa and Minnesota. NOTE: Applicant states that it is not aware of any feasible tacking operations that would result from a grant herein, however, applicant opposes the imposition of a tacking restriction. Common control may be involved. The purpose of this republication is to redescribe tacking note. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Washington, D.C.

No. MC 95876 (Sub-No. 99), filed February 6, 1970. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Wheeling, Beech Bottom, Follansbee, and Benwood, W. Va.; Yorkville, Mingo, Martins Ferry, and Steubenville, Ohio; and Allenport and Monessen, Pa., to points in Iowa, North Dakota, South Dakota, Minnesota, Wisconsin, New York, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 96098 (Sub-No. 39), filed February 13, 1970. Applicant: MILTON TRANSPORTATION, INC., Rural Delivery 2, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, ends, caps, and covers*, from Milton, Pa., to La Porte, Ind., and South Bend, Ind., under contract with American Home Food Products, Continental Can Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 100623 (Sub-No. 26), filed January 25, 1970. Applicant: HOURLY MESSENGERS, INC., doing business as H. M. PACKAGE DELIVERY SERVICE, 20th and Indiana Avenue, Philadelphia, Pa. 19132. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, cash letters, cash and currency, narcotics, and processed and unprocessed film), between Philadelphia, Pa., on the one hand,

and, on the other, points in Somerset, Middlesex, Union, Essex, Morris, Passaic, Bergen, Hudson, Sussex, Ocean, Monmouth, and Cape May Counties, N.J. Restrictions: (1) No service shall be rendered in the transportation of any package or article weighing more than 50 pounds or exceeding 108 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment; (2) no service shall be provided in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location on any one (1) day; and (3) no delivery service shall be provided under the authority granted herein to the premises or persons who or which have entered into contract with applicant and are served by it pursuant to permits issued by this Commission. NOTE: Applicant states that tacking would take place whenever possible when certificates are issued in pending proceeding. Common control may be involved. Applicant has contract carrier authority under MC 102799, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 100666 (Sub-No. 161), filed February 13, 1970. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112, and Paul L. Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in Hempstead County, Ark., to points in Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: Applicant states that it holds various authorities which could be tacked with authority here sought. These include its Subs 88, 99, 100, 120, 127, 130, and 133. Applicant would propose to tack if feasible. However, no proof will be submitted to support need for tacking. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 100666 (Sub-No. 162), filed February 12, 1970. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Doors and windows, door and window trim, curtain and window walls, railings, and louvres*, from Irving, Tex., to points in the United States east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and points in Lou-

isiana and Missouri. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 103051 (Sub-No. 236), filed February 9, 1970. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid acids and liquid chemicals*, in bulk, in tank vehicles, from Copperhill and Isabella, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 103435 (Sub-No. 212), filed February 2, 1970. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, INC., Post Office Box 192, Littleton, Colo. 80216. Applicant's representative: J. Maurice Andren, 900 East Omaha, Post Office Box 1631, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and except household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment); serving the plantsite of Western Electric Co., Inc., at the intersection of Interstate Highway 25 and Colorado Highway 128 near Northglenn, Colo., as an off-route point in connection with applicant's authorized regular route operations. Common control may be involved. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Washington, D.C.

No. MC 103993 (Sub-No. 500), filed February 19, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borgheani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles, in initial movements in truckaway service, from points in Washington County, Iowa, and De Soto Parish, La., to points in the United States (except Alaska and Hawaii); and (2) *buildings* in sections, mounted on undercarriages, from points in Washington County, Iowa, and De Soto Parish, La., to points in the United States (except Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, Wisconsin, and West Virginia). NOTE: Applicant states that the

requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., or Iowa City, Iowa.

No. MC 105007 (Sub-No. 25), filed February 9, 1970. Applicant: MATSON TRUCK LINES, INC., 1407 St. John Avenue, Albert Lea, Minn. 56007. Applicant's representative: Homer E. Bradshaw, 11th Floor, Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unitized low temperature refrigeration systems*, from Albert Lea and Minneapolis, Minn., to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New Jersey, Pennsylvania, Maryland, Delaware, New York, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Kansas, Colorado, Nebraska, North Dakota, South Dakota, Iowa, and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Minneapolis, Minn.

No. MC 106398 (Sub-No. 455), filed February 5, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, including all *component parts, materials, supplies, and fixtures* and when shipped with such buildings, *accessories* used in the erection, construction, and completion thereof, from Houston, Tex., to points in Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority can be tacked with its existing authority but does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states that it seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 106398 (Sub-No. 458), filed February 18, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorhomes and camper coaches* in truckaway and driveway service, between points in the United States. NOTE: Common control and dual operations may be involved. Applicant states that the

requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Tulsa, Okla., or Los Angeles, Calif.

No. MC 106920 (Sub-No. 34), filed January 30, 1970. Applicant: RIGGS FOOD EXPRESS, INC., Post Office Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: Carroll V. Lewis, 122 East North Street, Sidney, Ohio 45365. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods, foodstuffs, and food ingredients*, from points in Allen and Auglaize Counties, Ohio, to points in the United States (except Alaska and Hawaii); and (2) *foods, foodstuffs, and ingredients, materials, equipment, and supplies* used in the manufacture, packaging, and distribution of food and foodstuffs, from points in the United States (except Alaska and Hawaii), to points in Allen and Auglaize Counties, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 107002 (Sub-No. 387) (Amendment), filed December 22, 1969, published in the FEDERAL REGISTER on February 5, 1970, amended February 17, 1970, and republished as amended, this issue. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as above), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers, fertilizer solutions, and fertilizer ingredients*, in bulk, from Yazoo City, Miss., to points in Texas. NOTE: Applicant states that the authority sought could be combined with various authorities in its MC 107002 and subs, for service from Alabama, although tacking is not contemplated. The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 107012 (Sub-No. 102) (clarification), filed November 13, 1969, published FEDERAL REGISTER, issue of December 11, 1969, and republished as clarified this issue. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Extruded aluminum louvers, lowered penthouses, roof curbs, gravity ventilators, aluminum brickvents, architectural grills, and aluminum duckboards*, uncrated, from points in Prince Georges County, Md., to points in the United States (except Alaska and Hawaii), with the privilege to stop-off said commodities en route to

complete processing at Indianapolis, Ind., Miami, Fla., Richmond, Va., Hamden, Conn., Dayton, Ohio, and Chicago, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. The purpose of this republication is to clarify where stop-off's will take place. If a hearing is deemed necessary, applicant requests it be held in Washington, D.C.

No. MC 107295 (Sub-No. 272) (Amendment), filed December 15, 1969, published in the FEDERAL REGISTER on February 12, 1970, amended February 11, 1970, and republished as amended, this issue. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, paneling, structural steel, hardboard, particleboard, wallboard, lumber, pipe, forest products, and accessories*, from ports in Alabama, Connecticut, Florida, Georgia, Illinois, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Texas, Virginia, and Wisconsin, to points in the United States (except Washington, Oregon, California, Alaska, and Hawaii). NOTE: Applicant states it intends to tack the requested authority with its existing authority but does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D. C.

No. MC 107295 (Sub-No. 300), filed February 9, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Facing and flooring tile and accessories* used in the installation thereof, from Chicago Heights, Ill., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; (2) *fiberboard and pulpboard and accessories* used in the installation thereof, from Meridian, Miss., to points in New York, New Jersey, Pennsylvania, Kentucky, Ohio, Michigan, Indiana, Wisconsin, Iowa, Missouri, and Illinois; (3) *building or roofing tile and slabs and accessories* used in the installation thereof, from Richmond, Va., to points in the United States (except North Carolina, South Carolina, Georgia, Florida, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Massachusetts, Washington, Oregon, California, Arizona, New Mexico, Utah, Idaho, and Montana); (4) *chimney parts and*

accessories used in the installation thereof, from Buda, Ill., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; and (5) felt or paper sound deadening material, from Lockport, N.Y., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states that requested authority can be tacked at Chicago Heights and Buda, Ill., on traffic originating at points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin for transportation beyond as authorized in MC 107295 (Part B). If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 304), filed February 16, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wall, door and window systems; doors, windows; and door and window frames and sash; and parts and accessories used in the installation thereof, from Niles, Mich., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states that tacking may take place at Niles, Mich., on traffic originating in Arkansas, Illinois, Iowa, Kentucky, Missouri, Ohio, Tennessee, and Wisconsin for transportation beyond, as authorized under MC 107295, Part B. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108053 (Sub-No. 94), filed February 6, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Wellston, Ohio, to points in Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California, restricted to traffic originating at Wellston, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cincinnati, Ohio.

No. MC 109584 (Sub-No. 148), filed February 5, 1970. Applicant: ARIZONA PACIFIC TANK LINES, a corporation, 3201 Ringsby Court, Denver, Colo. 80216. Applicant's representative: Eugene Hamilton (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tallow, in bulk, in tank vehicles, from Everett, Wash., to points in Stanislaus County, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 110012 (Sub-No. 20), filed February 4, 1970. Applicant: G.B.C.,

INC., 707 North Liberty Hill Road, Post Office Box 68, Morristown, Tenn. 37814. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Plastic cover, in rolls, from Mishawaka and Elkhart, Ind., to Morristown, Tenn.; (2) molded plastic chair arms, palletized or bundled, from Crawfordsville, Ind., to Morristown, Tenn.; (3) kapok, in bundles, from Savannah, Ga., and Baltimore, Md., to Morristown, Tenn.; (4) staples in containers, from Brooklyn, N.Y., to Morristown, Tenn.; and (5) plastic housewares, from points in Hawkins County, Tenn., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that it will accept a restriction against tacking. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.; Washington, D.C.; Atlanta, Ga.; or Nashville, Tenn.

No. MC 110525 (Sub-No. 957), filed February 9, 1970. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Robert K. Maslin (same address as above), also Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid synthetic resin, in bulk, in tank vehicles, from Reading, Pa., to Leroy, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 47), filed February 9, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs and materials, ingredients, supplies, and equipment used or useful in the processing, manufacture, and packaging of foodstuffs including advertising matter, premiums, and display materials, between points in Allen and Auglaize Counties, Ohio, on the one hand, and, on the other, points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Wisconsin, and the District of Columbia, restricted to traffic originating at and destined to the plantsites and warehouse facilities of Fisher Cheese Co. located in Allen and Auglaize Counties, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Indianapolis, Ind.

No. MC 110563 (Sub-No. 48), filed February 9, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building,

Post Office Box 259, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat byproducts and articles distributed by meat packinghouses, as described in sections A and C or appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plantsite and warehouse facilities of Aurora Packing Co., Inc., located at or near North Aurora, Ill., to points in Massachusetts, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Maryland, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Columbus, Ohio, or Washington, D.C.

No. MC 111545 (Sub-No. 129), filed February 16, 1970. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road, SE., Marietta, Ga. 30060. Applicant's representative: Robert E. Born, Post Office Box 6426, Station A, Marietta, Ga. 30060. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe and pipe fittings, between points in Grayson County, Tex., and points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, Oklahoma, Utah, and Wyoming. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex.

No. MC 112148 (Sub-No. 48), filed February 6, 1970. Applicant: POWERS TRANSPORTATION, INC., Post Office Box 87, Storm Lake, Iowa 50588. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) Meats, meat products, meat byproducts, and articles distributed by meat packinghouses as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and except commodities in bulk); and (b) foodstuffs, when transported in mixed shipments with the commodities described in (a) above, from the plantsite and warehouse facilities of Geo. A. Hormel & Co. at Austin, Minn., and Fort Dodge, Iowa, to points in Michigan, Ohio, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, and New Jersey; and (2) meats, meat products, meat byproducts, and articles distributed by meat packinghouses as described in sections A and C of appendix I to the

report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and except commodities in bulk), from the plantsite and warehouse facilities of the Rod Barnes Packing Co. located at or near Huron, S. Dak., to points in Michigan, Ohio, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, and New Jersey. Restriction: The authority sought in parts (1) and (2) above is restricted to traffic originating at the named plantsites and destined to the named destination States. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Washington, D.C.

No. MC 112520 (Sub-No. 212), filed February 12, 1970. Applicant: MCKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, from points in Barbour and Henry Counties, Ala., to points in Georgia and Florida. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 112822 (Sub-No. 151), filed February 8, 1970. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Georgia, Alabama, Mississippi, Tennessee, South Carolina, and Kentucky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Oklahoma City, Okla., or Indianapolis, Ind.

No. MC 112989 (Sub-No. 15), filed February 5, 1970. Applicant: WEST COAST TRUCK LINES, INC., Post Office Box 668, Coos Bay, Ore. 97420. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boom boats, pond boats, logging, contracting and commercial work boats, including equipment and supplies* for such boats, between points in Coos and Curry Counties, Ore., on the one hand, and, on the other, points in California and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 113267 (Sub-No. 229), filed February 13, 1970. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. 62232. Applicant's representative: Law-

rence A. Fischer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yeast*, compressed or not compressed, other than dry, in vehicles equipped with mechanical refrigeration, from St. Louis, Mo., to points in Alabama, Georgia, Kentucky, Tennessee (except Memphis). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113624 (Sub-No. 53), filed February 4, 1970. Applicant: WARD TRANSPORT, INC., Post Office Box 735, Pueblo, Colo. 81002. Applicant's representative: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas* in bulk, from Moab, Utah, to points in Colorado. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114552 (Sub-No. 45) (Correction), filed January 26, 1970, published FEDERAL REGISTER, issue of February 27, 1970, and republished as corrected, this issue. Applicant: SENN TRUCKING COMPANY, a corporation, Post Office Box 333, Newberry, S.C. 29108. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. NOTE: The purpose of this republication is to show the correct docket number assigned thereto, MC 114552 (Sub-No. 45) in lieu of MC-114552 (Sub-No. 445) which was in error.

No. MC 114004 (Sub-No. 78), filed February 6, 1970. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72209. Applicant's representative: W. G. Chandler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, and *buildings* hauled on wheeled undercarriages with hitch-ball arrangement, in initial movements, in truckaway service, from points in Johnston County, N.C., and Fauquier County, Va., to all points east of the Mississippi River including Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 114789 (Sub-No. 25), filed January 28, 1970. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toys, hobby horse, juvenile furniture, playground apparatus and equipment, plastic products for industrial and*

*domestic use and luggage shells*, from Maple Plain, Minn., to points in the United States, except Chicago, Ill., and points in the Chicago, Ill., commercial zone and except Minnesota; (2) *powdered polyethylene*, from points in New Jersey, Texas, Illinois, North Carolina, West Virginia, and Ohio to Maple Plain, Minn.; and (3) *tubing, iron or steel, and supplies and materials* used in the manufacturing thereof, from points in Illinois, Michigan, Missouri, Ohio, West Virginia, and Wisconsin to Maple Plain, Minn., under contract with Moulded Products, Inc. NOTE: Applicant holds common carrier authority under MC 117940 Sub 3, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 115669 (Sub-No. 108) (Clarification), filed December 22, 1969, published FEDERAL REGISTER issue of January 29, 1970, and republished, as corrected, this issue. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, and agricultural chemicals* (other than feed or feed ingredients), from Humboldt, Iowa, to points in Nebraska. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to clarify the commodity description, from that shown in previous publication.

No. MC 115841 (Sub-No. 370), filed January 26, 1970. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as above), and E. Stephen Heisley, 666 11th Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from Columbus, Miss., to points in Alabama, Florida, Georgia, Kentucky, Tennessee, South Carolina, North Carolina, Virginia, West Virginia, the District of Columbia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Rhode Island, Connecticut, and Massachusetts. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 116314 (Sub-No. 15), filed February 5, 1970. Applicant: MAX BINSWANGER TRUCKING, a corporation, 13846 Alondra Boulevard, Santa Fe Springs, Calif. 90670. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement,*

in bulk, from Monolith, Calif., to points in Arizona and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 117165 (Sub-No. 29), filed February 9, 1970. Applicant: C. J. DAVIS, doing business as ST. LOUIS FREIGHT LINES, 1000 Michigan Avenue, St. Louis, Mich. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*; (1) from Whiting, Lowell, and Hammond, Ind., and Chicago, Ill., to points in Wisconsin and Iowa; and (2) from Chicago Heights, Ill., to points in Wisconsin. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 117344 (Sub-No. 200), filed February 2, 1970. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representatives: James R. Stiverson and Edwin H. Van Deusen, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel catalyst*, in bulk, from Cincinnati, Ohio, to points in Arkansas, Louisiana, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant request it be held at Washington, D.C.

No. MC 17395 (Sub-No. 20), filed February 5, 1970. Applicant: SOUTHERN CEMENT TRANSPORT, INC., Post Office Box 188, Okay, Ark. 71854. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Washed gravel, washed sand, dry concrete mixes, and asphaltic paving mixes*, from points in Little River County, Ark., to (1) points in Louisiana in, and north and west of De Soto, Red River, Bienville, Lincoln, and Union Parishes, La.; (2) points in Texas in, and north and east of Fannin, Hunt, Rains, Van Zandt, Henderson, Smith, Rusk, and Panola Counties, Tex.; and (3) points in Oklahoma in, and south and east of Le Flore, Latimer, Pushmataha, Choctaw, and McCurtain Counties, Okla., under contract with Braswell Sand & Gravel Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117416 (Sub-No. 34), filed February 9, 1970. Applicant: NEWMAN AND PEMBERTON CORPORATION, University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed foodstuffs*, other than in bulk or frozen, from Newport, Sevierville, and Tellico Plains, Tenn., to points in Autauga, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties, Ala. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Knoxville, Tenn.

No. MC 117568 (Sub-No. 5), filed February 9, 1970. Applicant: KEMPT TRUCK LINES, INC., West 20th Street Road, Post Office Box 1047, Joplin, Mo. 64801. Applicant's representative: W. Russell Kempt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nitrocarbo-nitrate*, in bulk, in self-unloading equipment, from Gulf Oil Co.'s plant at or near Hallowell, Kans., to Roger County mine at or near Chelsea, Okla., and to Craig County mine at or near Vinita, Okla.; and (2) *earth, infusorial or diatomaceous (diatomite); earth diatomaceous, physically combined with alkyl naphthalene sodium sulfonate*, from points in Nevada to Military, Kans., and Henderson, Ky., under contract with Gulf Oil Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 117589 (Sub-No. 11), filed February 9, 1970. Applicant: CLARK'S FROZEN EXPRESS, INC., 2535 Airport Way South, Seattle, Wash. 98134. Applicant's representative: George R. LaBisoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen human blood plasma*, from Seattle, Wash., Portland, Ore., and San Francisco, Calif., to San Francisco and Los Angeles, Calif. NOTE: Applicant also holds temporary authority in No. MC 129247 and Sub-2 for contract carrier authority. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Ore.

No. MC 117940 (Sub-No. 16), filed February 12, 1970. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration,

from Brentwood, Md., to points in Illinois, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. NOTE: Applicant presently holds contract carrier authority under its permit No. MC 114789 Sub-1 and subs, therefore dual authority may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Washington, D.C.

No. MC 118159 (Sub-No. 96), filed February 11, 1970. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit butters, jellies, jams, preserves, syrup, and related food products*, from Tulsa, Okla., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.; Oklahoma City, Okla.; or Washington, D.C.

No. MC 118159 (Sub-No. 93), filed February 11, 1970. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Oregon to points in Louisiana, Texas, Missouri, Oklahoma, Mississippi, Kansas, and Nebraska. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.; Oklahoma City, Okla.; or Washington, D.C.

No. MC 118159 (Sub-No. 95), filed February 13, 1970. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning, bleaching, washing, and scouring compounds*, in containers, (1) from Atlanta, Ga., to points in Alabama, points in those parts of Kentucky and Tennessee west of U.S. Highway 431, points in that part of Louisiana east of the Mississippi River, and points in that part of Arkansas on and east of a line beginning at the Arkansas-Missouri State line near Corning, Ark., and extending southwesterly along U.S.

Highway 67 to junction U.S. Highway 65, thence along U.S. Highway 65 south-easterly to the Arkansas-Louisiana State line near Readland, Ark. (except Little Rock, Ark., and points in its commercial zone as defined by the Commission); and (2) from Houston, Tex., to points in Mississippi, Louisiana, and Arkansas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Oklahoma City, Okla., or Washington, D.C.

No. MC 118253 (Sub-No. 4), filed February 9, 1970. Applicant: S. F. DOUGLAS, doing business as S. F. DOUGLAS TRUCK LINE, Post Office Box 2766, St. Paul, Minn. 55112. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in packages, between Crookston, Minn., and Minneapolis, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. Applicant is president of S. F. Douglas Truck Line, Inc., which operates under MC 114606. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118263 (Sub-No. 22), filed February 5, 1970. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), from Brentwood, Md., to points in Illinois, Indiana, Kentucky, Ohio, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant has contract carrier authority pending under MC-111069 Sub 53, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118282 (Sub-No. 27), filed February 4, 1970. Applicant: JOHNNY BROWN'S INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representatives: Archie B. Culbreth and Guy H. Postell, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, frozen foods, meats, meat products, and meat byproducts, as defined by the Commission. (A) *Regular routes*: (1) Between Fort Worth, Tex., and St. Augustine, Fla.: (a) From Fort Worth, Tex., over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 231 to Cottondale, Fla., thence over U.S. Highway 90 to Jacksonville,

Fla., thence over U.S. Highway 1 to St. Augustine, Fla., and return over the same route; and (b) from Fort Worth, Tex., over U.S. Highway 80 to Dallas, Tex., thence over U.S. Highway 75 to Houston, Tex., thence over U.S. Highway 90 to Jacksonville, Fla., thence over U.S. Highway 1 to St. Augustine, Fla., and return over the same route; (2) between Fort Worth, Tex., and Apopka, Fla.: (a) From Fort Worth, Tex., over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 231 to Cottondale, Fla., thence over U.S. Highway 90 to Lake City, Fla., thence over U.S. Highway 441 over Gainesville and Ocala, Fla., to Apopka, Fla., and return over the same routes; and

(b) From Fort Worth, Tex., over U.S. Highway 80 to Dallas, Tex., thence over U.S. Highway 75 to Houston, Tex., thence over U.S. Highway 90 to Lake City, Fla., thence over U.S. Highway 441 over Gainesville and Ocala, Fla., to Apopka, Fla., and return over the same route; (3) between Fort Worth, Tex., and Miami, Fla.: (a) From Fort Worth, Tex., over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 231 to Cottondale, Fla., thence over U.S. Highway 90 to Lake City, Fla., thence over U.S. Highway 441 over Gainesville, Ocala, and Apopka, Fla., to junction with U.S. Highway 98 at Okeechobee, Fla., thence over U.S. Highways 98 and 441 to Miami, Fla., and return over the same route; and (b) from Fort Worth, Tex., over U.S. Highway 80 to Dallas, Tex., thence over U.S. Highway 75 to Houston, Tex., thence over U.S. Highway 90 to Lake City, Fla., thence over U.S. Highway 441 over Gainesville, Ocala, and Apopka, Fla., to junction with U.S. Highway 98 at Okeechobee, Fla., thence over U.S. Highways 98 and 441 to Miami, Fla., and return over the same route; (4) between St. Augustine, Fla., and Apopka, Fla.: From St. Augustine, Fla., over U.S. Highway 1 to Bunnell, Fla., thence over Florida Highway 11 to junction with U.S. Highway 17 near De Land, Fla., thence over U.S. Highways 17 and 92 to junction with Florida Highway 436 near Fern Park, Fla., thence over Florida Highway 436 to Apopka, Fla., and return over the same route; (5) between St. Augustine, Fla., and Miami, Fla.: (a) From St. Augustine, Fla., over U.S. Highway 1 to Miami, Fla., and return over the same route; and

(b) From St. Augustine, Fla., over U.S. Highway 1 to junction with Interstate Highway 95 approximately 17 miles south of St. Augustine, Fla., thence over Interstate Highway 95 to junction with Interstate Highway 4 near Daytona Beach, Fla., thence over Interstate Highway 4 to junction with the Florida Turnpike (Sunshine State Parkway) to junction with Interstate Highway 95, thence over Interstate Highway 95 to Miami, Fla., and return over the same route; (6) between Apopka, Fla., and Miami, Fla.: (a) From Apopka, Fla., over U.S. Highway 441 to junction with U.S. Highway 98, thence over U.S. Highways 98 and 441 to Miami, Fla., and return over the same route; and (b) from Apopka, Fla., over U.S. Highway 441 to junction with the Florida Turnpike (Sunshine State

Parkway) near Orlando, Fla., thence over the Florida Turnpike (Sunshine State Parkway) to junction with Interstate Highway 95, thence over Interstate Highway 95 to Miami, Fla., and return over the same route; (7) between Apopka, Fla., and St. Petersburg, Fla.: from Apopka, Fla., over U.S. Highway 441 to junction with U.S. Highway 92 at or near Orlando, Fla., thence over U.S. Highway 92 to St. Petersburg, Fla., serving all intermediate points, and return over the same route; (8) between Apopka, Fla., and Ocala, Fla., over U.S. Highway 441, serving all intermediate points;

(9) Between Miami, Fla., and West Palm Beach, Fla., over U.S. Highway 1, serving all intermediate points. Service is also authorized at all intermediate points on the above-described regular routes in Dallas and Tarrant Counties, Tex., and all points in the State Florida east and south of Live Oak, Fla.; and, all other points in Dallas and Tarrant Counties, Tex., and within 25 miles of Jacksonville, Apopka, Ocala, St. Augustine, and Miami, Fla., as off-route points in connection with the above-described regular routes. All other points in Florida located south and east of a line from Jasper, Fla., over U.S. Highway 129 over Live Oak and Branford, Fla., to Chiefland, Fla., thence over Florida Highway 345 to junction with Florida Highway 24, thence over Florida Highway 24 to Cedar Key, Fla., shall be served over irregular routes. (B) *Irregular routes*: (1) Between Dallas and Tarrant Counties, Tex., on the one hand, and, on the other, points in that part of Florida, south and east of a line from Jasper, Fla., over U.S. Highway 129 over Live Oak and Branford, Fla., to Chiefland, Fla., thence over Florida Highway 345 to junction with Florida Highway 24, thence over Florida Highway 24 to Cedar Key, Fla. NOTE: Applicant holds contract authority under MC 125811 and Sub 5, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.; Miami or Orlando, Fla.

No. MC 118904 (Sub-No. 14), filed February 2, 1970. Applicant: MOBILE HOME EXPRESS, LTD., 1915 F Avenue, Lawton, Okla. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be equipped with hitchball connectors; and (2) *buildings*, complete knocked down or in sections, when transported on wheeled undercarriages, from points in Mayes County, Okla., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Washington, D.C.

No. MC 118959 (Sub-No. 78), filed February 5, 1970. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Paper and paper products, and materials and supplies* used in the manufacture of paper and paper products, between Muncie, Ind., on the one hand, and, on the other, points in Missouri, Arkansas, Kansas, Oklahoma, Colorado, Wisconsin, Minnesota, Iowa, Texas, Arizona, New Mexico, Louisiana, Mississippi, Alabama, Georgia, Florida, Kentucky, Tennessee, South Carolina, North Carolina, Indiana, Ohio, Pennsylvania, New York, New Jersey, Maryland, and Virginia. NOTE: Applicant holds contract carrier authority under Docket No. MC 125664, therefore, dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 119493 (Sub-No. 54), filed February 16, 1970. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt, Post Office Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed*; (1) from New Orleans, La., to points in Montana, Nevada, Wyoming, Colorado, New Mexico, Arizona, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, California, Oregon, Utah, and Washington; and (2) from Golden Meadow, La., to points in California, Oregon, Utah, Washington, and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119632 (Sub-No. 36), filed February 9, 1970. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products, and related materials, supplies, and accessories incidental thereto* (except commodities in bulk), from the plantsites and warehouse sites of Celotex Corp. at Deposit, N.Y.; Carteret, N.Y.; and Harding, Pa., to points in Ohio, Indiana, Illinois and the Lower Peninsula of Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119777 (Sub-No. 170), filed February 5, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (1) *Wooden pallets, contain-a-pallets, lumber, and shipping devices*, from points in Cuyahoga County, Ohio, to points in New Jersey, Maryland, Virginia, and North Carolina; and (2) *shipping devices and contain-a-pallets*, from points in Cuyahoga County, Ohio, to points in Alabama, Arkansas, Connecticut, Colorado, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, South Carolina, South Dakota, Texas, Vermont, West Virginia, and Wisconsin. NOTE: Common control and dual operations may be involved. Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 119777 (Sub-No. 171), filed February 5, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Theodore Polydoroff, Suite 1100, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated metal stampings; shipping devices; and steel containers and storage racks and containers* used in the erection and completion thereof, from Macedonia, Ohio, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. Applicant has contract carrier authority under MC 126970 and subs thereunder, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 123233 (Sub-No. 25), filed January 26, 1970. Applicant: PROVOST CARTAGE, INC., 7887 Second Avenue, Ville d'Anjou 437, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, liquid and dry, in bulk, in tank or hopper type vehicles, between ports of entry on the United States/Canada boundary line at or near Trout River, Alexandria Bay, Roosevelttown, Ogdensburg, and Champlain, N.Y.; Highgate Springs, Derby Line, and Norton, Vt.; Jackman, Van Buren, Houlton, Vanceboro, and Calais, Maine; on the one hand, and, on the other, Livermore Falls, Rumford, Lincoln, Great Works, and Cumberland Mills, Maine; and points in Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania (except petrochemical products from points in Pennsylvania), and Ohio (except liquid chemical wax from Cleveland, Ohio), restricted to traffic originating at Maitland, Ontario, Canada. NOTE: Applicant states that the requested authority cannot be tacked with its

existing authority. This application is accompanied by a petition to dismiss. Applicant presently holds authority in No. MC 123233 (Sub-No. 13) over the same routes as applied for above, but restricted to traffic originating at or destined to points in the Province of Quebec, Canada. By this petition, petitioner requests that the restriction in its authority in Sub-No. 13 be changed to read "Restricted to traffic originating at or destined to points in Canada", and that the instant application (Sub-25) be dismissed. Whether applicant's authority should be expanded by removal of the restriction in the Sub-13 proceeding and whether the Sub-25 application should be dismissed properly can be resolved by processing of the application proceeding to a conclusion. Also applicant's petition for elimination of the restriction in the Sub-13 proceeding will be considered and disposed of together with the Sub-25 application. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 123233 (Sub-No. 26), filed January 26, 1970. Applicant: PROVOST CARTAGE INC., 7887 Second Avenue, Ville d'Anjou 437, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the ports of entry on the United States-Canada boundary line at or near Trout River, N.Y.; Champlain, N.Y.; Highgate Springs, Vt.; Derby Line, Vt.; Norton, Vt.; and Jackman, Maine, to points in Vermont, New Hampshire, and points in Aroostook, Franklin, Oxford, Penobscot, Piscataquis, and Somerset Counties, Maine; and points in Clinton, Essex, Franklin, Jefferson, Lewis, Onondaga, Oswego, and St. Lawrence Counties, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 123233 (Sub-No. 27), filed January 26, 1970. Applicant: PROVOST CARTAGE, INC., 7887 Second Avenue, Ville d'Anjou 437, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perchloroethylene and trichloroethylene*, in bulk, in tank vehicles, from the port of entry on the international boundary line between the United States and Canada at or near Highgate Springs, Vt., to Auburn, Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 123233 (Sub-No. 28), filed January 26, 1970. Applicant: PROVOST CARTAGE INC., 7887 Second Avenue, Ville d'Anjou 437, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,



transporting: *Fuel oil and kerosene*, in bulk, in tank vehicles, from port of entry on the international boundary line between the United States and Canada located at or near Highgate Springs, Vt., to Burlington, Vt. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 123407 (Sub-No. 66), filed February 9, 1970. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Windows, doors, building woodwork, and materials and accessories* used in the installation thereof, from Dubuque, Iowa, and Columbus, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) *materials* used in the manufacture and distribution of the above-described commodities, from points in (1) above, to Dubuque, Iowa, and Columbus, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124510 (Sub-No. 1), filed February 2, 1970. Applicant: A & F TRUCKING CORPORATION, Overbrook Drive, Stamford, Conn. 06906. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail drug stores and, in connection therewith, *supplies and equipment* used in the conduct of such business (1) between the warehouse of Liggett Drug Co., a division of Dart Industries, Inc. (formerly known as Rexall Drug & Chemical Co.) at Stamford, Conn., on the one hand, and, on the other, drug stores of Liggett Drug Co., a division of Dart Industries, Inc., and of its franchised agents located at Manchester, Nashua, and Portsmouth, N.H.; Lakewood, N.J.; Bangor, Biddeford, Portland, and Lewiston, Maine; New York, N.Y.; points in New Jersey on and north of New Jersey Highway 33, points in Nassau, Orange, Rockland, Suffolk, Sullivan, Westchester, Putman, Dutchess, Columbia, Rensselaer, Albany, Greene, and Ulster Counties, N.Y.; Litchfield County, Conn.; and points in Massachusetts and Rhode Island; and (2) between drug stores of Liggett Drug Co., a division of Dart Industries, Inc., and between such drug stores and those of the franchised agents of Liggett Drug Co., as well as between the drug stores of such franchised agents located at Manchester, Nashua, and Portsmouth, N.H.; Lakewood, N.J.; Bangor, Biddeford, Portland, and Lewiston, Maine; New York, N.Y.; points in New Jersey on and north of New Jersey Highway 33, points in Nassau, Orange, Rockland, Suffolk, Sullivan,

Westchester, Putman, Dutchess, Columbia, Rensselaer, Albany, Greene, and Ulster Counties, N.Y.; Litchfield County, Conn.; and points in Massachusetts and Rhode Island, under contract with Liggett Drug Co., a division of Dart Industries, Inc. (formerly known as Rexall Drug & Chemical Co.). NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124692 (Sub-No. 63), filed February 11, 1970. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Richard Bebel, 2814 Cleveland Avenue North, St. Paul, Minn. 55113. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, knocked down or in sections, *component parts* thereof, *equipment, materials, and supplies* used in the installation, construction, or erection thereof, from Monticello, Iowa, to points in North Dakota, South Dakota, Montana, Wyoming, Colorado, Utah, Idaho, Washington, and Oregon. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 124796 (Sub-No. 56), filed February 9, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Plastic products* from Camarillo, Calif., to points in the United States (except Alaska, California, and Hawaii); (b) *vinyl plastic* from Clinton, N.J., to points in the United States (except Alaska and Hawaii), and except from Clifton to points in New Jersey; (c) *vinyl plastic*, from Los Angeles, Calif., to points in the United States (except Alaska, California, and Hawaii); (d) *canned or packaged foodstuffs (except frozen)*, from the plantsites and warehouse facilities utilized by W. R. Grace & Co. at Tacoma, Wash., San Leandro, and Modesto, Calif., to points in the United States in and west of the States of Ohio, Kentucky, Tennessee, and Mississippi (except Alaska and Hawaii); and (e) *returned shipments and materials, equipment and supplies* utilized in the manufacture, sale, and distribution of commodities named in (a), (b), (c), (d) above on return; restricted against transportation of commodities in bulk; under contract with W. R. Grace Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124813 (Sub-No. 73), filed February 5, 1970. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Feed, feed ingredients, and feed supplements*, from Cedar Rapids, Iowa, to points in Kentucky. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant has contract carrier authority in MC 118468 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo.

No. MC 124813 (Sub-No. 74), filed February 6, 1970. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry feed and dry feed ingredients*, from Eagle Grove, Iowa, to points in that part of Illinois located north of U.S. Highway 24 and east of U.S. Highway 51 and that part of Illinois located south of U.S. Highway 24 and west of U.S. Highway 51, and to points in Indiana; (2) *dry feed* from Eagle Grove, Iowa, to points in that part of Illinois located on and south of U.S. Highway 24 and on and east of U.S. Highway 51 and to points in South Dakota (except points in that part of South Dakota on and south of U.S. Highway 14 and east of the Missouri River), and (3) *dry feed ingredients* from Fort Dodge, Iowa, to points in Illinois and South Dakota. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the point or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant has contract carrier authority in MC 118468 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 124796 (Sub-No. 55), filed January 29, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Toilet preparations, toilet articles, germicides, buffing and polishing compounds, cleaning, scouring, and washing compounds, solvents, starch, sponges, sweetening compounds,*

drugs, and janitorial supplies, and advertising materials, from Chicago, Melrose Park, Carpentersville, and Carol Stream, Ill.; Sparks, Nev.; Glendale, Calif.; Piscataway, N.J.; Atlanta and Stone Mountain, Ga.; Dallas, Tex.; Denver, Colo.; Kansas City, Mo.; Portland, Oreg.; Seattle, Wash.; Jacksonville, Fla.; Boston, Mass.; Cleveland, Ohio; Birmingham, Ala.; Oklahoma City, Okla.; New Orleans, La.; Little Rock, Ark.; and Houston and Fort Worth, Tex.; and (B) *canned and packaged foodstuffs*, from Culver City, Calif., and Chicago, Ill., to points in the United States (except Alaska and Hawaii), *returned shipments, materials, equipment, and supplies* utilized in the manufacture, distribution, and sale of the commodities described in (a) and (b) above in the reverse direction, restricted against the transportation of commodities in bulk, and all traffic to either originate or terminate at the plantsites and warehouse facilities utilized by Alberto-Culver Co. of Melrose Park, Ill., under contract with Alberto-Culver Co. NOTE: Applicant holds a substantial portion of the authority encompassed by this application and if this authority is granted, applicant will surrender to existing permits in MC 124796 (Sub-Nos. 6, 10, 15, 30, 34, 40, 45, and 50), for cancellation. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 126512 (Sub-No. 7), filed February 11, 1970. 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. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127505 (Sub-No. 31) (Correction), filed February 3, 1970, published in the FEDERAL REGISTER issue of February 27, 1970, and republished in part, as corrected, this issue. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route No. 2, Mendota, Ill. 61342. NOTE: The purpose of this partial republication is solely to correct the spelling of the origin point to reflect *Bloomington, Ill.*, inadvertently shown as *Blooming, Ill.* in the previous publication.

No. MC 127638 (Sub-No. 5), filed January 18, 1970. Applicant: RALPH BEYER, doing business as RALPH BEYER TRUCKING CO., 3800 Carman Road, Schenectady, N.Y. 12303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Moulding sand* in bulk, in dump vehicles, from points in Albany and Saratoga Counties, N.Y., to points in Delaware, Maine, Maryland, New Hampshire, New Jersey, Ohio, Pennsylvania, and Rhode Island and (2) *dairy products*, from Prattsburg, N.Y.

and Madison County, N.Y., to points in Connecticut, Massachusetts, New Jersey, and New York. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Albany or New York, N.Y.

No. MC 127668 (Sub-No. 5), filed February 2, 1970. Applicant: WILLIAM WELCH AND JOHN WELCH, a partnership, doing business as WELCH TRUCKING COMPANY, 1105 South Boulder, Portales, N. Mex. 88130. Applicant's representative: Edwin E. Piper, Jr., 715 Simms Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings or houses, metal, iron, and steel*, complete, knocked down or in sections, including all *component parts, materials, supplies, and fixtures*, and when shipped with such buildings, *accessories used in the erection, construction and completion thereof*; and *structural steel and metal panels*, from Oklahoma City, Okla., and the plant of Star Manufacturing Co., located at or near Oklahoma City, Okla., to points in Arizona and Nevada, with the operations authorized to be performed under a continuing contract, or contracts, with Flynn Steel Buildings Co., Phoenix, Ariz. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 127965 (Sub-No. 4), filed January 26, 1970. Applicant: LEONARD DIXON, doing business as D & D EXPRESS, 89 Seeley Street, Brooklyn, N.Y. 11218. Applicant's representative: John J. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Copying and photographic machines, and materials and supplies*, crated and uncrated, from the storage facilities of 3M Business Products Sales, Inc., at Paramus, N.J., to points in New York, N.Y., and Nassau and Suffolk Counties, N.Y., returned shipments of the above-commodities, on return under contract with 3M Business Products Sales, Inc. NOTE: Applicant states it is presently serving the supporting shipper under its permit MC 127965. The purpose of the instant application is to provide shipper with service from its new warehouse. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128273 (Sub-No. 57) (Correction), filed January 29, 1970, published in the FEDERAL REGISTER issue of February 27, 1970, and republished in part, as corrected, this issue. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Danny Ellis (same address as applicant). NOTE: The purpose of this partial republication is solely to include the State of North Dakota to those named in the radial territory, which State was inadvertently omitted in the previous publication.

No. MC 128735 (Sub-No. 6), filed February 6, 1970. Applicant: ALVIN E.

GOLNIK, doing business as GOLNIK TRUCKING, 731 Second Avenue, Koppel, Pa. 16136. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Copper and copper alloys*, from the plantsite of Hussey Metals Division/Copper Range Co., at Leetsdale, Pa., to points in Pennsylvania, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, West Virginia, Virginia, District of Columbia, North Carolina, South Carolina, Georgia, Florida, Mississippi, Alabama, Louisiana, Texas, Oklahoma, Arkansas, Tennessee, Kentucky, Ohio, Michigan, Indiana, Wisconsin, Illinois, Missouri, Iowa, and Minnesota; (2) *materials* used in the manufacture of copper and copper alloys, from points in New York, New Jersey, and Michigan, to the said plantsite at Leetsdale, Pa.; and (3) *copper products, copper alloy products, and copper and copper alloy scrap*, (1) from the plantsite of Hussey Metals Division/Copper Range Co., at Eminence, Ky., (2) from the plantsite of Hussey Metals Division/Copper Range Co., at Anderson, Ind., to Leetsdale, Pa., all under contract with Hussey Metals Division/Copper Range Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 128882 (Sub-No. 2), filed January 5, 1970. Applicant: R. W. STEELE, doing business as R. W. STEELE TRUCKING COMPANY, 320 Hesslet Street, Clovis, N. Mex. 88101. Applicant's representative: Hugh Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Irrigation systems and parts thereof*, between points in Weld County, Colo., on the one hand, and, on the other, points in Kansas, Oklahoma, Texas, and New Mexico, under a continuing contract with Sprinkler-Rite Corp. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Denver, Colo.

No. MC 128988 (Sub-No. 6), filed February 6, 1970. Applicant: JO/KEL, INC., Post Office Box 22265, Los Angeles, Calif. 90022. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Heating and air-conditioning equipment, patio equipment, and camping and recreational equipment*, from Wichita, Kans., Somerset, Pa., and Cedar City, Utah, to points in the United States (except Alaska and Hawaii); *returned shipments, materials, equipment, and supplies* utilized in the manufacture, distribution and sale of such commodities on return, restricted against the transportation of commodities in bulk and those which by reason of size or weight require special equipment. All shipments to either originate or terminate at the plantsites and warehouse facilities utilized by the Coleman Co.,

Inc., of Wichita, Kans., under contract with Coleman Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 128988 (Sub-No. 7), filed February 16, 1970. Applicant: JO/KEL, INC., Post Office Box 22265, Los Angeles, Calif. 90022. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical supplies and equipment, and materials, equipment, and supplies* utilized in the manufacture, distribution, and sale of such electrical supplies and equipment; (a) between Milford, Conn.; Mena, Ark.; St. Louis, Mo.; Prescott, Ariz.; Philadelphia, Miss.; Chicago, Ill.; Los Angeles and Stanton, Calif.; Memphis, Tenn.; Paragould, Russellville, and Rogers, Ark.; Marion and Dayton, Ohio; Tecumseh, Mich.; Syracuse, N.Y.; Cullman, Ala.; and Hastings, Nebr.; (b) between Cincinnati, Ohio, on the one hand, and, on the other, St. Louis, Mo.; Memphis, Tenn.; Chicago, Ill.; Pittsburgh, Pa.; Columbus, Ga.; and Camden, N.J.; (c) between Racine, Wis., on the one hand, and, on the other, Kansas City, Mo.; Detroit, Mich.; Los Angeles, Calif.; and Boston, Mass.; (d) between Cincinnati, Ohio, and Los Angeles, Calif., on the one hand, and, on the other, Camden, N.J.; (e) between Bennettsville, S.C., and Camden, N.J.; (f) between Paragould, Ark., on the one hand, and, on the other, Webster City and Newton, Iowa; (g) between Kennett, Mo., and Paris, Tenn.; (h) between Tupelo, Miss., and St. Louis, Mo., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); (i) between Pittsburgh, Pa., on the one hand, and, on the other, St. Louis, Mo.; Cincinnati, Ohio; and Camden, N.J.; and (2) *Electrical supplies and equipment and power transmission equipment and supplies, and materials, equipment, and supplies* utilized in the manufacture, distribution, and sale of such electrical supplies and equipment and power transmission supplies and equipment; (a) between Maysville, Ky., on the one hand, and, on the other, Cincinnati, Ohio; St. Louis, Mo.; Memphis, Tenn.; Chicago, Ill.; Pittsburgh, Pa.; Columbus, Ga.; and Camden, N.J.; and (b) from Maysville, Ky., and Paris, Tenn., to points in the international boundary of the United States and Canada in Michigan and New York; restricted to traffic originating or terminating at the plantsite and warehouse facilities utilized by Emerson Electric Co., and its corporation divisions; under continuing contract with Emerson Electric Co., of St. Louis, Mo. NOTE: Applicant states that it already holds a portion of the authority encompassed by this application and would be willing to surrender for cancellation its existing contract permit in MC-128988, Sub 2, in the event this application is granted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 129089 (Sub-No. 4), filed January 30, 1970. Applicant: MIDWEST

MATERIAL SERVICE COMPANY, a corporation, Foot of Mart, Muskegon, Mich. 49440. Applicant's representative: Judson B. Robb, Kurylo Building, 1158 Oak Street, Wyandotte, Mich. 48192. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint*, from Muskegon, Mich., to points in Cheboygan, Otsego, Crawford, Roscommon, Clare, Isabella, Gratiot, Clinton, Ingham, Calhoun, Branch, Emmet, Charlevoix, Antrim, Kalkaska, Missaukee, Osceola, Mecosta, Montcalm, Ionia, Eaton, Grand Traverse, Wexford, Lake, Newaygo, Kent, Barry, Kalamazoo, St. Joseph, Leelanau, Benzie, Manistee, Mason, Oceana, Muskegon, Ottawa, Allegan, Van Buren, Cass, and Berrien Counties, Mich., and *rejected rolls and used newsprint cores*, on return, under contract with West Michigan Dock & Market Corp., Muskegon, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 133349 (Sub-No. 2), filed February 13, 1970. Applicant: UNITED CONTAINER SERVICES, INC., Foot of Grace Street, Secaucus, N.J. 07094. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives) in containers or trailers, having a prior or subsequent movement by water in foreign commerce, and empty containers or trailers; (1) between points in New York, N.Y., commercial zone, as defined by the Commission in Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exempt provisions provided in section 203(b)(8) of the Act, on the one hand, and, on the other, the piers or wharves in the Philadelphia, Pa., Baltimore, Md., and Norfolk, Va., commercial zones; and (2) between the piers and wharves in the Philadelphia, Pa., commercial zone, on the one hand, and, on the other, the piers and wharves in the Baltimore, Md., and Norfolk, Va., commercial zones. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133416 (Sub-No. 3), filed February 4, 1970. Applicant: JACK M. ROTH COMPANY, a corporation, 6987 Los Tilos Road, Los Angeles, Calif. 90028. Applicant's representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated fiberboard boxes*, from the plantsites of Western Kraft Corp., at Vernon and Compton, Calif., to points in Cochise, Maricopa, Pima, Pinal, and Yuma Counties, Ariz., for the account of Western Kraft Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 133650 (Sub-No. 1), filed December 11, 1969. Applicant: JOSEPH

CARROLL, doing business as CARROLL'S MOVING & STORAGE CO., 1410 Broadway, Macon, Ga. 31201. Applicant's representative: Robert J. Gallagher, Suite 3020, Empire State Building, 350 Fifth Avenue, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Georgia, restricted to the transportation and traffic having a prior or subsequent movement in containers beyond the points authorized and further restricted to the performance of delivery and pickup service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Macon or Atlanta, Ga.

No. MC 133767 (Sub-No. 1), filed February 6, 1970. Applicant: LAWTON MOVING AND STORAGE, INC., 1602 F Avenue, Post Office Box 382, Lawton, Okla. 73502. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household good*, between points in Comanche County, Okla., on the one hand, and, on the other, points in Comanche, Cotton, Jefferson, Stephens, Grady, Washita, Kiowa, Jackson, and Tillman Counties, Okla. Restriction: The service sought herein is restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 133855 (Sub-No. 1), filed February 6, 1970. Applicant: GERALD G. WOOD, doing business as WOOD & SONS, Route No. 1, Sun Prairie, Wis. 53590. Applicant's representative: Robert J. Kay, 433 West Washington Avenue, Suite 500, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Progeny test bulls and mature bulls*, between De Forest, Wis., on the one hand, and, on the other, points in the United States, under contract with American Breeders Service, Inc., located at De Forest, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 133991 (Sub-No. 1), filed February 9, 1970. Applicant: JOHN J. LANDSTROM, doing business as AIRGO MESSENGER SERVICE, 834 Southeast 71st Avenue, Portland, Ore. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Ore. 97210. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complimentary replacement film, and incidental handling supplies and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theater or television distribution, having an immediate, prior, or subsequent movement by air), between the Portland, Oreg., International Airport, on the one hand, and, on the other, Corvallis, Albany, Salem, McMinnville, Forest Grove, Hillsboro, Beaverton, Oregon City, and Portland, Oreg., and Vancouver, Wash., under contract with Eastman Kodak Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 134024 (Sub-No. 1), filed January 14, 1970. Applicant: JAMES L. WOMICK, doing business as OLD ORCHARD HOMES TRANSIT, 607 South Main Street, Anna, Ill. 62906. Applicant's representative: Raymond L. Terrell, Meyers Building, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Mobile homes and trailers, and component parts and fixtures thereof*, in initial movements, from points in Union County, Ill., to points in Indiana, Kentucky, Tennessee, Alabama, Missouri, Ohio, Iowa, Mississippi, and Arkansas; and (2) *component parts and fixtures* used in the manufacture of mobile homes and trailers, from points in Indiana, Kentucky, Tennessee, Alabama, Missouri, Ohio, Iowa, Mississippi, and Arkansas, to points in Union County, Ill., under contract with Old Orchard Homes, in connection with (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., St. Louis, Mo., Chicago, Ill., or Memphis, Tenn.

No. MC 134030 (Sub-No. 1), filed December 11, 1969. Applicant: ATLANTIC MOVING & STORAGE, INC., 774 Forrest Street, Atlanta, Ga. 30318. Applicant's representative: Robert J. Gallagher, Suite 3020, Empire State Building, 350 Fifth Avenue, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Cobb, Clayton, De Kalb, Fulton, and Gwinnett Counties, Ga., on the one hand, and, on the other, points in Georgia, restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 134054 (Amendment), filed September 18, 1969, published in the FEDERAL REGISTER issue of October 9, 1969, and republished as amended this issue. Applicant: WHATLEY EQUIPMENT COMPANY, INC., 230 Ross Clark Circle NE., Dothan, Ala. 36301. Applicant's representative: Kenneth Whatley, 1701

Keating Road, Dothan, Ala. 36301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Concrete block, concrete brick, and concrete decorative screen units* from Macon, Columbus, Atlanta, Albany, and Tifton, Ga.; Tallahassee, Panama City, Pensacola, and Fort Walton Beach, Fla.; Andalusia, Birmingham, Dothan, Montgomery, Mobile, Phenix City, and Selma, Ala., to all of the origin points hereinabove named and to points in Houston, Henry, Barbour, Pike, Dale, Geneva, Coffee, Covington, and Crenshaw Counties, Ala., all under a continuing contract or contracts with Brewton Materials, Inc., of Dothan, Ala.; (2) (a) *steel plates, angles, I beams, channels, sheets, and bars* from those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; those points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59 to Dothan, Ala.; and

(b) *Iron and steel articles* from Dothan, Ala., to those points in Georgia, Florida, and Mississippi described above in this paragraph; all under a continuing contract or contracts with General Steel Corp. of Dothan, Ala.; (3) *precast concrete manholes and concrete pipe sections* from Dothan, Ala., to those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; all under a continuing contract or contract with Concrete, Inc., of Dothan, Ala.; and (4) (a) *brick* from Atlanta, Macon, and Augusta, Ga.; Barth, Florida, Macon, Indianola and Holly Springs, Miss.; Phenix City, Montgomery, Cordova, Bessemer, Birmingham, Selma, Keego, Kimberly, and Lovick, Ala.; to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59; (b) *stone and slate* from Atlanta, Jasper, and Tate, Ga.; Oneonta, Birmingham, and Sylacauga, Ala.; to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59;

(c) *Roofing, shingles, and felt* from Birmingham and Tuscaloosa, Ala.; and from Meridian, Miss., to all points in

Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59; (d) *clay pipe, flue lining, drain tile, fire brick, and chimney tops* from Milledgeville, Ga., and Bessemer, Ala.; to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59; (e) *concrete block and brick* from Atlanta, Ga.; Montgomery and Phenix City, Ala., to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59;

(f) *Mortar mix, portland cement, slag cement, lime, and plaster* from Roberta, Longview, Ragland, Siluria, Allgood, and Birmingham, Ala.; to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; and those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59; (g) *steel masonry reinforcing, consisting of wall ties, horizontal masonry joint reinforcement, steel bars, anchor bolts, and steel wall anchors* from Birmingham and Mobile, Ala., to all points in Alabama; those points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and east of Interstate Highway 59; and (h) *all of the above-described commodities* outbound from Dothan, Ala., to points in Georgia on and south of U.S. Highway 80 and on and west of Interstate Highway 75; those points in Florida on and west of U.S. Highway 221 from the Georgia-Florida line to Perry, Fla., and of a line drawn due south from Perry, Fla., to the Gulf of Mexico; and points in Mississippi on and south of U.S. Highway 80 and on and east of Interstate Highway 59, all under a continuing contract or contracts with Whatley Supply Co., Inc., of Dothan, Ala. NOTE: The purpose of this republication is to broaden the scope of the authority. If a hearing is deemed

necessary, applicant requests it be held at Dothan, Montgomery, or Birmingham, Ala.

No. MC 134092, filed October 6, 1969. Applicant: SILLIPHANT TRANSPORT, LTD., Post Office Box 3341, Station B, Saint John, New Brunswick, Canada. Applicant's representative: Christopher G. Collier, Post Office Box 849, St. John, New Brunswick, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Communication and electrical conductors*; (1) between the ports of entry on the international boundary line between the United States and Canada located in Maine, and Baltimore, Md.; and (2) between Baltimore, Md., and the port of entry on the international boundary line between the United States and Canada, at or near Champlain, N.Y., under contract with Canada Wire & Cable, Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bangor or Portland, Maine.

No. MC 134134 (Sub-No. 5), filed February 2, 1970. Applicant: MAINLINER MOTOR EXPRESS, INC., 5037 South 26th Street, Omaha, Nebr. 68107. Applicant's representative: John Hornung (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Spencer and Hartley, Iowa, Schuyler, Nebr., and Sioux Falls, S. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 134152 (Sub-No. 1), filed February 11, 1970. Applicant: BARTON TRUCK LINE, INC., 455 West Fourth South, Salt Lake City, Utah 84101. Applicant's representative: William S. Richards, 900 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned soft drinks*, from Salt Lake City, Utah, to Grand Junction and Glenwood Springs, Colo.; Rock Springs and Cody, Wyo.; Boise, Payette, Pocatello, Idaho Falls, and Twin Falls, Idaho; Kalispell, Great Falls, Helena, Miles City, and Lewistown, Mont.; and Ely, Nev.; under contract with Cannery for Coca-Cola Bottlers, Inc. NOTE: Applicant holds common carrier authority under MC 114818 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134195 (Sub-No. 1), filed February 13, 1970. Applicant: C.H.B. GRAIN CO., INC., 116 Ruhlin Court, Post Office Box 21, El Paso, Tex. 79940. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feeds and feedstuffs*, in bulk, between El Paso, Tex., on the one hand, and, on the other, Albuquerque, N. Mex., under contract with Price's El Paso Dairy, a division of Price's Producers, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex., or Albuquerque, N. Mex.

No. MC 134197 (Clarification), filed December 4, 1969, published in the FEDERAL REGISTER issues of January 15, and January 22, 1970, and republished as clarified this issue. Applicant: JACKSON AND JOHNSON, INC., West Church, Box 7, Savannah, N.Y. 13146. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, and *canning materials and supplies*, between Hamlin, Holley, and Williamson, N.Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, and Rhode Island. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to reflect that radial operations are proposed. If a hearing is deemed necessary, applicant requests it be held at Rochester, Buffalo, or New York, N.Y.

No. MC 134250, filed December 22, 1969. Applicant: DONALD M. JUNTUNEN, doing business as HABERT FREIGHT, Moose Lake, Minn. 55767. Applicant's representative: Richard T. Hart, Jr., Box 396, 433 North Arrowhead Lane, Moose Lake, Minn. 55767. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Duluth, Minn., and Sandstone, Minn., over U.S. Highway 61, serving all intermediate points; and (2) between Carlton, Minn., and Wrenshall, Minn., over State Aid Route 1, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134270, filed January 8, 1970. Applicant: M. H. C. MESSENGERS, a corporation, 31 Virginia Avenue, Carteret, N.J. 07008. Applicant's representative: Edward S. Meslow (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vaccines, drugs, medicines, and radioactive materials, and related byproducts*, requiring same day delivery and limited to 50 pounds or less, per shipment, between points in New Jersey and the boroughs of Queens, Manhattan, Brooklyn, Bronx,

and Staten Island, N.Y. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.; New York, N.Y.; or Washington, D.C.

No. MC 134305 (Sub-No. 1), filed February 6, 1970. Applicant: HARRY E. HAMM, doing business as HAMM TRUCKING, Rural Route No. 1, Erie, Ill. 61250. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry milk solids*, including, but not limited to, casein, sodium caseinate, coprecipitate and whey; (1) from Erie, Ill., to points in Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Ohio, and Wisconsin; and (2) from Trenton, Mo., to points in Iowa and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 134316 (Sub-No. 1), filed January 30, 1970. Applicant: L. ZACCARO TRUCKING & WAREHOUSING COMPANY, INC., 87 Arlington Avenue, Paterson, N.J. 07502. Applicant's representative: James J. Farrell, 206 North Boulevard, Belmar, N.J. 07719. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, (2) *dye-stuffs*, (3) *paraffin, chlorinated*, (4) *plastic materials*, other than expanded, consisting of flakes, granules, liquid, lumps, pellets, powder, or solid mass, (5) *softeners, textile*, (6) *wall covering, plastic, and (7) wax, paraffin*, between Fairfield, Conn., on the one hand, and, on the other, points in the New York commercial zone, including piers and wharves, Nassau and Westchester Counties, N.Y., and points in Bergen, Essex, Hudson, Middlesex, Morris, Passaic, and Union Counties, N.J., including piers and wharves in those New Jersey counties, under contract with I.C.I. America, Inc., Fairfield, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134330, filed January 23, 1970. Applicant: HANSON TRANSFER, INC., 620 East Factory Street, Fremont, Nebr. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, except those requiring special equipment. *Regular route*: Between Fremont and Omaha, Nebr., over U.S. Highway 275, serving the intermediate point of Valley, and the off-route points of Yutan, Blair, Arlington, Kennard, Elkhorn, Mead, and Leshara, Nebr. *Irregular route*: (1) Between Nickerson, Ames, Fontanelle, Fremont, Arlington, Cedar Bluffs, and Mercer, Nebr.; and (2) between points in (1) above on the one hand, and, on the other, points in Nebraska. NOTE: Applicant states its President holds a certificate of registration in No. MC 98353 (Sub-No. 2), which is of a scope similar to the authority sought herein. Applicant states it proposes to tack the

above regular and irregular route authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 134324 (Sub-No. 1), filed February 9, 1970. Applicant: PACER TRANSIT CORP., 1713 Francis, Muskegon, Mich. 49442. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas including butane and propane* in bulk in pressurized tank vehicles, under a continuing contract with Pro-Gas Sales & Service Co., from the international boundary line between the United States and Canada at or near Port Huron, Mich., and from points in Ohio on and north of Interstate Highway 70, points in Indiana on and north of Interstate Highway 70 and points in Illinois on and north of Interstate Highway 70 and Robinson, Ill., to points in the Lower Peninsula of Michigan located on and west of U.S. Highway 23. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Grand Rapids, Mich.

No. MC 134332, filed January 30, 1970. Applicant: J. V. ODEM, St. Joseph, Tenn. 38481. Applicant's representative: Hiram W. Holtsford, Drawer H, Lawrenceburg, Tenn. 38464. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, from Florence, Ala., to Clarksville, Tenn., under contract with International Fertilizer Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Florence, Ala.

No. MC 134337, filed February 6, 1970. Applicant: TRANSPORT AMEDEE CAYER, INC., C. P. 277, La Pocatiere, Kamouraska County, Quebec, Canada. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, Mass. 02108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Snowmobiles and parts therefor*, from all ports of entry on the international boundary line between the United States and Canada to Yarmouth, Maine; Malone and New York, N.Y.; Belvidere, N.J.; Erie, Pa.; Detroit, Mich.; Forest Lake, Minn.; Denver, Colo.; Idaho Falls, Idaho; Portland, Oreg.; and Palmer, Alaska. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with Industries Bouchard, Inc., La Pocatiere, Kamouraska County, Quebec, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Augusta or Portland, Maine, or Boston, Mass.

No. MC 134338, filed February 9, 1970. Applicant: TRANSPORTATION, INC., 930 West 21st South Street, Salt Lake City, Utah. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, from Los Angeles, Azusa, Van

Nuys, and San Francisco, Calif., and Pueblo, Colo., to Cedar City, Provo, Salt Lake City, Ogden, and Price, Utah, under contract with Big Four Distributing Co., Wasatch Distributing Co., Inc., and Becker Brewing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134349, filed February 12, 1970. Applicant: B.L.T. CORPORATION, 189 Bridge Street, Brooklyn, N.Y. 11201. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail women's and children's ready-to-wear stores, and, in connection therewith, *supplies and equipment* used in the conduct of such business, between New York, N.Y., and Secaucus, N.J., on the one hand, and, on the other, points in North Carolina, Georgia, Florida, Louisiana, Mississippi, Ohio, Illinois, and Wisconsin, under contract with Gaylords National Corp., New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134351, filed February 11, 1970. Applicant: ALBERT W. SHISLER, INC., 3300 Shisler Road, Clarence, N.Y. 14031. Applicant's representative: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Milo Township, Yates County, N.Y., to points in Pennsylvania, Maryland, Delaware, New Jersey, Massachusetts, Connecticut, Vermont, and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 134356, filed February 16, 1970. Applicant: GALE DELIVERY, INC., 311 North Brookside Avenue, Freeport, N.Y. 11520. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail department stores and packinghouses, from points in Nassau and Suffolk Counties, N.Y., to points within the New York, N.Y., commercial zone. Restriction: The authority herein sought is restricted to the transportation of shipments consigned to freight consolidators and packinghouses. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 153 (Sub-No. 4), filed February 9, 1970. Applicant: SCENCK TOURS, INC., 372 Jericho Turnpike, Floral Park, N.Y. 11002. Applicant's representative: John V. N. Klein, No. 1 West Main Street, Smithtown, N.Y. 11787. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, from points in Nassau and Suffolk Counties, N.Y., to points in the United States, in-

cluding Alaska and Hawaii, and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mineola or New York, N.Y.

No. MC 228 (Sub-No. 68), filed January 23, 1970. Applicant: HUDSON TRANSIT LINES, INC., 17 Franklin Turnpike, Mahwah, N.J. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. 11201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers; (1) between Poughkeepsie, N.Y., and Bard College, at Annandale-on-Hudson, N.Y., from Poughkeepsie over U.S. Highway 9 to Red Hook, N.Y., thence over New York Highway 199 to junction New York Highway 9-G, thence over New York Highway 9-G, to Bard College, at Annandale-on-Hudson, and return over the same route, serving all intermediate points; and (2) between junction New York Highway 199 and 9-G south of Bard College, at Annandale-on-Hudson, N.Y., and junction New York Highway 9-G and U.S. Highway 9 near Weys Corners, N.Y., from junction New York Highway 199 and 9-G over New York Highway 9-G to junction U.S. Highway 9, and return over the same route, serving all intermediate points. Restriction: The service sought herein is restricted against the transportation of passengers, baggage, and express and newspapers which originate at New York, N.Y., and destined to the unincorporated village of Hyde Park, N.Y. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Poughkeepsie or Albany, N.Y.

No. MC 125115 (Sub-No. 4), filed February 3, 1970. Applicant: EL PASO-LOS ANGELES LIMOUSINE EXPRESS, INC., 301 San Francisco Street, El Paso, Tex. 79947. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between El Paso, Tex., and Los Angeles, Calif., from El Paso over Interstate Highway 10 to Las Cruces, N. Mex., thence over U.S. Highway 80 through Lordsburg, N. Mex., to junction New Mexico Highway 14, thence over New Mexico Highway 14 to the New Mexico-Arizona State line, thence over Arizona Highway 86 to Benson, Ariz., thence over U.S. Highway 80 to Tucson, Ariz., thence over Arizona Highway 84 to Gila Bend, Ariz., thence over U.S. Highway 80 through Yuma, Ariz., to junction California Highway 98, thence over California Highway 98 to Calexico, Calif., thence over California Highway 86 (formerly U.S. Highway 99), to Indio, Calif., thence over Interstate Highway 10 to Los Angeles, Calif., and return over the same route, serving no intermediate points. NOTE: Applicant states it presently holds authority to conduct the same operations as here proposed, in limousine service, limited to the transportation of

not more than eight passengers and their baggage in one vehicle. The purpose of the instant application is to increase the number of passengers and their baggage to not more than 20 per vehicle (not including the driver). If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 134322, filed January 29, 1970. Applicant: NORTH SIDE BUS CO., INC., 808 South Lincoln, Jerome, Idaho 83338. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special or charter operations; (1) from points in Blaine, Camas, Cassia, Elmore, Gooding, Jerome, Lincoln, Minidoka, and Twin Falls Counties, Idaho, to points in Arizona, California, Colorado, Kansas, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; and (2) from points in Elka County, Nev., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

#### APPLICATIONS OF WATER CARRIER

No. W-14 (Sub-No. 8), (AMERICAN COASTAL LINES, INC., Extension—Houston), filed February 20, 1970. Applicant: AMERICAN COASTAL LINES, INC., Foot of East Beaver Street, Post Office Box 544, Jacksonville, Fla. 32201. Applicant's representative: A. M. Downey, Jr., 500 Water Street, Post Office Box 1497, Jacksonville, Fla. 32201. Application for a new permit as a *contract carrier* by water, seeking authority to transport: *Paper, newsprint*, from Houston, Tex., to Miami, Fla., under contract with The Miami Herald Publishing Co., Miami, Fla.

No. W-1245 (LEONA ASLETT AND RALPH PAGE Common Carrier Application), filed February 3, 1970. Applicant: LEONA ASLETT AND RALPH PAGE, a partnership, doing business as HELLS CANYON GUIDE SERVICE, Box 126, Oxbow, Oreg. 97840. Application for authority to institute a new operation in interstate or foreign commerce, in year-round operation, as a *common carrier*, by water, of *passengers*, from Oxbow, Oreg., to Pittsburg Landing, Idaho.

No. FF-308 (Sub-No. 1), (NORTH STAR FORWARDING CO., Extension—Washington), filed February 25, 1970. Applicant: NORTH STAR FORWARDING CO., a corporation, 1102 Southwest Massachusetts Street, Seattle, Wash. 98134. Applicant's representative: Robert R. Hollis, Commonwealth Building, Portland, Oreg. 97204. Authority sought under section 410 of Part IV of the Interstate Commerce Act, for a permit to institute operation, in interstate or foreign commerce, through the use of the facilities of common carriers by railroad, express, water, air, or motor vehicle, in the transportation of: *General commodities*, from points in Alaska to Seattle,

Wash., and between points in Alaska, and points in Washington, Oregon, and Idaho.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 28573 (Sub-No. 32), filed February 6, 1970. Applicant: GREAT NORTHERN RAILWAY COMPANY, a corporation, 175 East Fourth Street, St. Paul, Minn. 55101. Applicant's representative: Byron D. Olsen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except commodities in bulk, limited to service which is auxiliary to, or supplemental of, its rail service, between the junction of U.S. Highway 91 (Interstate Highway 15) and Montana Highway 216, and Valier, Mont., over Montana Highway 216, serving no intermediate points and serving Valier, Mont., as an off-route point on applicant's regular route operation over U.S. Highway 91 between Great Falls and Sweetgrass, Mont. NOTE: Common control may be involved.

No. MC 110325 (Sub-No. 45), filed February 11, 1970. Applicant: TRANSCON LINES, a corporation, 1206 South Maple Avenue, Los Angeles, Calif. 90015. Applicant's representative: Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment), between Detroit, Mich., and port of entry on the international boundary line between the United States and Canada located at or near Port Huron, Mich., over Interstate Highway 94 (also from Detroit over U.S. Highway 25 to junction Interstate Highway 94), serving no intermediate points, and serving port of entry on the international boundary line between the United States and Canada located at or near Port Huron, Mich., for joinder purpose only, as an alternate route for operating convenience only. NOTE: Applicant states that the proposed route shall be used only as an alternate route for operating convenience for the movement of traffic which applicant is transporting to or from Buffalo, N.Y., and points east thereof.

No. MC 128517 (Sub-No. 4), filed February 2, 1970. Applicant: STANLEY WISHNIA AND SEYMOUR MILLER, a partnership, doing business as MINUTE SERVICE CO., 838 Ninth Avenue, New York, N.Y. 10019. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Photocopy equipment, machines, and supplies*, between Paramus, N.J., and New York, N.Y.; under contract with 3M Business Products Sales, Inc., Teaneck, N.J. NOTE: Applicant states that present authority will be surrendered if instant application is granted.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-2909; Filed, Mar. 11, 1970; 8:45 a.m.]

[Notice 40]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 9, 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 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 112668 (Sub-No. 50 TA), filed March 2, 1970. Applicant: HARVEY R. SHIPLEY & SONS, INC., Route U.S. 140, Finksburg, Md. 21048. Applicant's representative: Norman E. Shipley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mixed fertilizer*, in bulk, in pneumatic tank vehicles, from Hagerstown, Md., to New Bloomfield and Stewartstown, Pa., for 180 days. Supporting shipper: Central Chemical Corp., Gettysburg, Pa. 17325. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, Md. 21201.

No. MC 116073 (Sub-No. 104 TA), filed March 2, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: John C. Barrett (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movement, from Montevideo, Minn., to points in North Dakota, South Dakota, Montana, Nebraska, Iowa, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Kenwood Homes of Minnesota, Inc., 1020 Town Road, Montevideo, Minn. 56265. Send protests to: J. H.

Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 116073 (Sub-No. 105 TA), filed March 2, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: John C. Barrett (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Menahga, Minn., to points in North Dakota, South Dakota, Montana, Nebraska, Iowa, Wisconsin, Wyoming, and Illinois, for 180 days. Supporting shipper: West Maid, Inc., Menahga, Minn. 56464. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 116073 (Sub-No. 106 TA), filed March 2, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar, 1825 Main Avenue, Moorhead, Minn. 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Cannon Falls, Minn., to points in Iowa, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Select Homes, Inc., Cannon Falls, Minn. 55009. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 119390 (Sub-No. 10 TA), filed March 2, 1970. Applicant: MAIRS TRANSPORT, LTD., 976 Adair Street, Coquitlam, British Columbia, Canada. Applicant's representative: J. Stewart Black, 1322 Laburnum, Vancouver, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical fertilizer*, from Tacoma, Wash., to ports of entry on the international boundary line, between the United States and Canada located in Washington, for 180 days. Supporting shippers: Green Valley Fertilizer & Chemical Co., Ltd., Post Office Box 249, 12816 80th Avenue, North Surrey, British Columbia, Buckerfield's, Ltd., 3606 East First Avenue, Post Office Box 3212, Vancouver 3, British Columbia, Canada. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 124835 (Sub-No. 8 TA), filed March 2, 1970. Applicant: PRODUCERS TRANSPORT COMPANY, Post Office Box 4022, Chattanooga, Tenn. 37405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from General Portland Cement Co., Knox

County, Tenn., to points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Virginia, and Tennessee, for 180 days. Supporting shipper: Signal Mountain, Portland Cement Division, 1300 American National Bank Building, Chattanooga, Tenn. 37492. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 134298 (Sub-No. 1 TA), filed March 2, 1970. Applicant: EARL DONLEY, doing business as DONLEY TRUCKING, Onarga, Ill. 60955. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, dry; animal feed and animal feed supplements, dry agricultural insecticides and pesticides, dry*, from Milford, Ill., and points within 5 miles thereof to points in Illinois, Indiana, Wisconsin, Michigan, and Ohio, for 120 days. Supporting shipper: American Cyanamid Co., Post Office Box 400, Princeton, N.J. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 134372 TA, filed March 2, 1970. Applicant: EDWARD H. SINNER, Route 1, Box 554, Toppenish, Wash. 98948. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock and poultry feed and feed supplements*, in bulk or in packages, between points in Multnomah, Clackamas, Marion, Linn, Lane, Yamhill, Deschutes, Crook, Washington, and Lincoln Counties, Oreg., on the one hand, and, on the other hand, points in Washington, for 180 days. Supporting shippers: H. J. Stoll & Sons, Inc., 2320 Southeast Grand Avenue, Portland, Oreg. 97214; Western Packing Co., Inc., Post Office Box 552, Toppenish, Wash. 98948; White Star Concentrates Co., 223 Southeast Third Avenue, Portland, Oreg. 97214; Mabton Feed, Mabton, Wash. 98935; H & H Packing Co., Post Office Box 1421, Yakima, Wash. 98901. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-3027; Filed, Mar. 11, 1970; 8:51 a.m.]

[Notice 505]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 9, 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-71782. By order of March 5, 1970, the Motor Carrier Board approved the transfer to Young and Hay Transportation Co., Worthington, Minn., of the operating rights in certificate No. MC-74195 issued November 17, 1958, to Max W. Kruger, doing business as Schuyler Transfer, Schuyler, Nebr., authorizing the transportation, over regular routes, or general commodities, except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment, between Schuyler, Nebr., and Omaha, Nebr., and between Schuyler, Nebr., and Lincoln, Nebr., serving specified intermediate and off-route points; and certificate of registration No. MC-74195 (Sub-No. 3) issued December 12, 1963, to Max W. Kruger, doing business as Schuyler Transfer, Schuyler, Nebr., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Nebraska, corresponding in scope to the service authorized by certificate of public convenience and necessity No. M-10943, dated August 15, 1958, issued by the Nebraska State Railway Commission. George E. McNally, 216 East 12th Street, Schuyler, Nebr. 68961, attorney for applicants.

No. MC-FC-71849. By order of March 6, 1970, the Motor Carrier Board approved the transfer to Ted Carpenter & Son, Inc., Fort Collins, Colo., of Certificate No. MC-57986 (Sub-No. 1) issued September 12, 1958, to Myrtle E. Carpenter and Roy T. Carpenter, a partnership, doing business as Ted Carpenter & Son, Fort Collins, Colo., authorizing the transportation of: Household goods, between specified points in Colorado, on the one hand, and, on the other, points in Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, and Wyoming. Harold C. Greager, 333 West Mountain Avenue, Fort Collins, Colo. 80521, John P. Thompson, 450 Capitol Life Building, East 16th Avenue, at Grant, Denver, Colo. 80203, attorneys for applicants.

No. MC-FC-71943. By order of March 5, 1970, the Motor Carrier Board approved the transfer to Shupe & Yost, Inc., Greeley, Colo., of the operating rights in Permits Nos. MC-123075 (Sub-No. 2), MC-123075 (Sub-No. 12), MC-123075 (Sub-No. 13), and MC-123075 (Sub-No. 15) issued March 3, 1969, October 15, 1965, November 17, 1965, and August 3, 1966, respectively, to Harvey D. Shupe, Howard Yost, and Charles Mylander, a partnership, doing business as Shupe & Yost, Greeley, Colo., authorizing the transportation of fertilizer, from the plantsite of Leslie Salt Co. at or near Lake Point, Utah, to points in



Colorado and Wyoming and points in that part of Nebraska and South Dakota on and west of U.S. Highway 83; animal and poultry feed (excluding shipments of molasses for use as feeds, in bulk, in tank vehicles), from St. Joseph, Mo., to points in Colorado, Nebraska, Kansas, and Wyoming; salt and salt products, from the Leslie Salt Co. plantsite at or near Lake Point, Utah, to points in Nebraska on and west of U.S. Highway 83, points in 21 named Colorado counties, and points in Albany, Platte, Goshen, and Laramie Counties, Wyo., and from the plantsite of Solar Salt Co., in Tooele County, Utah, to points in Colorado, Kansas, and Wyoming, and those in that part of Nebraska and South Dakota on and west of U.S. Highway 83; animal and poultry mineral feed mixtures, from the site of the warehouse facility of Leslie Salt Co. at Salt Lake City, Utah, and the site of Leslie Salt Co. at Lake Point, Utah, to points in Colorado, and Wyoming and those in Nebraska and South Dakota on and west of U.S. Highway 83; and animal and poultry feed and animal and poultry feed ingredients and supplements (except liquid feed in tank vehicles), from sites of the plant and other facilities of Wilgro, Inc., at or near Longmont, Eaton, Fort Morgan, and Rocky Ford, Colo., to points in Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming; and from Ault, Colo., to points in South Dakota, Nebraska, and Kansas on and west of a line extending along U.S. Highway 83 from the North Dakota-South Dakota State line to Vivian, S. Dak., thence along U.S. Highway 16 to Presho, S. Dak., and thence along U.S. Highway 183 to the Kansas-Oklahoma State line, and to points in Wyoming. Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo. 80202, attorney for applicants.

No. MC-FC-71859. By order of March 2, 1970, the Motor Carrier Board approved the transfer to Celeryvale Transport, Inc., Denver, Colo., of certificates in Nos. MC-117803 and MC-117803 (Sub-No. 8), issued August 5, 1964 and July 12, 1966, respectively, to Lambertew Trucking, Inc., Denver, Colo., authorizing the transportation of: Bananas, from New Orleans, La., and Mobile, Ala., to Denver, Colorado Springs, and Pueblo, Colo., and agricultural commodities, in mixed loads with bananas, from points in Alabama, Louisiana, Mississippi, and parts of Texas, to points in Colorado. John P. Thompson, 450 Capitol Life Building, Denver, Colo. 80203, attorney for applicants.

No. MC-FC-71960. By order of March 5, 1970, the Motor Carrier Board approved the transfer to Francis J. Bearoff, Inc., King of Prussia, Pa., of the operating rights in Certificate No. MC-65811 issued February 19, 1965, to Alexander Marinelli, Inc., Ardmore, Pa., authorizing the transportation of such bulk commodities as are transported in dump trucks, between Ardmore, Pa., and points in Pennsylvania within 15 miles of Ardmore, on the one hand, and, on the other, points in New Jersey and points in New Castle County, Del. Raymond A. Thistle, Jr., Suite 1301, 1500 Walnut Street,

Philadelphia, Pa. 19102, attorney for applicants.

No. MC-FC-71971. By order of March 6, 1970, the Motor Carrier Board approved the transfer to Galena Towing, Inc., Brookfield, Wis., of Certificates Nos. MC-112916 (Sub-No. 1) and MC-112916 (Sub-No. 2) issued August 18, 1954 and March 14, 1961, respectively, to George B. Dannies, doing business as Galena Towing Service, Brookfield, Wis., authorizing the transportation of: Wrecked and disabled, and replacement vehicles for same, between specified points in Wisconsin, on the one hand, and, on the other, points in Minnesota, Iowa, Missouri, Nebraska, Illinois, Michigan, Indiana, Ohio, and Pennsylvania. Edward Solie, 4513 Vernon Boulevard, Madison, Wis. 53705, attorney for applicants.

No. MC-FC-71972. By order of March 15, 1970, the Motor Carrier Board approved the transfer to Robert W. R. Springer, Jr. and Charles T. Springer, a partnership, doing business as W. W. Springer and Son, Philadelphia, Pa., of Certificate No. MC-23332 issued June 12, 1937, to Robert W. R. Springer, doing business as W. W. Springer & Son, Philadelphia, Pa., authorizing the transportation of: Household goods, office furniture and equipment, and store fixtures, between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey, Delaware, Maryland, the District of Columbia, and a specified area of New York. Richard W. Stevens, 1339 Chestnut Street, Philadelphia, Pa. 19107, attorney at law.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-3028; Filed, Mar. 11, 1970;  
8:51 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

MARCH 9, 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. 41916—*Newsprint paper winding cores returned to mill points in Canada.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2971), for interested rail carriers. Rates on newsprint paper winding cores, old or reused, in carloads, as described in the application, returned, from points in official (including Illinois) territory, on the one hand, to mill points in Canada, on the other.

Grounds for relief — Carrier competition.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 70-3029; Filed, Mar. 11, 1970;  
8:51 a.m.]

[Ex Parte No. 265]

#### INCREASED FREIGHT RATES, 1970

At a general session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 6th day of March AD 1970.

It appearing that on March 3, 1970, a petition was filed with the Interstate Commerce Commission by the railroads listed in Appendix I thereto, being substantially all of the railroads in eastern and western territories in which it is requested that the Commission institute an investigation into the adequacy of freight rates and charges of all carriers by railroad within the United States; make all carriers by railroad within the United States respondents therein and authorize and permit increases in all freight rates and charges within, from, to, and via eastern territory, as defined in Appendix II to the petition and within, from, to, and via western territory, as defined in said Appendix II by 6 percent, subject to the table of minimum charges and certain exceptions as set forth in Appendix III to the petition. Petitioners also seek permission in said petition and motion to make such increased rates and charges effective on March 11, 1970, subject to the condition that refund be made in the event that after such investigation as the Commission may deem necessary, no increase or a lesser increase than that set forth in said petition is allowed with respect to particular rates; and pray for the entry of an order modifying all outstanding orders of the Commission to the extent necessary to enable the railroads to make the proposed increased rates and charges effective; and also for the entry of appropriate orders under sections 4 and 6 of the Interstate Commerce Act.

It further appearing, that on March 6, 1970, the Commission entered Special Permission Order No. 70-3700 authorizing the filing of the tariff schedules of increased rates and charges to become effective not earlier than June 2, 1970, upon not less than 75 days notice to the Commission and the general public, subject to possible suspension by the Commission as provided by the Act;

Upon consideration of the above-entitled petition and motion, and good cause appearing therefor:

It is ordered:

1. That an investigation under the above caption be and it is hereby instituted into and concerning the adequacy of all freight rates and charges of all common carriers by railroad in the United States; said investigation to include the proposals of the eastern and western railroads for increases in rates and charges as set forth in their petition and said investigation shall include the reasonableness and lawfulness of such increases.

2. That all common carriers by railroad subject to the Interstate Commerce Act be and they are hereby made respondents to this proceeding, pending further order of the Commission on the status of non-petitioning railroads.

3. That under section 4 of the Administrative Procedure Act (5 U.S.C.

section 553), sections 4, 6, 15, and 15a of the Interstate Commerce Act (49 U.S.C. sections 4, 6, 15, 15a) any person may submit statements, with or without exhibits attached, as set forth hereinafter. All such statements shall be duly verified in the manner provided by Rule 1.50 and Form No. 6 of the general rules of practice.

(a) Statements in support of petition and in justification of proposed tariffs shall be filed and served on or before March 23, 1970. An original and 24 copies of such statements shall be furnished to the Commission, a copy served upon each party of record in Ex Parte No. 262, and one copy shall be sent by first-class mail to each of the Regional Offices of the Commission listed in the appendix to this order, where it will be open to public inspection. A copy of such statements shall be furnished to any interested person upon request. Evidence in support of the petition to meet the petitioners' burden of proof shall be responsive to the admonitions of the Commission as set forth at pages 283 through 290 of the final report in Docket No. 256, Increased Freight Rates, 1967.

(b) On or before May 1, 1970, any party opposing the above-described tariffs and petition may file and serve verified statements as provided hereinafter. An original and 24 copies of each verified statement shall be furnished to the Commission. Service of 25 copies upon Mr. Edward A. Kaier, 1036 Transportation Building, Washington, D.C., shall constitute service upon all petitioners. One copy of each statement shall be sent by first-class mail to each of the Regional Offices of the Commission where it will be open to public inspection. A copy shall be furnished to any interested person upon request.

(c) In lieu of such verified statements, protests against the above-described tariffs may be filed by any interested party in accordance with the provisions of Rule 1.42 of the General Rules of Practice; *Provided, however,*

That such protests are filed with the Commission and served upon the petitioners on or before May 1, 1970.

(d) Replies by petitioners to verified statements and protests of opponents may be filed and served on or before May 11, 1970. An original and 24 copies shall be furnished to the Commission and the person whose verified statement is being replied to shall be served with a copy of the reply by first-class mail. A copy of each verified reply statement shall be sent to each of the Regional Offices of the Commission where it will be open to public inspection. A copy shall be furnished to any interested party upon request.

(e) Verified Statements and Reply Statements filed in accordance with the provisions of subparagraphs (a), (b), and (d), above will be considered, together with the protests referred to in subparagraph (c), and the briefs and oral argument hereinafter provided for, in determining the issues set forth in paragraph 5 below. In any subsequent proceedings pursuant to the investigation herein ordered the verified statements herein provided for will be considered as submitted in evidence.

4. That briefs supplemental to or in lieu of oral argument may be filed and served on or before May 15, 1970. Filing and service by parties opposing the petition and tariffs shall conform to the requirements regarding verified statements set forth in subparagraph (b) above. Filing and service by the petitioners shall be as provided for verified statements in subparagraph (a), above, except that in lieu of service upon parties of record in Docket No. 262, service shall be made upon parties filing and serving protests and statements in opposition in this proceeding.

5. That an oral argument will be held before the Commission at its offices in Washington, D.C., beginning at 10 a.m. (e.d.t.), May 20, 1970. Any person desiring to participate in oral argument shall, on or before May 7, 1970, request

an allotment of time. The oral argument will include the issues of whether to grant the increases sought in the above-described petition, or whether to suspend the proposed tariff schedules in whole or in part. The Commission will take official notice of Freight Commodity Statistics of class I railroads for the year 1968, and Analyses of the 1-percent sample of Waybills by the Commission's Bureau of Economics.

6. That a copy of this order be filed with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested parties.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

APPENDIX I—EX PARTE No. 265

INCREASED FREIGHT RATES, 1970

Region 1

John Fitzgerald Kennedy Building, Government Center, Room 2211B, Boston, Mass. 02203.

Region 2

900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

Region 3

Room 300, 1252 West Peachtree Street, NW., Atlanta, Ga. 30309.

Region 4

1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

Region 5

Room 9A27, Fritz Garland Lanham Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

Region 6

13001 Federal Office Building, 450 Golden Gate Avenue, Post Office Box 36004, San Francisco, Calif. 94102.

[F.R. Doc. 70-2937; Filed, Mar. 11, 1970; 8:45 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MARCH

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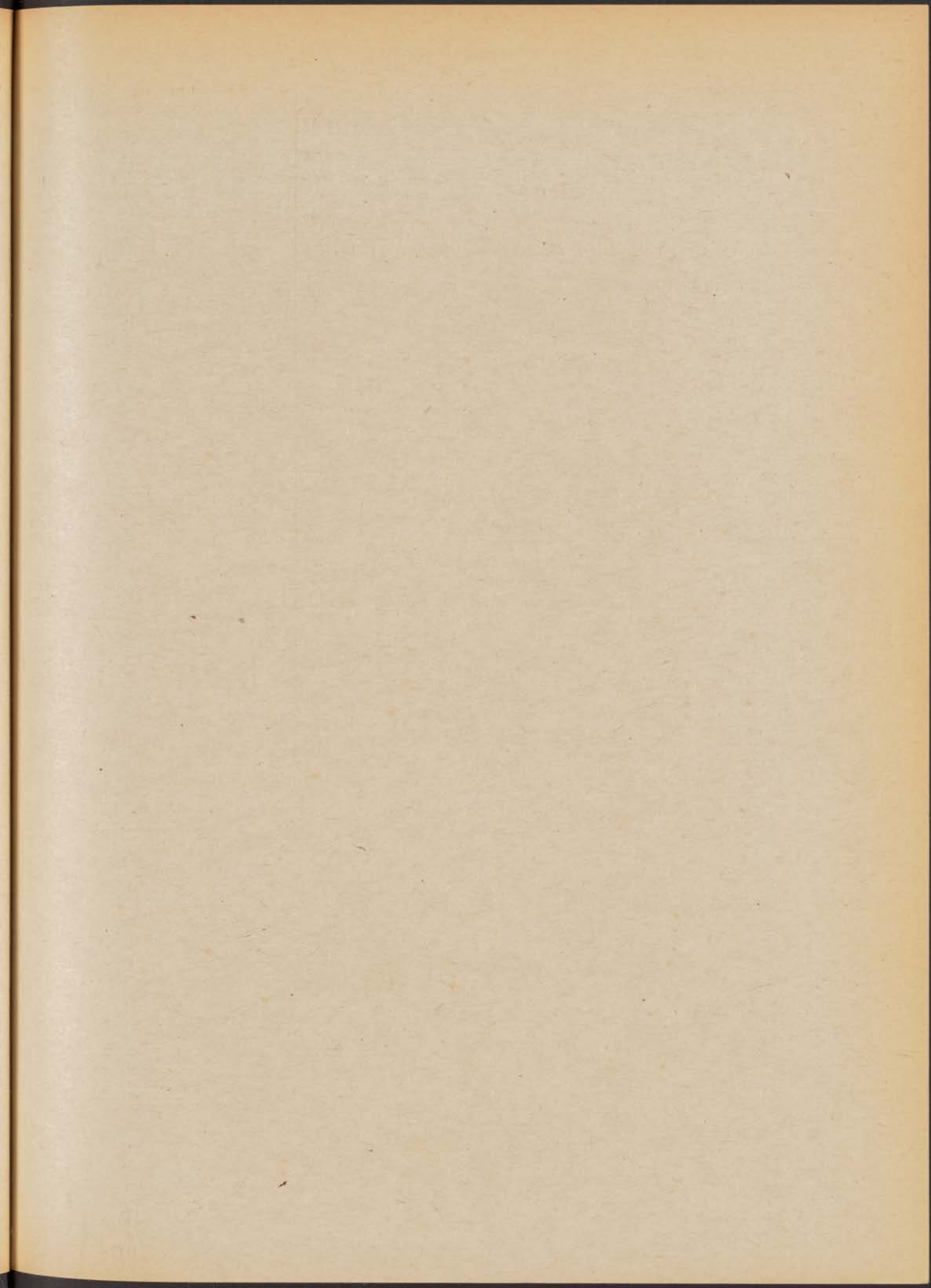
371	4213
1033	4261
1307	4052, 4261

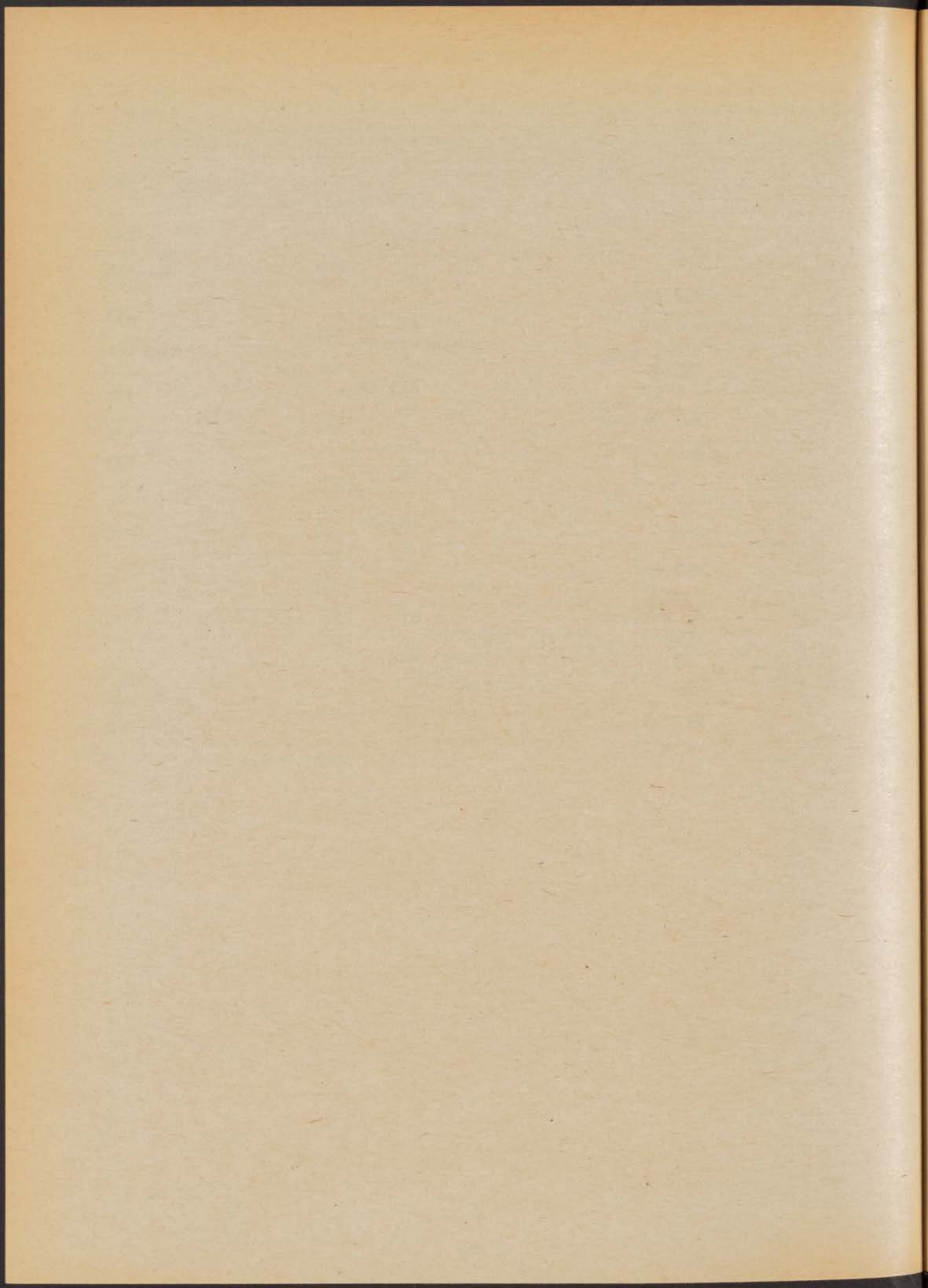
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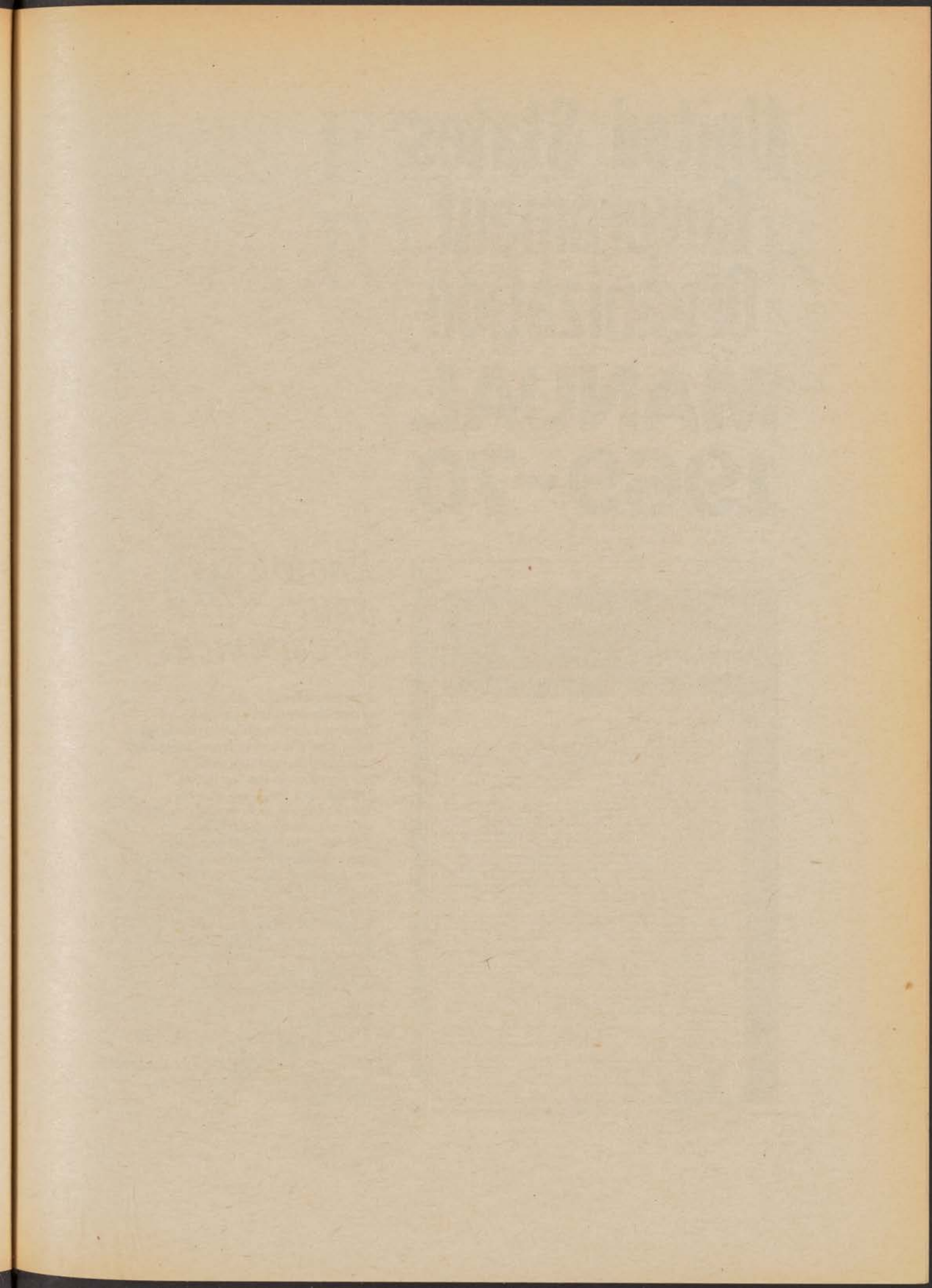
173	4267
192	4413
236	4333
371	4136, 4266

**50 CFR**

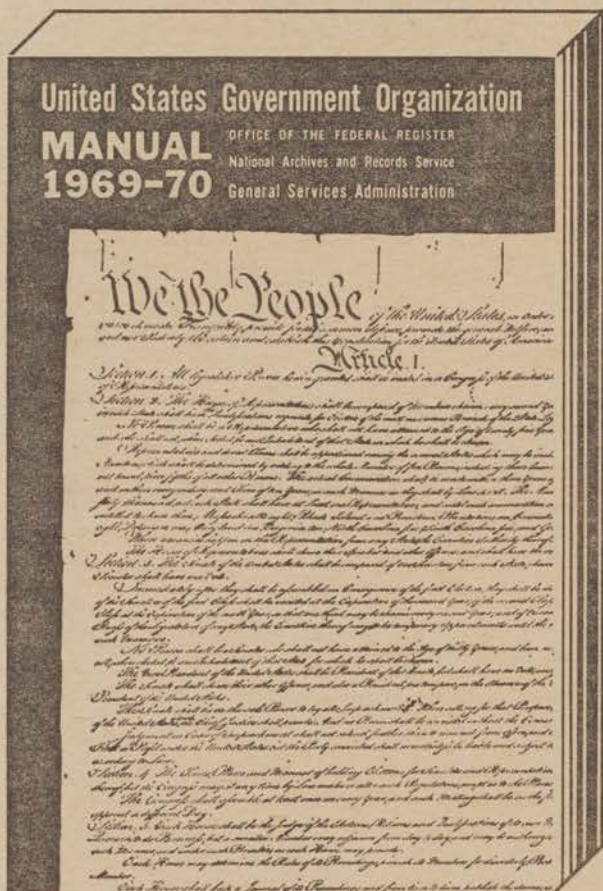
33	3995, 4294, 4330
258	4052







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