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Title 3—The President

PROCLAMATION 4128

National Hunting and Fishing Day

By the President of the United States of America

A Proclamation

For many years, responsible hunters and fishermen have been in the vanguard of efforts to halt the destruction of our land and waters and protect the natural habitat so vital to our wildlife.

Through a deep personal interest in our wildlife resources, the American hunter and fisherman have paved the way for the growth of modern wildlife management programs. In addition, his purchase of licenses and permits, his payment of excise taxes on hunting and fishing equipment, and his voluntary contributions to a great variety of conservation projects are examples of his concern for wildlife populations and habitat preservation.

His devotion has promoted recreational outlets of tremendous value for our citizens, sportsmen and nonsportsmen alike. Indeed, he has always been in the forefront of today's environmental movement with his insistence on sound conservation programs.

In recognition of the many and worthwhile contributions of the American hunter and angler, the Congress, by Senate Joint Resolution 117, has requested the President to declare the fourth Saturday of September 1972 as National Hunting and Fishing Day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Saturday, September 23, 1972, as National Hunting and Fishing Day.

I urge all our citizens to join with outdoor sportsmen in the wise use of our natural resources and in insuring their proper management for the benefit of future generations.

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

Richard Nixon

[FR Doc.72-6883 Filed 5-2-72; 2:37 pm]

PROCLAMATION 4129

Senior Citizens Month, 1972

By the President of the United States of America

A Proclamation

There are certain landmark years in every individual's life—memorable, significant years of advance and achievement.

This year offers promise of becoming a landmark year in the lives of America's 21 million older citizens.

In December 1971, I met with 3500 delegates to the White House Conference on Aging. I told the delegates that I did not want their recommendations to gather dust on storeroom shelves. And I promised to join them in making 1972 a year of action for older Americans.

Since that time, we have been reviewing those recommendations—and a number of action steps have already been taken. For example, we have increased the budget for the Administration on Aging tenfold. I have signed into law a new national nutrition program for older people. We are working to ensure that needed transportation services are included in service projects for the elderly. Programs to involve older people in voluntary service to others are growing. And we are moving forward with other, earlier efforts—such as our campaign to reform nursing home care and our program to provide hundreds of information centers for older persons at the local level.

All of these endeavors complement our basic program for improving the income position of the elderly. If the Congress approves my recommendations for reforming and expanding social security and other income maintenance programs, the income of older Americans would be increased by some $5.5 billion annually.

Of course, there is much that remains to be done. One important challenge is to help all our people develop a new attitude toward aging, one which stops regarding older Americans as a burden and starts regarding them as a resource. For such an attitude will not only contribute to the dignity of life for older Americans, it will also give our country the immense benefit of their skills and their wisdom.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate May 1972 as Senior Citizens Month. The theme for this month is ACTION NOW.

I urge officials of government at all levels—national, State, and local—and of voluntary organizations and private groups everywhere, to give special attention during this period to the concerns of the elderly, so that it may truly be a high point in a year of action for older Americans.

I also urge each individual American to use this month as a time to make a personal commitment to action on behalf of older people—so that the last years may be among the best years for all of our countrymen.

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

Richard Nixon

[FR Doc. 72–6884 Filed 5–2–72; 2:38 pm]

EXECUTIVE ORDER 11669

J. Edgar Hoover

As a mark of respect to the memory of J. Edgar Hoover, it is hereby ordered, pursuant to the provisions of Section 4 of Proclamation 3044 of March 1, 1954, as amended, that until interment the flag of the United States shall be flown at half-staff on all buildings, grounds and naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

Richard Nixon

THE WHITE HOUSE,
May 2, 1972.

[FR Doc.72-6882 Filed 5-2-72; 2:37 pm]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Transportation

Section 213.3394 is amended to show that the position of Director, Office of Public Affairs, Office of the Secretary, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–4–72), subparagraph (29) is added to paragraph (a) of § 213.3394 as set out below.

§ 213.3394 Department of Transportation.

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

(29) Director, Office of Public Affairs.

* * * * *

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

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

[FR Doc.72–6794 Filed 5–3–72;8:49 am]

Title 7—AGRICULTURE

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

[Navel Orange Reg. 267]

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

Limitation of Handling

§ 907.567 Navel Orange Regulation 267.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 2, 1972.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period May 5, 1972, through May 11, 1972, are hereby fixed as follows:

(i) District 1: 840,000 cartons;

(ii) District 2: 160,000 cartons;

(iii) District 3: Unlimited.

(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: May 3, 1972.

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

[FR Doc.72–6937 Filed 5–3–72;11:37 am]

[Valencia Orange Reg. 390]

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

Limitation of Handling

§ 908.690 Valencia Orange Regulation 390.

(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, 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 May 2, 1972.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 5, 1972, through May 11, 1972, are hereby fixed as follows:

(i) District 1: 37,274 cartons;

(ii) District 2: 96,304 cartons;

(iii) District 3: 250,000 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: May 3, 1972.

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

[FR Doc.72-6936 Filed 5-3-72;11:37 am]

Chapter XI—Agricultural Marketing Service (Marketing Agreements and Orders; Miscellaneous Commodities), Department of Agriculture

PART 1205—COTTON RESEARCH AND PROMOTION

Subpart—Fiscal Period

On March 17, 1972 a notice of proposed rule making was published in the FEDERAL REGISTER (37 (F.R. 5634) regarding a proposal to change the fiscal period in § 1205.305 of the Cotton Research and Promotion Order, effective under the Cotton Research and Promotion Act (7 U.S.C. 2101 et seq.).

Interested parties were afforded 10 days in which to submit data, views, or arguments with respect to the proposed change in the fiscal period. Comments favoring the change were received from Cotton, Inc., and no comments opposing the change were submitted.

The notice proposed changing the fiscal period from the calendar year to a 12-month budgetary period beginning July 1 and ending June 30 of the following year. The initial period under such proposal would begin July 1, 1972, and the current fiscal period would be terminated on June 30, 1972.

Section 1205.305 of the order authorizes the Cotton Board, with the approval of the Secretary, to select a fiscal period other than the calendar year as a 12-month budgetary period. The new fiscal period was proposed by the Cotton Board as a more suitable period for budget planning and program operations than the calendar year. Also, fiscal period beginning July 1 would conform more closely with the cotton marketing year which begins August 1 each year, during which $1 per bale assessments are collected pursuant to the order. Such change in fiscal period would also have the desirable effect of better coordinating other research and promotion activities with respect to cotton which are currently operative under other government programs.

After consideration of all relevant matter presented, including that in the notice, the recommendations of the Cotton Board and the comments by Cotton, Inc. favoring the change, and other available information, it is found that the change proposed in the notice is in accordance with the order and will tend to effectuate the declared policy of the Act and, for reasons hereinafter set forth, should become effective at the time provided herein.

Therefore, it is hereby ordered, That a new subpart is established in 7 CFR Part 1205—Cotton Research and Promotion—to reflect the change in the fiscal period to read as follows:

§ 1205.600 Establishment of new fiscal period.

In accordance with 7 CFR 1205.305, the 12-month budgetary period selected to constitute the fiscal period shall begin July 1 and end June 30 of the following year. The initial fiscal period pursuant to this subpart shall begin July 1, 1972, and the current fiscal period which began January 1, 1972, shall terminate June 30, 1972.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication and for making it effective upon publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: This action should become effective promptly in order to achieve maximum benefits by affording as much time as practicable for the initiation of appropriate and timely action with respect to cotton research and promotion planning and programming, and budgeting therefor, in conformity with the new 12-month fiscal period which will commence July 1, 1972, and the shortening of the current fiscal period which will end June 30, 1972.

(Sec. 15, 80 Stat. 285; 7 U.S.C. 2114)

Effective date. This revision shall become effective upon publication in the FEDERAL REGISTER (5-4-72).

Dated: May 1, 1972.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[FR Doc.72-6812 Filed 5-3-72;8:51 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1972 Crop Rye Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1972 Crop Rye Loan and Purchase Program

On September 11, 1971, notice of proposed rule making regarding loan and purchase rates for 1972-crop rye and detailed operating provisions to carry out the 1972 rye loan program was published in the FEDERAL REGISTER (36 F.R. 18322). No data, views, or recommendations were filed by interested persons.

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations (35 F.R. 10355), and any amendments to such regulations, are further supplemented for the 1972 crop of rye by adding §§ 1421.350–1421.354 to read as follows. The material previously appearing in these sections under centerhead "1970 Crop Rye Loan and Purchase Program and 1971 Crop Rye Loan and Purchase Program" remains in full force and effect as to the 1970 and 1971 crops to which it was applicable.

Sec.
1421.350 Purpose.
1421.351 Availability.
1421.352 Maturity of loans.
1421.353 Warehouse charges.
1421.354 Loan and purchase rates.

AUTHORITY: The provisions of the subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.350 Purpose.

This supplement contains program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations, and any amendments thereto, apply to loans and purchases with respect to the 1972 crop of rye.

§ 1421.351 Availability.

A producer desiring a 1972-crop rye loan must request such loan on his eligible rye on or before March 31, 1973. To sell eligible rye to CCC, a producer must execute and deliver to the appropriate county ASCS office, on or before April 30, 1973, a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1972 crop rye he will sell to CCC.

§ 1421.352 **Maturity of loans.**

Unless demand is made earlier, all loans on rye will mature an April 30, 1973.

§ 1421.353 **Warehouse charges.**

Subject to the provisions of § 1421.342, the schedule of deductions set forth in this section shall apply to rye stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES

Maturity date of Apr. 30, 1973	*Deduction (cents per bushel)*
[1]	
Prior to May 28, 1972	14
May 28–June 21	13
June 22–July 16	12
July 17–Aug. 10	11
Aug. 11–Sept. 4	10
Sept. 5–Sept. 29	9
Sept. 30–Oct. 24	8
Oct. 25–Nov. 18	7
Nov. 19–Dec. 13	6
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Feb. 2–Feb. 26	3
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[1] Dates storage charges start, all dates inclusive.

§ 1421.354 **Loan and purchase rates.**

(a) *Basic loan and purchase rates (counties).* Basic rates per bushel for loan and settlement purposes for rye are established for rye grading U.S. No. 2 or better, or U.S. No. 3 on the factor of test weight only and are as follows:

ALABAMA

County	*Rate per bushel*
All counties	$1.03

ARIZONA

All counties	$0.93

ARKANSAS

All counties	$0.91

Alameda	$1.10	San Francisco	$1.10
Los Angeles	1.10	San Joaquin	1.10
Sacramento	1.10	All other counties	.97
San Diego	1.10		

COLORADO

All counties	$0.78

CONNECTICUT

All counties	1.02

DELAWARE

All counties	1.02

FLORIDA

All counties	1.08

GEORGIA

All counties	1.08

IDAHO

All counties	$0.93

ILLINOIS

Cook	$1.03	All other counties	$0.97
St. Clair	1.03		

INDIANA

All counties	$0.93

IOWA

Pottawattamie	$0.95	All other counties	$0.92
Woodbury	.95		

KANSAS

County	*Rate per bushel*		
Wyandotte	$0.95	All other counties	$0.84

KENTUCKY

All counties	$1.02

LOUISIANA

East Baton Rouge	$1.12	West Baton Rouge	$1.12
Jefferson	1.12	All other counties	.93
Orleans	1.12		
St. Charles	1.12		

MAINE

All counties	$1.02

MARYLAND

Baltimore City	$1.18	All other counties	$1.02

MASSACHUSETTS

All counties	$1.02

MICHIGAN

All counties	$0.89

MINNESOTA

Aitkin	$0.96	Martin	$0.94
Anoka	.96	Meeker	.96
Becker	.90	Mille Lacs	.96
Beltrami	.92	Morrison	.95
Benton	.96	Mower	.96
Big Stone	.92	Murray	.92
Blue Earth	.96	Nicollet	.96
Brown	.96	Nobles	.91
Carlton	.96	Norman	.88
Carver	.96	Olmsted	.96
Cass	.95	Otter Tail	.92
Chippewa	.95	Pennington	.88
Chisago	.96	Pine	.96
Clay	.89	Pipestone	.91
Clearwater	.91	Polk	.88
Cottonwood	.94	Pope	.95
Crow Wing	.96	Ramsey	.96
Dakota	.96	Red Lake	.88
Dodge	.96	Redwood	.95
Douglas	.94	Renville	.96
Faribault	.95	Rice	.96
Fillmore	.93	Rock	.88
Freeborn	.96	Roseau	.84
Goodhue	.96	St. Louis	.97
Grant	.93	Scott	.96
Hennepin	.96	Sherburne	.96
Houston	.92	Sibley	.96
Hubbard	.92	Stearns	.96
Isanti	.96	Steele	.96
Itasca	.96	Stevens	.93
Jackson	.94	Swift	.95
Kanabec	.96	Todd	.95
Kandiyohi	.96	Traverse	.91
Kittson	.83	Wabasha	.96
Koochiching	.92	Wadena	.93
Lac qui Parle	.93	Waseca	.96
Lake of the Woods	.88	Washington	.96
Le Sueur	.96	Watonwan	.95
Lincoln	.91	Wilkin	.91
Lyon	.93	Winona	.96
McLeod	.96	Wright	.96
Mahnomen	.89	Yellow Medicine	.94
Marshall	.86		

MISSISSIPPI

All counties	$1.02

MISSOURI

St. Louis	$1.03	All other counties	$0.95

MONTANA

All counties	$0.75

NEBRASKA

County	*Rate per bushel*	*County*	*Rate per bushel*
Adams	$0.91	Jefferson	$0.94
Antelope	.93	Johnson	.95
Arthur	.83	Kearney	.90
Banner	.78	Keith	.83
Blaine	.88	Keyapaha	.88
Boone	.93	Kimball	.79
Box Butte	.80	Knox	.93
Boyd	.91	Lancaster	.95
Brown	.88	Lincoln	.85
Buffalo	.90	Logan	.86
Burt	.95	Loup	.89
Butler	.95	McPherson	.85
Cass	.95	Madison	.94
Cedar	.93	Merrick	.93
Chase	.82	Morrill	.79
Cherry	.85	Nance	.93
Cheyenne	.79	Nemaha	.95
Clay	.92	Nuckolls	.91
Colfax	.95	Otoe	.95
Cuming	.95	Pawnee	.95
Custer	.88	Perkins	.82
Dakota	.94	Phelps	.89
Dawes	.79	Pierce	.94
Dawson	.88	Platte	.94
Deuel	.82	Polk	.94
Dixon	.93	Red Willow	.86
Dodge	.95	Richardson	.95
Douglas	.95	Rock	.88
Dundy	.82	Saline	.94
Fillmore	.93	Sarpy	.95
Franklin	.89	Saunders	.95
Frontier	.86	Scotts Bluff	.78
Furnas	.88	Seward	.95
Gage	.95	Sheridan	.82
Garden	.82	Sherman	.90
Garfield	.90	Sioux	.78
Gosper	.88	Stanton	.95
Grant	.83	Thayer	.93
Greeley	.92	Thomas	.86
Hall	.91	Thurston	.94
Hamilton	.93	Valley	.90
Harlan	.89	Washington	.95
Hayes	.84	Wayne	.94
Hitchcock	.84	Webster	.90
Holt	.91	Wheeler	.92
Hooker	.85	York	.94
Howard	.92		

NEVADA

All counties	$0.83

NEW HAMPSHIRE

All counties	1.02

NEW JERSEY

All counties	1.02

NEW MEXICO

All counties	.82

NEW YORK

Albany	$1.18
New York City	1.18
All other counties	$1.03

NORTH CAROLINA

All counties	1.08

NORTH DAKOTA

Adams	$0.75	Golden Valley	$0.72
Barnes	.84	Grand Forks	.85
Benson	.77	Grant	.76
Billings	.73	Griggs	.83
Bottineau	.72	Hettinger	.75
Bowman	.74	Kidder	.79
Burke	.71	La Moure	.84
Burleigh	.78	Logan	.81
Cass	.87	McHenry	.74
Cavalier	.78	McIntosh	.82
Dickey	.85	McKenzie	.70
Divide	.69	McLean	.74
Dunn	.74	Mercer	.75
Eddy	.80	Morton	.77
Emmons	.79	Mountrail	.71
Foster	.81	Nelson	.82

NORTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Oliver	$0.75	Slope	$0.75
Pembina	.83	Stark	.75
Pierce	.75	Steele	.84
Ramsey	.79	Stutsman	.82
Ransom	.87	Towner	.75
Renville	.71	Traill	.85
Richland	.90	Walsh	.83
Rolette	.74	Ward	.72
Sargent	.88	Wells	.79
Sheridan	.76	Williams	.69
Sioux	.77		

OHIO

All counties	$0.93

OKLAHOMA

All counties	$0.88

OREGON

Clatsop	$1.11	All other counties	$1.02
Multonomah	1.11		

PENNSYLVANIA

Philadelphia	$1.18	All other counties	$1.02

RHODE ISLAND

All counties	$1.02

SOUTH CAROLINA

Charleston	$1.18	All other counties	$1.08

SOUTH DAKOTA

Aurora	$0.84	Jackson	$0.80
Beadle	.86	Jerauld	.84
Bennett	.80	Jones	.83
Bon Homme	.87	Kingsbury	.88
Brookings	.90	Lake	.87
Brown	.86	Lawrence	.73
Brule	.84	Lincoln	.87
Buffalo	.84	Lyman	.84
Butte	.73	McCook	.85
Campbell	.81	McPherson	.83
Charles Mix	.85	Marshall	.88
Clark	.88	Meade	.74
Clay	.88	Mellette	.83
Codington	.89	Miner	.85
Corson	.77	Minnehaha	.87
Custer	.75	Moody	.89
Davison	.84	Pennington	.76
Day	.88	Perkins	.75
Deuel	.91	Potter	.84
Dewey	.77	Roberts	.90
Douglas	.85	Sanborn	.84
Edmunds	.84	Shannon	.78
Fall River	.75	Spink	.87
Faulk	.85	Stanley	.83
Grant	.91	Sully	.84
Gregory	.85	Todd	.83
Haakon	.80	Tripp	.84
Hamlin	.89	Turner	.86
Hand	.85	Union	.89
Hanson	.84	Walworth	.82
Harding	.73	Washabaugh	.80
Hughes	.84	Yankton	.87
Hutchinson	.86	Ziebach	.76
Hyde	.84		

TENNESSEE

Shelby	$1.05	All other counties	$1.03

TEXAS

Galveston	$1.12	San Patricio	$1.12
Harris	1.12	All other counties	.93
Jefferson	1.12		
Nueces	1.12		

UTAH

All counties	$0.78

VERMONT

All counties	$1.02

VIRGINIA

Chesapeake (Norfolk)	$1.18	All other counties	$1.02

WASHINGTON

Clark	$1.11	Pierce	$1.11
Cowlitz	1.11	All other counties	1.02
King	1.11		

WEST VIRGINIA

All counties	$1.02

WISCONSIN

Milwaukee	$1.03	All other counties	$0.97

WYOMING

All counties	$0.81

(b) *Discounts.* (1) The basic rates shall be adjusted by discounts as follows: Rye containing more than three-tenths of 1 percent ergot (ergoty rye containing in excess of 1 percent is not eligible for warehouse-storage loans).

Ergot content (percent):	Discount (cents per bushel)
0.31–0.40	1
0.41–0.50	2
0.51–0.60	3
0.61–0.70	4
0.71–0.80	5
0.81–0.90	6
0.91–1.00	7

Rye grading U.S. No. 4 on the factor of test weight only:

Test weight (pounds):	Discount (cents per bushel)
51.0–51.9	5
50.0–50.9	10
49.0–49.9	15

Rye grading U.S. No. 3 on account of being "thin."

"Thin" rye (percent):	Discount (cents per bushel)
15.1–17.0	1
17.1–19.0	2
19.1–21.0	3
21.1–23.0	4
23.1–25.0	5

Rye grading U.S. No. 4 on account of being "thin."

(2) The discounts shall be 5 cents per bushel plus 1 cent for each 2 percent of "thin" rye or fraction thereof, in excess of 25 percent.

Weed control discount (where required by § 1421.25)	10

(3) Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of rye such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour, and heating. Such discounts will be established approximately 1 month prior to the loan maturity date for rye and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts and adjustments thereof at county ASCS offices approximately 1 month prior to the loan maturity date or as soon thereafter as practicable.

Effective date: Upon publication in the FEDERAL REGISTER (5–4–72).

Signed at Washington, D.C., April 26, 1972.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.72–6709 Filed 5–3–72;8:45 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Inspection Service, Department of Agriculture

SUBCHAPTER A—ANIMAL WELFARE

PART 11—HORSE PROTECTION

Clarification of Boots

Pursuant to the provisions of the Act of December 9, 1970 (Public Law 91–540; 84 Stat. 1404; 15 U.S.C. 1821–1831), Part 11, Title 9, Code of Federal Regulations, relating to the protection of certain show horses against the practice of "soring" is hereby amended in the following respects:

Section 11.3 is amended to read:

§ 11.3 Boots.

The only boots permitted to be used under the regulations in this part on any horse shall be:

(a) Those boots known to the industry as "fixed boots." These include types such as, but not limited to, heel boots, trotting boots, skid or sliding boots, splint boots, quarter boots, and shoeguard boots.

(b) Hinged quarter boots which meet the following requirements: The lower portion of the boot shall be firmly attached by a strap and buckle or similar humane device to the foot below the hairline. The upper half of the boot shall be fastened to the lower half in such a manner that there shall be not more than a 1-inch separation between the two halves and that such connection does not cause pain or discomfort. The upper half of the boot shall be constructed in such a way that any part in contact with the skin shall be soft, smooth, and free of projections. No attachments, weights, or other devices shall be affixed to the upper half of the boot, except that a fastening device may be used if it is so designed and used as to avoid physical pain to the horse when moving and to avoid extreme physical distress and inflammation of any part of the horse.

(c) Rubber bell boots which are characterized by a bell shape and soft flexible rubber and which weigh 16 ounces or less.

(d) Leather bell boots: *Provided*, That:

(1) The inner surface of the boot must be smooth, straight and flat and free of all swellings, projections, or sharp edges, except for any unavoidable structural irregularities;

(2) The lining must be soft leather, felt or similar material;

(3) The boots shall not weigh in excess of 16 ounces each;

(4) The bell portion, exclusive of any soft roll on the top, shall completely encircle the pastern and shall be a minimum of 2½ inches in height.

(Sec. 9, 84 Stat. 1406; 15 U.S.C. 1828; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER (5–4–72).

The purpose of this amendment is to clarify the provisions of the regulations in § 11.3 which specify the kind of boots permitted to be used under the regulations in this part on any horse.

The foregoing amendment should be made effective promptly in order to effectuate the objectives of the Horse Protection Act. 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 amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of May 1972.

F. J. MULHERN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-6791 Filed 5-3-72;8:49 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Restrictions on Importation of Poultry and Other Birds

Pursuant to the provisions of section 2 of the Act of February 2, 1903, as amended, and sections 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f), Part 92, Title 9, Code of Federal Regulations is hereby amended in the following respects:

§ 92.1 [Amended]

1. Section 92.1(c) is amended to read: (c) Deputy Administrator, Veterinary Services. The Deputy Administrator, Veterinary Services, or any official in the Veterinary Services unit of the Animal and Plant Health Inspection Service of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

2. In § 92.2, paragraphs (a) and (b) are amended and new paragraph (c) is added to read:

§ 92.2 General prohibitions; exceptions.

(a) No animal or product subject to the provisions of this part shall be brought into the United States except in accordance with the regulations in this part and Part 94 of this subchapter; nor shall any such animal or product be handled or moved after physical entry into the United States before final release from quarantine or any other form of governmental detention except in compliance with such regulations.

(b) The provisions in this Part 92 relating to poultry shall also apply, unless otherwise specified in this part, to all psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa. Any other birds which arrive in the United States aboard a means of conveyance transporting poultry, psittacine birds, or Greater or Lesser Indian Hill Mynah birds of the species Gracula religiosa, may be subjected to the same port of entry inspection, procedures, tests, and quarantines as required by §§ 92.8 and 92.11 for poultry, psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa, when the Deputy Administrator of Veterinary Services determines and notifies the importer in each specific case that such inspections, tests, and quarantines are necessary to protect the poultry population of the United States.

(c) The provisions in this Part 92 relating to poultry and psittacine and mynah birds shall not apply to healthy psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa not known to be infected with or exposed within the 45 days preceeding their arrival in the United States to communicable diseases of poultry and which are maintained under continuous confinement aboard an ocean vessel or aircraft while in United States territory: *Provided*, That the captain of the vessel or aircraft, if it enters any port of the United States, executes and furnishes to the collector of customs at the port a declaration stating that the birds will be retained aboard such means of conveyance under the conditions required by this paragraph: *And provided further*, That Department inspectors may inspect psittacine and mynah birds on board such means of conveyance as provided in section 5 of the Act of July 2, 1962 (21 U.S.C. 134d) to ascertain whether such conditions are met, and dispose of such birds in accordance with section 2 of the Act of July 2, 1962 (21 U.S.C. 134a) if the conditions are not met.

§§ 92.3, 92.11, 92.19 [Amended]

3. In §§ 92.3(f), 92.11(c)(2), and 92.19 (a), the references to "Greater and Lesser Hill Mynah birds (Granula Linnaeus 1758 and Eulabes Cuvier 1817)" are deleted, and the term "Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa" is substituted therefor.

4. In § 92.4, the last sentence of paragraph (b) is amended to read:

§ 92.4 Import permits for ruminants, swine, and poultry and for animal semen.

* * * * *

(b) * * * Ruminants, swine, poultry, and animal semen (and psittacine and mynah birds) for which a permit is required by these regulations will not be eligible for entry if a permit has not been issued; if unaccompanied by such a permit; if shipment is from any port other than the one designated in the permit; if arrival in the United States is at any port other than the one designated in the permit; if the animals (including poultry, psittacine and mynah birds) or semen offered for entry differ from those described in the permit; if the animals or semen are not handled as outlined in the application for the permit and as specified in the permit issued; or in the case of ruminants and swine, if ruminants or swine other than those covered by import permits are aboard the transporting carrier.

* * * * *

§ 92.5 [Amended]

5. In § 92.5, in the first and third sentences in paragraph (b)(1), the phrases "except Canada and Mexico as provided in §§ 92.26 and 92.38," and ", except as provided in §§ 92.26 and 92.38" are deleted; and paragraph (b)(2) is amended to read:

(2) All species of psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa offered for importation from any country of the world shall be accompanied by a certificate issued by a full-time salaried veterinary officer of the national government of the country from which the birds were shipped stating that all birds covered by the certificate had been kept under quarantine for a period of at least 45 days, under his immediate supervision in a Department-approved facility in that country in accordance with the requirements of § 92.5a; that during that quarantine period there was no evidence of Newcastle disease, ornithosis, or other communicable diseases common to poultry among the birds in quarantine and insofar as has been possible to determine, they were not exposed to such diseases; that Newcastle disease did not occur anywhere on the premises where the birds were kept or on adjoining premises during the 90 days immediately preceding the exportation of such birds and that these premises are not located in any area under quarantine during the preceding 90 days.

6. A new § 92.5a is added to read as follows:

§ 92.5a Foreign quarantine of psittacine and Greater and Lesser Indian Hill mynah birds intended for importation into the United States; requirements.

Psittacine and Greater and Lesser Indian Hill mynah birds intended for importation into the United States shall be quarantined for a minimum of 45 days, immediately preceding their exportation to the United States, at a "USDA-

Approved Quarantine Facility"[6] located in the country from which the birds are to be shipped to the United States. Applications for approval of facilities shall be made in writing to the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(a) To qualify for designation as a "USDA-Approved Quarantine Facility" and to retain such approval, the facility must meet the minimum requirements of subparagraphs (1) and (2) of this paragraph.

(1) *Supervision of the facility.* The facility shall be maintained under the immediate supervision of a full-time, salaried veterinary officer of the national government of the country from which the birds are to be shipped to the United States (hereinafter referred to as the foreign veterinary officer). The foreign veterinary officer shall be in charge of the facility.

(2) *Physical plant requirements.* The facility shall comply with the following requirements:

(i) *Location.* The quarantine facility shall be located:

(*a*) Within the vicinity of the port of export to curtail to a minimum the possibility of exposure of the birds to poultry diseases, while in transit from the quarantine facility to the point of embarkation;

(*b*) At least one-half mile from any concentration of avian species, such as, but not confined to, poultry, processing plants, poultry or bird farms or pigeon lofts. Factors such as prevailing winds, possible exposure to poultry or birds moving in local traffic, etc., shall be taken into consideration. If the quarantine facility consists of multiple units for separate lots of birds, the individual units shall be located at least one-half mile from each other.

(ii) *Construction.* The unit or units making up the quarantine facility shall each consist of a building or buildings which shall:

(*a*) Provide adequate disease security controls which conform to local climatic conditions (Open buildings shall be double screened with at least 3 feet of space between the screenings.);

(*b*) Be constructed only with materials that can withstand continued cleaning and disinfection. (All solid walls, floors, and ceilings shall be constructed of impervious material; all screening shall consist of metal.);

(*c*) Be of sufficient size to prevent overcrowding of the birds in quarantine;

(*d*) Provide for ventilation sufficient to maintain temperature, moisture, and odor levels that are not injurious to the health of the birds in quarantine;

(*e*) Have a vermin-proof feed storage area;

(*f*) Have office space for recordkeeping;

(*g*) Have a separate area for washing facility equipment;

(*h*) Have a separate post mortem room with adequate facilities for specimen preparation and carcass disposal;

(*i*) Have a clothes storage and change area at the entrance to each bird holding area and an area for storing equipment necessary for quarantine operations;

(*j*) Include equipment needed to maintain the facility in a clean and sanitary condition, including insect and pest control equipment.

(iii) *Sanitation and security.* Arrangements shall exist for:

(*a*) A supply of water adequate to meet all watering and cleaning needs.

(*b*) Disposal of wastes by burial, incineration, or a sewer system approved by the responsible foreign local official.

(*c*) Control of surface drainage onto or from the facility, designed to prevent any disease agent from entering or escaping.

(*d*) Protective clothing and footwear adequate to insure that workers at the facility have clean clothing and footwear at the start of each workday and when such articles become soiled or contaminated.

(*e*) Power cleaning and disinfecting equipment with adequate capacity to disinfect the facility and equipment.

(*f*) Sufficient stocks of a disinfectant listed in § 71.11 or § 71.12 of this chapter which is capable of destroying poultry disease producing agents;

(*g*) A system to maintain disease security which prevents contact of birds in quarantine with persons not authorized entry to the facility and with other birds and animals. Such system shall include a daily log to record the entry and exit of all persons entering the facility; controls at all doorways and other openings to the facility to prevent escape or accidental entry of birds; and where practicable a perimeter fence, moat or other satisfactory means of keeping the facility isolated from outside traffic.

(b) *Operational procedures.* To retain the designation "USDA-Approved Quarantine Facility" the following procedures shall be maintained at the facility at all times:

(1) *Personnel.* Access to the facility shall be granted only to persons working at the facility or to persons specifically granted such access by the foreign veterinary officer. All personnel granted access to the bird holding area shall:

(i) Wear clean protective clothing and footwear upon entering the bird holding area.

(ii) Change protective clothing and footwear when they become soiled or contaminated.

(iii) Follow strictly all procedures required by this section at the particular facility.

(iv) Report immediately any contact with any avian species outside the facility to the veterinary officer supervising the facility and be denied access to the facility until cleared by such veterinary officer.

(2) *Handling of the birds in quarantine.* The birds shall be kept in quarantine for a minimum of 45 days immediately preceding their exportation to the United States and while in quarantine shall be handled in compliance with the following requirements:

(i) Each individual bird in the facility shall be identified with a numbered band;

(ii) Each quarantined lot of birds shall be placed in the facility on an "all-in-all-out" basis (no birds shall be taken out of the lot while it is in quarantine and if additional birds are added, the total quarantine period shall be extended so that all birds have completed 45 days of quarantine immediately prior to embarkation);

(iii) The birds in quarantine shall not be vaccinated prior to exportation to the United States;

(iv) All feed given during the quarantine shall be medicated, as a precautionary treatment against ornithosis (psittacosis), in accordance with the guidelines of United States Public Health Service;[7]

(v) All birds which die during the quarantine period shall be subjected to an autopsy performed by a qualified person under the supervision of the foreign veterinary officer. Those birds found with lesions suggestive of any communicable disease of poultry shall be submitted for a laboratory examination at a laboratory acceptable to Veterinary Services, U.S. Department of Agriculture.[8] If evidence of a communicable disease of poultry is found, the lot to which the dead bird belongs shall not be certified for export to the United States;

(vi) During the quarantine period 10 birds or 10 percent of all birds in each lot in quarantine, whichever is greater, shall be required to be negative to the Hemagglutination-inhibition serological test for Newcastle disease. The collection of the blood for this testing shall be done under the supervision of the foreign veterinary officer. The test shall be conducted in a laboratory acceptable to Veterinary Services, U.S. Department of Agriculture.[8]

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[6] Information as to the Identity of such facilities may be obtained from the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

[7] Such guidelines may be obtained from the Director, Center for Disease Control, U.S. Public Health Service, Atlanta, Ga. 30333 or the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

[8] The acceptability of a laboratory will be determined, upon request by the prospective importer, in each specific case by the Deputy Administrator, Veterinary Services. A laboratory will be deemed acceptable if its facilities, equipment and procedures are found to be such as to permit the conduct of examinations and tests in accordance with procedures generally recognized as adequate by laboratory technicians to assure reliable results. A laboratory shall cease to be acceptable whenever the Deputy Administrator, Veterinary Services, determines, after opportunity is afforded to the affected importer and laboratory operator to present their views, that such examinations and tests cannot be or are not conducted in accordance with such procedures. Information as to the identity of acceptable laboratories may be obtained from the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The testing shall be done as early as possible in the 45-day period, preferably during the first 15 days. If a serological titer against Newcastle disease of 1/20 or greater is found in any of the birds in quarantine, those birds with such titers shall be removed. The negative birds of the lot may be retained, if 100 percent of these birds will be subjected to the Hemagglutination-inhibition test for Newcastle disease. If all these birds are found to be negative, they shall begin a new 45-day quarantine period. If additional birds are added to the original group of birds, 10 birds or 10 percent of the newly added birds, whichever is greater, as well as 10 birds or 10 percent of the original birds shall be subjected to the Hemagglutination-inhibition test for Newcastle disease. If frank or clinical Newcastle disease occurs among the birds in quarantine, all birds in the lot shall be destroyed. The entire facility shall be thoroughly cleaned and then disinfected as directed. Following the outbreak of Newcastle disease, no birds shall be placed into the facility or individual unit for a minimum period of 90 days;

(vii) The quarantine facility or the individual unit from which a lot of birds has been shipped shall be thoroughly cleaned and disinfected with a disinfectant listed in § 71.11 or § 71.12 of this chapter, before a new lot is moved in.

(3) *Records.* It shall be the responsibility of the veterinary officer who is in charge of the facility to maintain a daily log for each lot of birds, recording such information as the general condition of the birds each day, source and origin of the birds in the lot, number of birds in the lot, band numbers used in each lot, date lot was placed into the facility, number of deaths in the lot, post mortem and laboratory findings on birds that died during the quarantine, dates of serological tests and results, method of medicated feed preparation, USDA permit numbers for each lot, date lot was removed from the facility and for what reason and any other observation pertinent to the general health of the birds in the lot.

(c) Additional requirements as to location, security, physical plant and facilities, sanitation and other items may be imposed by the Deputy Administrator in each specific case in order to assure that the quarantine of the birds in such facility will be adequate to enable determination of their condition and prevent communication of diseases among the birds in quarantine.

(d) Before a decision is made with respect to the eligibility of any facility for initial approval, a personal inspection will be made of the facility to determine whether it complies with the requirements of this section by a veterinary medical officer of the Veterinary Services, Animal and Plant Health Inspection Service. The approval of any "USDA-Approved Quarantine Facility" may be refused or withdrawn at any time by the Department upon a determination by the Deputy Administrator that any of the requirements of this section are not met. Before such action is taken, the operator of the facility will be informed of the reasons for the proposed action and afforded opportunity to present his views.

7. Section 92.8 is amended to read:

§ 92.8 Inspection at the port of entry.

(a) Inspection shall be made at the port of entry of all horses, ruminants, swine, and poultry imported from any part of the world except as provided in §§ 92.25 and 92.33. All horses, ruminants, and swine found to be free from communicable disease and not to have been exposed thereto within 60 days prior to their exportation to the United States shall be admitted subject to the other provisions in this part; all poultry found to be free from communicable disease and not to have been exposed thereto within 90 days prior to their exportation to the United States shall be admitted subject to the other provisions in this part; all other animals and poultry except as provided in §§ 92.28(c) and 92.35(a) shall be refused entry. Animals refused entry, unless exported within a time fixed in each case by the Deputy Administrator of Veterinary Services, and in accordance with other provisions he may require in each case for their handling shall be disposed of as the Deputy Administrator may direct in accordance with provisions of section 2 of the Act of July 2, 1962 (21 U.S.C. 134a), or the provisions of section 8 of the Act of August 30, 1890 (21 U.S.C. 103). Such portions of the transporting vessel, and of its cargo, which have been exposed to any such animals or their emanations shall be disinfected in such manner as may be considered necessary by the inspector in charge at the port of entry, to prevent the introduction or spread of livestock or poultry disease, before the cargo is allowed to land.

(b) All species of psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa imported from any part of the world shall be subject to inspection at the port of entry by a veterinary inspector of Veterinary Services and such birds, except those from Canada and Mexico, shall be permitted entry into the United States only at the following ports of entry: New York, N.Y.; Miami, Fla.; San Ysidro and Los Angeles, Calif.; Seattle, Wash.; and Honolulu, Hawaii. For all psittacine species and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa imported from Canada, shipments shall be permitted entry only at the ports of Detroit, Mich., and Buffalo, N.Y. For all psittacine species and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa imported from Mexico, shipments shall be permitted entry only at the ports of Los Angeles and San Ysidro, Calif., or Miami, Fla. In each case, the first U.S. port of arrival shall be one of these ports of entry.

§ 92.11 [Amended]

8. In § 92.11(c)(2), in the first sentence the phrase "owned and operated" is deleted and the word "provided" is substituted therefor.

§ 92.12 [Amended]

9. In § 92.12(a) in the second sentence the term "inspector in charge at the port" is deleted and the term "Deputy Administrator, Veterinary Services" is substituted therefor.

10. Section 92.26 is amended to read:

§ 92.26 Poultry (and birds) from Canada.

All poultry (and all psittacine species and all Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa) imported from Canada shall meet the requirements of §§ 92.5(b), 92.8, 92.11(c), 92.12, and 92.19 to qualify for entry.

11. Section 92.38 is amended to read:

§ 92.38 Poultry (and birds) from Mexico.

All poultry (and all psittacine species and all Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa) imported from Mexico shall meet the requirements of §§ 92.5(b), 92.8, 92.11(c), 92.12, 92.31, and 92.32 to qualify for entry.

(Sec. 2, 32 Stat. 792, as amended; secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132; 21 U.S.C. 111, 134a, 134b, 134c, 134f; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER (5-4-72).

These amendments would: Make all requirements of Part 92 for importation of poultry and psittacine and mynah birds applicable to such imports from Canada and Mexico; add Los Angeles, Calif. as a port of entry for psittacine and mynah birds from Mexico; clarify procedures for handling certain animals, poultry, and birds rejected entry under this part; provide standards for "USDA-Approved Quarantine Facilities" in foreign countries; provide for the quarantine and testing of other species of birds entering the United States when deemed necessary to prevent spread of poultry disease; provide for psittacine and mynah birds kept aboard ocean vessels or aircraft while in U.S. territory; amend requirements for importation of horses, ruminants, and swine; outline conditions under which certain animals, poultry, or birds would be ineligible for entry into the United States; and eliminate the exemption for importation of poultry into the U.S. Virgin Islands from the provisions of this part.

Insofar as the amendments relieve certain restrictions presently imposed but no longer deemed necessary to prevent the spread of disease, they must be made effective immediately to be of maximum

benefit to affected persons and avoid unnecessary interference with foreign commerce. Insofar as they impose restrictions deemed essential to prevent the introduction and dissemination of certain diseases which pose a threat to the livestock and poultry industries of the United States, they must be made effective without delay in order to accomplish this purpose. Public participation in this rule making proceeding would delay the final determination in this matter which must be made promptly. 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 unnecessary, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of May 1972.

G. H. WISE,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-6790 Filed 5-3-72;8:49 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

PART 225—BANK HOLDING COMPANIES

Nonbanking Activities

Part 225 of Title 12, is amended by adding the following new section:

§ 225.126 Activities not closely related to banking.

Pursuant to section 4(c)(8) of the Bank Holding Company Act and § 225.4 (a) of Regulation Y, the Board of Governors has determined that the following activities are not so closely related to banking or managing or controlling banks as to be a proper incident thereto:

(a) Equity funding—that is, the combined sale of mutual funds and insurance.

(b) Underwriting life insurance that is not sold in connection with a credit transaction by a bank holding company, or a subsidiary thereof.

(c) Real estate brokerage (see 1972 Fed. Res. Bulletin 428).

(d) Land development (see 1972 Fed. Res. Bulletin 429).

(e) Real estate syndication.

By order of the Board of Governors, April 28, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-6762 Filed 5-3-72;8:47 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 72-WE-19]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Chandler, Ariz. control zone.

The effective hours of the Chandler, Ariz. control zone are currently designated in part as "* * * 0630 to 2200 hours local time daily Monday through Friday. * * *" The Department of the Air Force has recently requested that these times be changed to "* * * 0600 to 0200 * * *" Action is taken herein to affect this change.

Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing in § 71.171 (37 F.R. 2056) the description of the Chandler, Ariz. control zone as amended by (37 F.R. 6574) is further amended by deleting "* * * 0630 to 2200 * * *" in the last sentence of the text and substituting "* * * 0600 to 0200 * * *" therefor.

Effective date. This amendment will be effective 0901 G.m.t. June 22, 1972.

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

Issued in Los Angeles, Calif., on April 24, 1972.

ARVIN O. BASNIGHT,
Director, Western Region.

[FR Doc.72-6785 Filed 5-3-72;8:49 am]

[Airspace Docket No. 71-WA-8B]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Routes

On March 12, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 4790) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate 22 area high routes in the United States. Ten of those routes have been designated previously, four have been withdrawn, and six of the remaining routes (J924R, J925R, J929R, J934R, J940R, J941R) are designated herein.

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

The Air Transport Association of America suggested a change in the route proposed for J929R so as to eliminate the Birmingham, Ala., waypoint and provide a more direct route to Bremen, Ga. However, that alignment would penetrate airspace normally used for concentrated military jet training operations.

Some of the waypoints and reference facilities designated herein differ slightly from those proposed in the notice of proposed rule making (NPRM). These changes are made to improve navigational guidance without affecting the route alignments. Since these changes are minor in nature, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 22, 1972, as hereinafter set forth.

In § 75.400 (37 F.R. 2400) the following area high routes are added:

Waypoint name	N. Lat./W. Long.	Reference facility
J924R LOS ANGELES, CALIF., TO SEATTLE, WASH.		
Avenal, Calif.	35°38'49"/119°58'40"	Fresno, Calif.
Washington, Calif.	39°25'23"/120°39'06"	Reno, Nev.
Quartz, Oreg.	42°24'45"/121°14'23"	Lakeview, Oreg.
Sumner, Wash.	47°11'08"/122°18'30"	Portland, Oreg.
J925R MINNEAPOLIS, MINN., TO DENVER, COLO.		
Minneapolis, Minn.	45°08'45"/93°22'23"	Minneapolis, Minn.
Heldy, Minn.	44°07'06"/96°00'04"	Sioux Falls, S. Dak.
Bonesteel, Nebr.	42°48'00"/98°58'08"	O'Neill, Nebr.
Sand, Nebr.	41°44'19"/101°09'59"	Hayes Center, Nebr.
Denver, Colo.	39°51'39"/104°45'08"	Denver, Colo.
J929R ATLANTA, GA., TO HOUSTON, TEX.		
Bremen, Ga.	33°39'32"/85°12'55"	Montgomery, Ala.
Birmingham, Ala.	33°40'12"/86°53'59"	Montgomery, Ala.
Meridian, Miss.	32°22'42"/88°48'15"	Jackson, Miss.
Burkeville, La.	30°43'25"/93°24'11"	Lake Charlss., La.
Humble, Tex.	29°57'24"/95°20'44"	Houston, Tex.
J934R DALLAS, TEX., TO ATLANTA, GA.		
Greater Southwest, Tex.	32°49'10"/97°02'28"	Greater Southwest, Tex.
Texarkana, Ark.	33°30'50"/94°04'23"	Shreveport, La.
Money, Miss.	33°31'12"/90°08'54"	Jackson, Miss.
Columbus, Miss.	33°29'07"/88°30'49"	Jackson, Miss.
Birmingham, Ala.	33°40'12"/86°53'59"	Montgomery, Ala.
Bremen, Ga.	33°39'32"/85°12'55"	Montgomery, Ala.
J940R SEATTLE, WASH., TO CHICAGO, ILL.		
Seattle, Wash.	47°26'08"/122°18'30"	Seattle, Wash.,
Amber, Wash.	47°17'02"/117°39'24"	Spokane, Wash.
Avery, Idaho	47°10'05"/115°41'12"	Mullan Pass, Idaho.
Holter, Mont.	46°51'21"/111°54'03"	Helena, Mont.
Klein, Mont.	46°27'51"/108°26'58"	Billings, Mont.
Reva, S. Dak.	45°39'50"/103°12'58"	Dickinson, N. Dak.
Turtle Creek, S. Dak.	44°45'05"/98°39'52"	Aberdeen, S. Dak.
Heldy, Minn.	44°07'06"/96°00'04"	Sioux Falls, S. Dak.
Oranto, Iowa	43°27'29"/93°09'59"	Mason City, Iowa.
Dickeyville, Wis.	42°45'30"/90°31'36"	Dubuque, Iowa.
O'Hare, Ill.	41°59'16"/87°54'17"	Joliet, Ill.

Waypoint name	N. Lat./W. Long.	Reference facility
J941R DALLAS, TEX., TO LAS VEGAS, NEV:		
Greater Southwest, Tex.	32°49'10"/97°02'28"	Greater Southwest, Tex.
Bridgeport, Tex..	33°14'16"/97°45'58"	Ardmore, Okla.
Crowell, Tex.....	34°08'33"/99°45'50"	Wichita Falls, Tex.
Texico, N. Mex...	34°29'42"/102°50'21"	Texico, N. Mex.
Palma, N. Mex...	34°54'19"/105°18'29"	Las Vegas, N. Mex.
Volcano, N. Mex..	35°06'22"/106°39'29"	Socorro, N. Mex.
Defiance, N. Mex.	35°24'51"/108°57'44"	St. Johns, Ariz.
Peak, Ariz.....	35°41'03"/111°20'14"	Tuba City Ariz.
Boulder City, Nev.	35°59'45"/114°51'46"	Boulder City Nev.

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

Issued in Washington, D.C., on April 27, 1972.

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

[FR Doc.72-6698 Filed 5-3-72;8:45 am]

[Docket No. 11810, Amdt. 95-218]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

Correction

In F.R. Doc. 72-4552 appearing at page 6287 of the issue of Tuesday, March 28, 1972, the following changes should be made:

1. The entry which appears under the amendment to § 95.6346 should be transferred to appear under the amendment to § 95.6345.

2. The entry which appears under the amendment to § 95.6349 should be transferred to appear under the amendment to § 95.6346.

3. The first entry which appears under the amendment to § 95.6352 should be transferred to appear under the amendment to § 95.6349.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SLIMICIDES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 1H2613) filed by Syracuse University Research Corp., Life Sciences Division, Merrill Lane, University Heights, Syracuse, N.Y. 13210, on behalf of Betz Laboratories, Inc., Somerton Road, Trevose, Pa. 19047, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of β-Bromo-β-nitrostyrene as a slimicide used in the manufacture of paper and paperboard intended for food-contact use.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2505 is amended in paragraph (c) by alphabetically adding a new item to the List of Substances as follows:

§ 121.2505 Slimicides.

* * * * *

(c) * * *

List of substances	*Limitations*
* * *	* * *
β-Bromo-β-nitrostyrene.	At a maximum level of 1 pound per ton of dry weight fiber.
* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (5-4-72).

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: April 12, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-6801 Filed 5-3-72;8:50 am]

SUBCHAPTER C—DRUGS

PART 131—INTERPRETATIVE STATEMENTS RE WARNINGS ON DRUGS AND DEVICES FOR OVER-THE-COUNTER SALE

Miscellaneous Amendments

Effective on the date of publication hereof in the FEDERAL REGISTER (5-4-72):

1. In § 131.20 *Drugs for veterinary use; recommended warning and caution statements:*

a. The entry "ANTHELMENTICS CONTAINING CADMIUM OXIDE AND CADMIUM ANTHRANILATE" and the caution and warning statements following it are deleted. This change is needed for consistency within the regulations, since provisions for the use of these items have been revoked elsewhere.

b. Under the entry "DIENESTROL DIACETATE FOR POULTRY" the warning statement is changed to read, "*Warning*—Discontinue use at least 48 hours before slaughtering birds for food to eliminate the drug from the food." This change is needed for consistency within the regulations regarding the length of the withdrawal period.

2. In § 131.21 *Drugs for veterinary use; warning and caution statements required by regulations:*

a. Under the entry for "ANIMAL FEED CONTAINING PENICILLIN, STREPTOMYCIN, * * *" the warning statement for "Dienestrol diacetate for poultry" is changed to read "*Warning*—Do not use in laying hens. Discontinue use 48 hours before the treated birds are slaughtered for human consumption." This change is needed for consistency within the regulations regarding the length of the withdrawal period.

b. The entry for "STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) FOR INHALATION THERAPY; STREPTOMYCIN - DIHYDROSTREPTOMYCIN FOR INHALATION THERAPY * * *" and the warning statement following it are deleted. This change is necessary because the provisions for veterinary use of these drugs by inhalation therapy have been revoked.

Dated: April 18, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-6802 Filed 5-3-72;8:50 am]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.661]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Miscellaneous Amendments

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is amended to provide for termination of the validity of nonimmigrant visas upon the occurrence of certain events.

1. Section 41.122 is amended by adding at the end thereof the following new paragraphs:

§ 41.122 Validity of visas.

* * * * *

(e) *Termination of validity by consular or immigration officer.* Notwithstanding any period of validity specified on the

face of a nonimmigrant visa issued to an alien, a consular or immigration officer is authorized to terminate the validity thereof by physically canceling such visa if—

(1) The alien obtains an immigrant visa or has his status adjusted to that of permanent resident;

(2) The alien is ordered excluded from the United States pursuant to section 235(c) or 236 of the Act;

(3) The alien is notified pursuant to section 235(b) of the Act by an immigration officer at a port of entry that he appears to be inadmissible to the United States and the alien requests and is granted permission to withdraw his application for admission;

(4) Proceedings are instituted against the alien by the Immigration and Naturalization Service pursuant to 8 CFR 242.1;

(5) The alien has been permitted by the Immigration and Naturalization Service to depart voluntarily from the United States pursuant to 8 CFR 242.5;

(6) A waiver of ineligibility pursuant to section 212(d)(3)(A) of the Act on the basis of which the visa was issued to the alien is revoked by the Immigration and Naturalization Service; or

(7) The visa is presented in connection with an application for admission to the United States by a person other than the alien to whom it was issued.

(f) *Termination of validity prior to alien's journey to the United States.* (1) Notwithstanding any period of validity specified on the face thereof, the validity of a nonimmigrant visa issued to an alien shall terminate if, prior to the embarkation of the alien upon a continuous voyage to the United States, a consular officer finds that the alien has, subsequent to the issuance of such visa, become ineligible under section 212(a) of the Act to receive a nonimmigrant visa. Before making such a finding in an individual case, the consular officer shall, if practicable, notify the alien and give him and opportunity to rebut and overcome the information on the basis of which the consular officer proposes to find that he has become ineligible to receive a nonimmigrant visa.

(2) Upon a finding pursuant to subparagraph (1) of this paragraph, the consular officer shall, if possible, physically cancel such visa. If the consular officer is unable to physically cancel the visa, he shall give notice of the termination of validity to the master, commanding officer, agent, owner, charterer, or consignee of the carrier or transportation line on which it is believed that the alien intends to travel to the United States and shall promptly submit to the Department a full report of the facts of the case.

(g) *Replacement of visa.* A nonimmigrant visa the validity of which has been terminated pursuant to paragraph (e) or (f) of this section may be replaced, without fee, by a consular officer if it is determined that the basis for termination has been overcome and if the validity specified on the face thereof has not at that time expired.

2. Section 41.134 is revised to read as follows:

§ 41.134 Revocation of visas.

(a) *Grounds for revocation.* A consular officer is authorized to revoke ab initio a nonimmigrant visa under the following circumstances:

(1) The consular officer knows, or after investigation is satisfied, that the visa was procured by fraud, a willfully false or misleading representation, the willful concealment of a material fact, or other unlawful means; or

(2) The consular officer obtains information establishing that the alien was otherwise ineligible to receive the visa at the time of issuance.

(b) *Notice of proposed revocation.* The bearer of a nonimmigrant visa which is being considered for revocation shall, if practicable, be notified of the consular officer's intention to revoke his visa, be given an opportunity to show why the visa should not be revoked, and shall be requested to present his travel document containing the visa to the consular office indicated in the notification of proposed cancellation.

(c) *Procedure in revoking visas.* A nonimmigrant visa which is revoked shall be canceled by writing the word "Revoked" plainly across the face of the visa. The cancellation shall be dated and signed by the consular officer taking the action. The failure of an alien to present his visa for cancellation shall not affect the validity of any action taken to revoke such visa.

(d) *Notice to carriers.* Notice of revocation shall be given to the master, commanding officer, agent, owner, charterer, or consignee of the carrier or transportation line on which it is believed the alien intends to travel to the United States, unless the visa has been canceled as provided in paragraph (c) of this section.

(e) *Notice to Department.* Notice of revocation, including a full report on the facts in the case, shall be submitted promptly to the Department for transmission to the Immigration and Naturalization Service. No such report is required if the visa has been canceled prior to the alien's departure for the United States except in cases involving A, G, C–2, C–3, NATO, diplomatic or official visas.

(f) *Record of action.* Upon the revocation of a nonimmigrant visa appropriate notation of the action taken, including a statement of the reasons therefor, shall be made, and if the revocation of the visa is effected at other than the issuing office, a report of the action taken shall be transmitted to the issuing office.

(g) *Reconsideration of revocation.* (1) The consular officer shall consider any evidence which may be submitted by the alien, his attorney, or representative in connection with a request that the revocation of the visa be reconsidered. If the evidence is sufficient to overcome the basis for the revocation, a new visa shall be issued. A memorandum regarding the action taken and the reasons therefor shall be placed in the consular files and appropriate notification shall be forwarded promptly to the carriers concerned, to the Department, and to the issuing office if notice of revocation has been given in accordance with paragraphs (d), (e), and (f) of this section.

(2) In view of the provisions of § 41.121 which provide for the refund of fees when the visa has not been used as a result of action by the U.S. Government, no fees should be collected in connection with the application for or issuance of such a reinstated visa.

Effective date. These amendments shall become effective upon publication in the FEDERAL REGISTER (5–4–72).

The provisions of the Administrative Procedure Act (80 Stat. 383; 5 U.S.C. 553) relative to notice of proposed rule making are inapplicable to this order because the regulations contained herein involve foreign affairs functions of the United States.

(Sec. 104, 66 Stat. 174; 8 U.S.C. 1104)

Dated: April 10, 1972.

[SEAL] BARBARA M. WATSON,
Administrator, Bureau of Security and Consular Affairs.

[FR Doc.72-6804 Filed 5-3-72;8:50 am]

Title 29—LABOR

Chapter XVII—Occupational Safety and Health Administration, Department of Labor

PART 1926—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION

National Consensus Standards

Pursuant to authority in sections 6(a) and 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 655, 657) and Secretary of Labor's Order No. 12–71 (36 F.R. 8754) and in accordance with section 4(b) of that Act (29 U.S.C. 653), Part 1926 of Title 29 of the Code of Federal Regulations is hereby amended as set forth below. These amendments are adopted in order to (1) update certain standards of the American National Standards Institute, a nationally recognized standards-producing organization within the meaning of section 3(9) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 552), which are incorporated by reference in amended sections and (2) to make minor editorial changes and corrections.

The provisions of 5 U.S.C. 553 concerning notice of proposed rule making, public participation therein, and delay in effective date are inapplicable by reason of the exception to 5 U.S.C. Ch. 5, provided in section 6(a) of the Act. Accordingly, these amendments shall become effective upon publication in the FEDERAL REGISTER (5–4–72).

1. Paragraph (c) of § 1926.100 is amended to read as follows:

§ 1926.100 Head protection.

* * * * *

(c) Helmets for the head protection of employees exposed to high voltage

electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2–1971.

2. Subparagraph (2) of § 1926.200(g) is amended to read as follows:

§ 1926.200 Accident prevention signs and tags.

* * * * *

(g) *Traffic signs.* * * *

(2) All traffic control signs or devices used for protection of construction workmen shall conform to American National Standards Institute D6.1–1971, Manual on Uniform Traffic Control Devices for Streets and Highways.

* * * * *

3. Subparagraph (2) of § 1926.201(a) is amended to read as follows:

§ 1926.201 Signaling.

(a) *Flagman.* * * *

(2) Signaling directions by flagmen shall conform to American National Standards Institute D6.1–1971, Manual on Uniform Traffic Control Devices for Streets and Highways.

* * * * *

4. Section 1926.202 is amended to read as follows:

§ 1926.202 Barricades.

Barricades for protection of employees shall conform to the portions of the American National Standards Institute D6.1–1971, Manual on Uniform Traffic Control Devices for Streets and Highways, relating to barricades.

5. Subparagraph (18) of § 1926.451(a), subparagraph (2) of § 1926.451(c), and subparagraph (8) of § 1926.451(d) are amended to read as follows:

§ 1926.451 Scaffolding.

(a) *General requirements.* * * *

(18) No welding, burning, riveting, or open flame work shall be performed on any staging suspended by means of fiber or synthetic rope. Only treated or protected fiber or synthetic ropes shall be used for or near any work involving the use of corrosive substances or chemicals. Specific requirements for boatswain's chairs and float or ship scaffolds are contained in paragraphs (l) and (w) of this section.

* * * * *

(c) *Tube and coupler scaffolds.* * * *

(2) A medium duty tube and coupler scaffold shall have all posts, runners, and bracing of nominal 2-inch O.D. steel tubing. Posts spaced not more than 6 feet apart by 8 feet along the length of the scaffold shall have bearers of nominal 2½-inch O.D. steel tubing. Posts spaced not more than 5 feet apart by 8 feet along the length of the scaffold shall have bearers of nominal 2-inch O.D. steel tubing. Other structural metals, when used, must be designed to carry an equivalent load. No dissimilar metals shall be used together.

* * * * *

(d) *Tubular welded frame scaffolds.* * * *

(8) Maximum permissible spans or planking shall be in conformity with paragraph (a)(10), of this section.

* * * * *

6. Paragraph (c) of § 1926.751 is amended to read as follows:

§ 1926.751 Structural steel assembly.

* * * * *

(c) (1) In steel framing, where bar joists are utilized, and columns are not framed in at least two directions with structural steel members, a bar joist shall be field-bolted at columns to provide lateral stability during construction.

(2) Where longspan joists or trusses, 40 feet or longer, are used, a center row of bolted bridging shall be installed to provide lateral stability during construction prior to slacking of hoisting line.

(3) No load shall be placed on open web steel joists until these security requirements are met.

* * * * *

(Secs. 6, 8, 84 Stat. 1593, 1598; 29 U.S.C. 655, 657)

Signed at Washington, D.C., this 1st day of May 1972.

GEORGE C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72–6816 Filed 5–3–72;8:53 am]

Title 45—PUBLIC WELFARE

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

PART 234—FINANCIAL ASSISTANCE TO INDIVIDUALS

Protective and Vendor Payments for Dependent Children

Notice of proposed rule making for the programs administered under title IV–A of the Social Security Act with respect to public assistance State plan requirements concerning protective and vendor payments for dependent children was published in the FEDERAL REGISTER on September 30, 1971 (36 F.R. 19171). The regulations make clear that States are permitted to pay part of the benefit to the family and part as a vendor payment or protective payment to a third party, except when such payments are made because a member of the family, referred to the WIN program, has refused training or employment without good cause. After consideration of the views presented by interested persons, certain additional minor amendments have been made. The major changes are:

1. The option to make payment part to the family and part to a vendor or protective payee (except in WIN cases) is clarified.

2. Judicial appointment of a guardian or other legal representative will be sought now when it appears that the need for protective or vendor payments will need to continue for 2 years rather than 1 year.

3. The limitations on protective and vendor payments in WIN situations are clarified.

Further amendments will be made in the future, to implement the provisions of Public Law 92–223.

Accordingly, § 234.60 is revised to read as set forth below:

§ 234.60 Protective and vendor payments for dependent children.

(a) *Requirements for State plans.* The State plan for AFDC must provide that:

(1) Methods will be in effect to identify children whose relatives have demonstrated such an inability to manage funds that payments to the relative have not been or are not currently used in the best interest of the child.

(2) Criteria will be established to determine under what circumstances payments will be made in whole or in part directly to—

(i) Another individual who is interested in or concerned with the welfare of such child or relative; or

(ii) A person or persons furnishing food, living accommodations or other goods, services, or items to or for the child, relative, or essential person.

(3) Procedures will be established for making protective or vendor payments. Under this provision, part of the payment may be made to the family and part may be made to a protective payee or to a vendor.

(4) Aid in the form of foster care in behalf of eligible children is included in the plan. (See section 408 of Title IV–A of the Social Security Act and § 233.110 of this chapter detailing conditions for AFDC foster care.)

(5) There will be responsibility to assure referral to social services for appropriate action to protect recipients where problems and needs for services and care of the recipients are manifestly beyond the ability of the protective payee to handle.

(6) Standards will be established for selection:

(i) Of protective payees, who are interested in or concerned with the recipient's welfare, to act for the recipient in receiving and managing assistance, with the selection of a protective payee being made by the recipient, or with his participation and consent, to the extent possible. If it is in the best interest of the recipient for a staff member of a private agency, of the public welfare department, or of any other appropriate organization to serve as a protective payee, such selection will be made preferably from the staff of an agency or that part of the agency providing protective services for families; and the public welfare department will employ such additional staff as may be necessary to provide protective payees. The selection will not include: the executive head of the agency administering public assistance; the person determining financial eligibility for the family; special investigative or resource staff, or staff handling fiscal processes related to the recipient; or landlords, grocers, or other vendors of goods or services dealing directly with the recipient.

(ii) Of persons providing goods or services with the selection of such persons being made by the recipient, or with his participation and consent, to the extent possible.

(7) The agency will undertake and continue special efforts to develop greater ability on the part of the relative to manage funds in such manner as to protect the welfare of the family.

(8) Review will be made, as frequently as indicated by the individual's circumstances, and at least every 3 months, of:

(i) The need for protective payments or payments to persons furnishing goods and services on behalf of children; and

(ii) The way in which a protective payee's responsibilities are carried out.

(9) Provision will be made for termination of protective payments, or payments to a person furnishing goods or services, as follows:

(i) When relatives are considered able to manage funds in the best interest of the child, there will be a return to money payment status.

(ii) When it appears that need for protective payments or payments to a person furnishing goods or services will continue or is likely to continue beyond 2 years because all efforts have not resulted in sufficiently improved use of assistance in behalf of the child, judicial appointment of a guardian or other legal representative will be sought and such payments will terminate when the appointment has been made.

(10) Opportunity for a fair hearing will be given to any individual claiming assistance in relation to the determination;

(i) That a protective payment, or a payment to a person furnishing food, living accommodations, or other goods or services to a child, relative or other individual, should be made or continued,

(ii) As to the payee selected, or

(iii) That foster care will be provided.

(11) When protective or vendor payments are made pursuant to § 220.35(a)(6)(i)(*a*) of this chapter (because an appropriate individual referred to the Work Incentive Program has refused without good cause to participate in the program or to accept a bona fide offer of employment) only subparagraphs (6), (8)(ii), and (10) (i) and (ii) of this paragraph (a) will be applicable. Under these circumstances, when protective payments are made, the entire payment will be made to the protective payee and when vendor payments are made, at least the greater part of the payment will be through this method. Provision will be made for termination of protective payments, or payments to a person furnishing goods or services, with return to money payment status when adults who refused training or employment without good cause either accept training or employment or agree to do so in the event such opportunities are not currently available. In the case of continuing refusal of the relative to participate, payments will be continued for the children in the home in accordance with this subparagraph.

(b) *Federal financial participation.* Federal financial participation is available in payments which otherwise qualify as money payments with respect to an eligible dependent child, but which are made to a protective payee under paragraph (a)(6)(i) of this section, or to a person furnishing food, living accommodations, or other goods or services to a child, relative or essential person. Payrolls must identify protective payment cases or payments to a person furnishing goods or services, either by use of a separate payroll for these cases or by using a special identifying code or symbol on the regular payroll.

(1) The payment must be supported by an authorization of award through amendment of an existing authorization document for such case or by preparation of a separate authorization document. In either instance, the authorization document must be a formal agency record signed by a responsible agency official, showing the name of each eligible child and relative, the amount of payment authorized and the name of the protective payee.

(2) The number of individuals for whom protective payments or payments to a person furnishing goods or services are made who can be counted as recipients for Federal financial participation in any month is limited to 10 percent of the number of other AFDC recipients in the State for that month.

(i) In computing such 10 percent, individuals with respect to whom protective payments or payments to persons furnishing goods or services are made for any month because of their refusal without good cause to participate in a work incentive program or because of their refusal without good cause to accept a bona fide offer of employment in which they are able to engage are not to be counted.

(ii) The State may decide whether the same percentage limitation is applied in each local administrative subdivision or it may establish a method of assuring that the number of recipients for whom matchable payments are made does not exceed the limitation for the State as a whole.

(iii) If the number of recipients in cases for whom protective payments or payments to persons furnishing goods or services are made in any month does not exceed 10 percent of all other AFDC recipients in that month, all such payments and recipients may be included in computing Federal financial participation. If the number of recipients in cases for whom protective payments or payments to persons furnishing goods or services are made exceeds 10 percent of all other AFDC recipients, then it will be necessary to identify cases whose total recipient count is within the 10 percent limit. Only the payments and recipient count for such identified cases may be included for Federal financial participation. Other recipients receiving protective payments or payments to a person furnishing goods or services must be excluded from the recipient count, and assistance payments for such recipients must be excluded from assistance expenditures, in determining a State's claim for Federal financial participation.

(iv) In computing the 10 percent limit on the number of recipients of protective payments or payments to a person furnishing goods or services, the numerical limit may be rounded upward to the nearest whole number.

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302)

Effective date. These regulations, as amended, shall be effective on the date of publication in the FEDERAL REGISTER (5–4–72).

Dated: April 5, 1972.

JOHN D. TWINAME,
Administrator, Social and Rehabilitation Service.

Approved: April 27, 1972.

ELLIOT L. RICHARDSON,
Secretary.

[FR Doc.72–6776 Filed 5–3–72;8:48 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18632]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Report and Order; Correction

In the matter of amendment of Parts 2, 81, and 83 and the deletion of Part 85—to establish for the State of Alaska a schedule of dates, technical standards, frequencies and other requirements for the use of radiotelephony, radiotelegraphy and single sideband emissions on frequencies below 4,000 kHz, for the maritime services in Alaska, and below 12,000 kHz for Alaska-public fixed stations, and to make other incidental rule changes, Docket No. 18632.

1. The report and order in the above entitled matter (FCC 71–1044) was released October 26, 1971. It was published in the FEDERAL REGISTER on November 2, 1971 (36 F.R. 20949) and it was corrected in the FEDERAL REGISTER on November 30, 1971 (36 F.R. 22751). An Errata was released on February 24, 1972, and was published in the FEDERAL REGISTER on March 3, 1972 (37 F.R. 4441), and was corrected in the FEDERAL REGISTER on March 15, 1972 (37 F.R. 5386).

2. Changes are necessary to §§ 81.304 (a) and (b) and to 81.361(b) of Part 81 and to § 83.104(i) of Part 83, for the following reasons:

A. The report and order in Doc. No. 18307, released June 16, 1970 (35 F.R. 10212), set forth on pages 21 and 22 the power and emission limitations applicable to the frequencies 2065.0, 2079.0, 2086.0, and 2096.5 kHz. In placing these frequencies in the rules in subject proceeding several of these particulars were inadvertently omitted. Sections 81.304(a), 81.304(b)(21) and 81.361(b)(7) are, therefore, amended as set forth below.

B. The conditions of use set forth in § 81.304(b) for the frequency 2182 kHz includes footnote (44). Footnote (44) provides for the use of emissions 6A3, 2.8A3A, 2.8A3H, and 2.8A3J on the frequency 2182 kHz until January 1, 1977. National and international planning for use of this frequency does not permit the use of emissions 2.8A3A or 2.8A3J, either before or after January 1, 1977. Section 81.304(b)(44) is, therefore, amended as set forth below.

C. Section 83.104(i) was adopted in the report and order in Doc. No. 15068 (FCC 64-680), released July 27, 1964, and through inadvertence was not amended to bring it into accord with the measures applicable to single sideband (SSB) adopted by the Commission in the first report and order in Doc. No. 18307, released June 16, 1970 (35 F.R. 10212); in the first report and order in Doc. No. 18633, released June 28, 1971 (36 F.R. 12502); or in the report and order in Doc. No. 18632, released October 26, 1971 (36 F.R. 20949). The provisions of § 83.104(i) are such that they prohibit the use of emissions 2.8A3A and 2.8A3J for intership communications between two vessels which are fitted for the use of SSB and, thus, remove the major benefit to be derived from a conversion from double sideband to SSB, which we deem to be in conflict with the basic objective of this major Commission program. Further, § 83.104(i) is in conflict with permissible emissions set forth in § 83.351(b)(39). Accordingly, § 83.104(i) is amended as set forth below.

3. In view of the foregoing, Parts 81 and 83 are amended as set forth below.

Released: May 1, 1972.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

A. Part 81—Stations on Land in the Maritime Services and Alaska-Public Fixed Stations is amended as follows:

1. In § 81.304, the frequency 2086.0 kHz is added to paragraph (a); in paragraph (b), subparagraph (21) is added and (44) is amended to read as follows:

§ 81.304 Frequencies available.

(a) * * *

2086.0 kHz	81.306(c)	3, 21, 47		
*	*	*	*	*

(b) * * *

(21) Limited to a maximum output power of 150 watts (PEP) and to emissions 2.8A3A and 2.8A3J.

* * * * *

(44) Until January 1, 1977, available for use with emissions 6A3 or 2.8A3H.

* * * * *

2. In § 81.361, a new subparagraph (8) is added to paragraph (b), to read as follows:

§ 81.361 Frequencies available.

* * * * *

(b) * * *

(8) On the frequencies 2065.0, 2079.0 and 2096.5 kHz, the output power is limited to a maximum of 150 watts (PEP).

B. Part 83, Stations on Shipboard in the Maritime Services is amended as follows:

1. In § 83.104, paragraph (i) is amended to read as follows:

§ 83.104 Operating controls.

* * * * *

(i) The frequency selector switch on transmitters employing single sideband shall automatically provide for the emission specified in § 83.106 when operated on 2182 kHz.

[FR Doc.72-6817 Filed 5-3-72;8:51 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte 246]

PART 1002—FEES

Services Performed in Connection With Licensing and Related Services

Order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 17th day of August 1971.

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Petition (letter) of William J. Boyd, filed July 1, 1971, for reconsideration;

(2) Petition of American Insurance Association, filed July 6, 1971, for reconsideration;

(3) Petition of Freight Forwarders Institute, filed July 6, 1971, for clarification, or in the alternative, for reconsideration; and

It appearing, that although the petition in (2) above refers to item 40 of this Commission's recently adopted fee schedule as in a tax or filing fee, the assessment in question is in reality, neither a tax nor a filing fee but an annual qualifications fee based upon certificates of insurance which are used as an indication of the volume of business done by the insurer with carriers subject to Commission jurisdiction and the amount of work performed by this Commission in the requalification process and that, in the interests of clarification item 40 should be modified to reflect that fact;

It further appearing, that recent staff studies have developed information which tends to show that the revenues to be derived from the $1 assessment in item 38 (freight forwarder contracts and amendments thereto) will be insufficient to offset the costs entailed in collecting and processing such fees; that further study should be given this aspect of the fee program; that accordingly, at this time, the fee schedule should be modified by the deletion of item 38; and good cause appearing therefore:

It is ordered, That item 40 of the above-described subpart (d) be, and it is hereby, amended (a) by deleting that portion beginning with "10 per" and ending with "($50 minimum)," (b) by the addition of footnote (3) reading as follows: "The annual qualification fee will be based on a formula of $10 per accepted certificate of insurance or surety bond as an indication of ICC insurance activity."

It is further ordered, That Appendix IV section 1002, filing fees, subpart (d), schedule of filing fees, be, and it is hereby, amended by deletion from the said subpart of item 38 "Freight forwarder contracts and amendments, section 409 $1 per contract" on 339 I.C.C. 578 and by renumbering those items now described as items 39 through 45 as items 38 through 44, respectively.

It is further ordered, That, in all other respects, the said petitions be, and they are hereby, denied, for the reasons that the findings of this Commission set forth in its report and order of May 19, 1971, as modified (339 I.C.C. 555), are in accordance with the evidence and the applicable law; and that no sufficient or proper cause appears for reopening the proceeding for reconsideration.

It is further ordered, That the bound volumes of the Commission's reports reflect the changes set forth in the first two ordering paragraphs above.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-6826 Filed 5-3-72;8:52 am]

[Ex Parte 263]

PART 1005—PRINCIPLES AND PRACTICES FOR THE INVESTIGATION AND VOLUNTARY DISPOSITION OF LOSS AND DAMAGE CLAIMS AND PROCESSING SALVAGE

Processing of Loss and Damage Claims

Order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 13th day of April, 1972.

Upon consideration of the record in the above-entitled proceeding, including our report and order at 340 I.C.C. 515, and of:

(1) Joint petition of Missouri Pacific Railroad Co., the Texas and Pacific Railway Co., and Chicago & Eastern Illinois Railroad, respondents, filed March 23, 1972, for reconsideration;

(2) Petition of Missouri-Kansas-Texas Railroad Co., respondent, filed March 27, 1972, for reconsideration;

(3) Petition of the Association of American Railroads, on behalf of its members (except respondent in (2) above), filed March 27, 1972, for reconsideration;

It appearing, that full and effective implementation by all segments of the carrier industry subject to our jurisdiction of the regulations prescribed in this proceeding generally requires a delay in the effective date of those regulations until July 1, 1972, but that the carriers are

urged to bring their claims-processing practices into compliance with those regulations at the earliest possible opportunity prior to that date;

It is further appearing, that other than granting additional time within which respondents must comply with the regulations set forth in Appendix E to the report and order served herein on February 24, 1972, no need has been shown further to consider the pleadings or grant the relief prayed therein;

It further appearing, that in their argument urging reconsideration, petitioners in (2) and (3) above, raise several questions of general interest as to the meaning of the new regulations; that inasmuch as these questions involve matters of concern not only to the parties to this proceeding but also to the public at large they should be answered; and that in view of their importance and widespread effect these questions have been extracted from the pleadings and appropriate answers thereto are set forth in the appendix to this order; [1] and good cause appearing therefor:

It is ordered, That the petitions in (1), (2), and (3) above be, and they are hereby, denied, for the reasons that no sufficient or proper cause appears for reconsidering the order of February 3, 1972, served February 24, 1972.

It is further ordered, That the effective date of the rules prescribed in the order entered herein on February 3, 1972, be, and it is hereby, postponed to July 1, 1972, and that such rules will apply on all claims for loss, damage, or delay in transit to property moving in interstate or foreign commerce received by carrier or freight forwarded respondents hereto on and after the said effective date.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-6830 Filed 5-3-72;8:52 am]

[S.O. 1093]

PART 1033—CAR SERVICE

Burlington Northern, Inc., Authorized To Operate Over Tracks of Minneapolis Industrial Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 20th day of March 1972.

It appearing, that the Minneapolis Industrial Railway Co., in Finance Docket No. 25135, was authorized by the Commission to abandon its line between Golden Valley, Minn., and Gluek, Minn., subject to conditions; that this order of the Commission was affirmed by the District Court of the United States for the District of Minnesota, Fourth Division, and subsequently by the Supreme Court of the United States—Prinsburg Coop Fertilizer Company, et al. vs. United States, et al. (Civil Action No. 4-70 564, D. Minn. 4th Div.), affirmed ------ U.S. ------ (Nos. 71-770 and 71-786); that a line of the Burlington Northern, Inc., intersects this line of the Minneapolis Industrial Railway Co. at Hutchinson, Minn.; that the Burlington Northern, Inc., is willing to operate over a segment of the Minneapolis Industrial Railway Co. between Minneapolis Industrial Railway Co. Survey Station 2866 east of Hutchinson, Minn., and Survey Station 2968 west of Hutchinson, Minn., a distance of approximately 1.8 miles, in order to provide continued railroad service to shippers located thereon; that the Minneapolis Industrial Railway Co. has agreed to this use of its tracks by the Burlington Northern, Inc., pending disposition by the Commission of the application of the Burlington Northern, Inc., in Finance Docket No. 27049 requesting permanent authority to acquire and operate this trackage; that the Commission is of the opinion that operation by the Burlington Northern, Inc., over these tracks of the Minneapolis Industrial Railway Co. at Hutchinson, Minn., is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1093 Service Order No. 1033.

(a) *Burlington Northern, Inc., authorized to operate over tracks of Minneapolis Industrial Railway Co.* The Burlington Northern, Inc., be, and it is hereby, authorized to operate over tracks of the Minneapolis Industrial Railway Co., between Minneapolis Industrial Railway Co. Survey Station 2866, east of Hutchinson, Minn., and Survey Station 2968, west of Hutchinson, Minn., a distance of approximately 1.8 miles, pending disposition by the Commission of the application of the Burlington Northern, Inc., in Finance Docket No. 27049 requesting permanent authority to acquire and operate this trackage.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Effective date.* This order shall become effective at 11:59 p.m., April 1, 1972.

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10-17), 15 (4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-6827 Filed 5-3-72;8:52 am]

[S.O. 1094]

PART 1033—CAR SERVICE

Lehigh Valley Railroad Co. Authorized To Operate Over Tracks of Lehigh Coal and Navigation Co.

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 24th day of March 1972.

It appearing that because of an order of the Federal District Court for the District of New Jersey, The Central Railroad Company of New Jersey, Robert D. Timpany, trustee (CNJ), is unable to operate in Pennsylvania over tracks of the Lehigh Coal and Navigation Co. (LC&N); that shippers served by these lines are thereby deprived of railroad service; that the Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees (LV), have agreed to operate over tracks of the LC&N formerly operated by the CNJ;

It further appearing, that, by telegram dated March 21, 1972, the Reading Co., Richardson Dilworth and Andrew L. Lewis, Jr., trustees (Rdg), petitioned the Commission requesting authority, subject to conditions, to operate over all of the lines of the LC&N in Pennsylvania, formerly operated by the CNJ;

It further appearing, that by letter dated March 17, 1972, and by telegram dated March 20, 1972, the Lehigh and New England Railway Co. (L&NE) petitioned the Commission for authority to operate over two segments of the lines of the LC&N formerly operated by the CNJ;

It further appearing, that the Commission is of the opinion that an emergency exists requiring operation in Pennsylvania by the LV of the lines of the LC&N formerly operated by the CNJ, and that such operation by the LV is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice.

It further appearing, that the petition of the Rdg is contingent upon numerous conditions, some of which are beyond termination by the Commission and therefore render the proposed action infeasible; and that the petitions of the L&NE encompass only a portion of the CNJ service territory in Pennsylvania, leaving most of the trackage and a substantial part of the territory unserved, and is for that reason, among others, infeasible;

[1] Appendix filed as part of the original document.

It is ordered, That, the petition of the Reading Company, Richardson Dilworth and Andrew L. Lewis, Jr., and the petitions of the Lehigh and New England Railway Company be, and they are hereby, denied.

It is further ordered, That:

§ 1033.1094 **Service Order No. 1094.**

(a) *Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees, authorized to operate over tracks of Lehigh Coal and Navigation Co. (formerly operated by the Central Railroad Co. of New Jersey, Robert D. Timpany, trustee)*. The Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees, be, and it is hereby, authorized to operate in Pennsylvania over tracks of the Lehigh Coal and Navigation Co. (formerly operated by The Central Railroad Company of New Jersey, Robert D. Timpany, trustee).

(b) *Application*. The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Rates applicable*. Inasmuch as this operation by the Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees, over tracks of LC&N formerly operated by the CNJ, is deemed to be due to CNJ's disability, the rates applicable to traffic moved by the Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees, over said tracks shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date*. This order shall become effective at 12:01 a.m., April 1, 1972.

(e) *Expiration date*. The provisions of this order shall expire at 11:59 p.m., May 30, 1972, unless otherwise modified, changed, or suspended by order of this Commission, provided that any extension of this order shall be subject to the continued concurrence of the Lehigh Coal and Navigation Co.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets, or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.72-6828 Filed 5-3-72;8:52 am]

[S.O. 1095]

PART 1033—CAR SERVICE

Central Railroad Company of New Jersey Ordered To Cancel Certain Embargoes

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 28th day of March 1972.

It appearing, that the Central Railroad Company of New Jersey, Robert D. Timpany, trustee (CNJ), by its Embargo No. 4–72 embargoed all freight traffic consigned to or intended for delivery to all stations on the CNJ in Pennsylvania, effective March 17, 1972; that by its Embargo No. 5–72, the CNJ embargoed all traffic originating on stations on the CNJ in Pennsylvania, or routed via the lines of the CNJ passing through the State of Pennsylvania; that these embargoes are resulting in severe hardships and great economic loss to shippers located on or served by the lines of the CNJ in Pennsylvania; that these embargoes are preparatory to a cessation of operation of the lines of the CNJ in Pennsylvania to become effective April 1, 1972; that the Commission has not authorized abandonment of these lines by the CNJ; that by Service Order No. 1094, the Commission has authorized temporary operation by the Lehigh Valley Railroad Co., John F. Nash and Robert C. Haldeman, trustees (LV), of the lines of the CNJ in Pennsylvania; that by Order No. 67 effective April 1, 1972, issued by R. D. Pfahler, Agent, the Commission has authorized the substitution of the LV for the CNJ for all routings requiring movements of cars over tracks presently operated by the CNJ in Pennsylvania;

It further appearing, that the Commission is of the opinion that an emergency exists requiring cancellation of the aforedescribed embargoes issued by the CNJ, in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1095 **Service Order No. 1095.**

(a) *The Central Railroad Company of New Jersey, Robert D. Timpany, trustee, ordered to cancel certain embargoes*. The Central Railroad Company of New Jersey, Robert D. Timpany, trustee, be, and it is hereby, ordered to cancel its Embargoes Nos. 4–72 and 5–72, both originally published on Association of American Railroads Embargo Notices for March 21, 1972, Consecutive Sheet No. 44.

(b) *Application*. The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Effective date*. This order shall become effective at 4 p.m., March 28, 1972.

(d) *Expiration date*. The provisions of this order shall expire at 11:59 p.m., May 30, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended; 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.72-6829 Filed 5-3-72;8:52 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Disallowance of Interest on Certain Indebtedness Incurred by Corporations To Acquire Stock or Assets of Another Corporation

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 the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by June 5, 1972. 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 Commissioner by June 5, 1972. In such 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, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office 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] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

The following regulations are prescribed under section 279 of the Internal Revenue Code of 1954 as enacted by section 411(a) of the Tax Reform Act of 1969 (Public Law 91–172, 83 Stat. 604), relating to the disallowance of interest on certain indebtedness incurred by corporations to acquire stock or assets of another corporation.

The following new sections are added immediately after § 1.278–1:

§ 1.279 Statutory provisions; disallowance of interest on certain indebtedness incurred by corporation to acquire stock or assets of another corporation.

SEC. 279. *Interest on indebtedness incurred by corporation to acquire stock or assets of another corporation*—(a) *General rules.* No deduction shall be allowed for any interest paid or incurred by a corporation during the taxable year with respect to its corporate acquisition indebtedness to the extent that such interest exceeds—

(1) $5 million, reduced by

(2) The amount of interest paid or incurred by such corporation during such year on obligations (A) issued after December 31, 1967, to provide consideration for an acquisition described in paragraph (1) of subsection (b), but (B) which are not corporate acquisition indebtedness.

(b) *Corporate acquisition indebtedness.* For purposes of this section, the term "corporate acquisition indebtedness" means any obligation evidenced by a bond, debenture, note, or certificate or other evidence of indebtedness issued after October 9, 1969, by a corporation (hereinafter in this section referred to as "issuing corporation") if—

(1) Such obligation is issued to provide consideration for the acquisition of—

(A) Stock in another corporation (hereinafter in this section referred to as "acquired corporation"), or

(B) Assets of another corporation (hereinafter in this section referred to as "acquired corporation") pursuant to a plan under which at least two-thirds (in value) of all the assets (excluding money) used in trades and businesses carried on by such corporation are acquired,

(2) Such obligation is either—

(A) Subordinated to the claims of trade creditors of the issuing corporation generally, or

(B) Expressly subordinated in right of payment to the payment of any substantial amount of unsecured indebtedness, whether outstanding or subsequently issued, of the issuing corporation,

(3) The bond or other evidence of indebtedness is either—

(A) Convertible directly or indirectly into stock of the issuing corporation, or

(B) Part of an investment unit or other arrangement which includes, in addition to such bond or other evidence of indebtedness, an option to acquire, directly or indirectly, stock in the issuing corporation, and

(4) As of a day determined under subsection (c)(1), either—

(A) The ratio of debt to equity (as defined in subsection (c)(2)) of the issuing corporation exceeds 2 to 1, or

(B) The projected earnings (as defined in subsection (c)(3)) do not exceed three times the annual interest to be paid or incurred (determined under subsection (c)(4)).

(c) *Rules for application of subsection (b)(4).* For purposes of subsection (b)(4)—

(1) *Time of determination.* Determinations are to be made as of the last day of any taxable year of the issuing corporation in which it issues any obligation to provide consideration for an acquisition described in subsection (b)(1) of stock in, or assets of, the acquired corporation.

(2) *Ratio of debt to equity.* The term "ratio of debt to equity" means the ratio which the total indebtedness of the issuing corporation bears to the sum of its money and all its other assets (in an amount equal to their adjusted basis for determining gain) less such total indebtedness.

(3) *Projected earnings.*

(A) The term "projected earnings" means the "average annual earnings" (as defined in subparagraph (B)) of—

(i) The issuing corporation only, if clause (ii) does not apply, or

(ii) Both the issuing corporation and the acquired corporation, in any case where the issuing corporation has acquired control (as defined in section 368(c)), or has acquired substantially all of the properties, of the acquired corporation.

(B) The average annual earnings referred to in subparagraph (A) is, for any corporation, the amount of its earnings and profits for any 3-year period ending with the last day of a taxable year of the issuing corporation described in paragraph (1), computed without reduction for—

(i) Interest paid or incurred,

(ii) Depreciation or amortization allowed under this chapter,

(iii) Liability for tax under this chapter, and

(iv) Distributions to which section 301(c)(1) applies (other than such distributions from the acquired to the issuing corporation),

and reduced to an annual average for such 3-year period pursuant to regulations prescribed by the Secretary or his delegate. Such regulations shall include rules for cases where any corporation was not in existence for all of such 3-year period or such period includes only a portion of a taxable year of any corporation.

(4) *Annual interest to be paid or incurred.* The term "annual interest to be paid or incurred" means—

(A) If subparagraph (B) does not apply, the annual interest to be paid or incurred by the issuing corporation only, determined by reference to its total indebtedness outstanding, or

(B) If projected earnings are determined under clause (ii) of paragraph (3)(A), the annual interest to be paid or incurred by both the issuing corporation and the acquired corporation, determined by reference to their combined total indebtedness outstanding.

(5) *Special rules for banks and lending or finance companies.* With respect to any corporation which is a bank (as defined in section 581) or is primarily engaged in a lending or finance business—

(A) In determining under paragraph (2) the ratio of debt to equity of such corporation (or of the affiliated group of which such corporation is a member), the total indebtedness of such corporation (and the assets of such corporation) shall be reduced by an amount equal to the total indebtedness owed to such corporation which arises out of the banking business of such corporation, or out of the lending or finance business of such corporation, as the case may be;

(B) In determining under paragraph (4) the annual interest to be paid or incurred by such corporation (or by the issuing and acquired corporations referred to in paragraph (4)(B) or by the affiliated group of which such corporation is a member) the amount of such interest (determined without regard to this paragraph) shall be reduced by an amount which bears the same ratio to the amount of such interest as the amount of the reduction for the taxable year under subparagraph (A) bears to the total indebtedness of such corporation; and

(C) In determining under paragraph (3)(B) the average annual earnings, the amount of the earnings and profits for the 3-year period shall be reduced by the sum

of the reductions under subparagraph (B) for such period.

For purposes of this paragraph, the term "lending or finance business" means a business of making loans or purchasing or discounting accounts receivable, notes, or installment obligations.

(d) *Taxable years to which applicable.* In applying this section—

(1) *First year of disallowance.* The deduction of interest on any obligation shall not be disallowed under subsection (a) before the first taxable year of the issuing corporation as of the last day of which the application of either subparagraph (A) or subparagraph (B) of subsection (b)(4) results in such obligation being corporate acquisition indebtedness.

(2) *General rule for succeeding years.* Except as provided in paragraphs (3), (4), and (5), if an obligation is determined to be corporate acquisition indebtedness as of the last day of any taxable year of the issuing corporation, it shall be corporate acquisition indebtedness for such taxable year and all subsequent taxable years.

(3) *Redetermination where control, etc., is acquired.* If an obligation is determined to be corporate acquisition indebtedness as of the close of a taxable year of the issuing corporation in which clause (i) of subsection (c)(3)(A) applied, but would not be corporate acquisition indebtedness if the determination were made as of the close of the first taxable year of such corporation thereafter in which clause (ii) of subsection (c)(3)(A) could apply, such obligation shall be considered not to be corporate acquisition indebtedness for such later taxable year and all taxable years thereafter.

(4) *Special 3-year rule.* If an obligation which has been determined to be corporate acquisition indebtedness for any taxable year would not be such indebtedness for each of any 3 consecutive taxable years thereafter if subsection (b)(4) were applied as of the close of each of such 3 years, then such obligation shall not be corporate acquisition indebtedness for all taxable years after such 3 consecutive taxable years.

(5) *Five-percent stock rule.* In the case of obligations issued to provide consideration for the acquisition of stock in another corporation, such obligations shall be corporate acquisition indebtedness for a taxable year only if at some time after October 9, 1969, and before the close of such year the issuing corporation owns 5 percent or more of the total combined voting power of all classes of stock entitled to vote of such other corporation.

(e) *Certain nontaxable transactions.* An acquisition of stock of a corporation of which the issuing corporation is in control (as defined in section 368(c)) in a transaction in which gain or loss is not recognized shall be deemed an acquisition described in paragraph (1) of subsection (b) only if immediately before such transaction (1) the acquired corporation was in existence, and (2) the issuing corporation was not in control (as defined in section 368(c)) of such corporation.

(f) *Exemption for certain acquisitions of foreign corporations.* For purposes of this section, the term "corporate acquisition indebtedness" does not include any indebtedness issued to any person to provide consideration for the acquisition of stock in, or assets of, any foreign corporation substantially all of the income of which, for the 3-year period ending with the date of such acquisition or for such part of such period as the foreign corporation was in existence, is from sources without the United States.

(g) *Affiliated groups.* In any case in which the issuing corporation is a member of an affiliated group, the application of this section shall be determined, pursuant to regulations prescribed by the Secretary or his delegate, by treating all of the members of the affiliated group in the aggregate as the issuing corporation, except that the ratio of debt to equity of, projected earnings of, and annual interest to be paid or incurred by any corporation (other than the issuing corporation determined without regard to this subsection) shall be included in the determinations required under subparagraphs (A) and (B) of subsection (b)(4) as of any day only if such corporation is a member of the affiliated group on such day, and, in determining projected earnings of such corporation under subsection (c)(3), there shall be taken into account only the earnings and profits of such corporation for the period during which it was a member of the affiliated group. For purposes of the preceding sentence, the term "affiliated group" has the meaning assigned to such term by section 1504(a), except that all corporations other than the acquired corporation shall be treated as includable corporations (without any exclusion under section 1504(b)) and the acquired corporation shall not be treated as an includable corporation.

(h) *Changes in obligation.* For purposes of this section—

(1) Any extension, renewal, or refinancing of an obligation evidencing a preexisting indebtedness shall not be deemed to be the issuance of a new obligation.

(2) Any obligation which is corporate acquisition indebtedness of the issuing corporation is also corporate acquisition indebtedness of any corporation which becomes liable for such obligation as guarantor, endorser, or indemnitor or which assumes liability for such obligation in any transaction.

(i) *Certain obligations issued after October 9, 1969.* For purposes of this section, an obligation shall not be corporate acquisition indebtedness if issued after October 9, 1969, to provide consideration for the acquisition of—

(1) Stock or assets pursuant to a binding written contract which was in effect on October 9, 1969, and at all times thereafter before such acquisition, or

(2) Stock in any corporation where the issuing corporation, on October 9, 1969, and at all times thereafter before such acquisition, owned at least 50 percent of the total combined voting power of all classes of stock entitled to vote of the acquired corporation.

Paragraph (2) shall cease to apply when (at any time on or after October 9, 1969) the issuing corporation has acquired control (as defined in section 368(c)) of the acquired corporation.

(j) *Effect on other provisions.* No inference shall be drawn from any provision in this section that any instrument designated as a bond, debenture, note, or certificate or other evidence of indebtedness by its issuer represents an obligation or indebtedness of such issuer in applying any other provision of this title.

[Sec. 279 as added by section 411(a), Tax Reform Act of 1969 (83 Stat. 604)]

§ 1.279–1 General rule; purpose.

An obligation issued to provide a consideration directly or indirectly for a corporate acquisition, although labeled as debt, may have characteristics which make the participation in the corporation which the obligation represents more nearly like a stockholder's interest than a creditor's interest. To deal with such cases, section 279 imposes certain limitations on the deductibility of interest paid or incurred on obligations which have certain equity characteristics and are classified as corporate acquisition indebtedness. Generally, section 279 provides that no deduction will be allowed for any interest paid or incurred by a corporation during the taxable year with respect to its corporate acquisition indebtedness to the extent such interest exceeds $5 million. However, the $5 million limitation is reduced by the amount of interest paid or incurred on obligations issued under the circumstances described in section 279(a)(2) but are not corporate acquisition indebtedness. Section 279(b) provides that an obligation will be corporate acquisition indebtedness if it was issued under certain circumstances and meets the four tests enumerated therein. Although an obligation may satisfy the conditions referred to in the preceding sentence, it may still escape classification as corporate acquisition indebtedness if the conditions as described in sections 279(d)(3), (4), and (5), 279(f), or 279(i) are present. However, no inference should be drawn from the rules of section 279 as to whether a particular instrument labeled a bond, debenture, note, or other evidence of indebtedness is in fact a debt. Before the determination as to whether the deduction for payments pursuant to an obligation as described in this section is to be disallowed, the obligation must first qualify as debt in accordance with section 385. If the obligation is not debt under section 385, it will be unnecessary to apply section 279 to any payments pursuant to such obligation.

§ 1.279–2 Amount of disallowance of interest on corporate acquisition indebtedness.

(a) *In general.* Under section 279(a), no deduction is allowed for any interest paid or incurred by a corporation during the taxable year with respect to its corporate acquisition indebtedness to the extent that such interest exceeds—

(1) $5 million, reduced by

(2) The amount of interest paid or incurred by such corporation during such year on any obligation issued after December 31, 1967, to provide consideration directly or indirectly for an acquisition described in section 279(b)(1) but which is not corporate acquisition indebtedness. Such an obligation is not corporate acquisition indebtedness if it—

(i) Was issued prior to October 10, 1969, or

(ii) Was issued after October 9, 1969, but does not meet any one or more of the tests of section 279(b)(2), (3), or (4), or

(iii) Was originally deemed to be corporate acquisition indebtedness but is no longer so treated by virtue of the application of paragraphs (3) or (4) of section 279(d), or

(iv) Is specifically excluded from treatment as corporate acquisition indebtedness by virtue of sections 279(d)(5), (f), or (i).

The computation of the amount by which the $5 million limitation described in this paragraph is to be reduced with respect to any taxable year is to be made as of the last day of the taxable year in which an acquisition described in section

279(b)(1) occurs. In no case shall the $5 million limitation be reduced below zero.

(b) *Certain terms defined.* When used in section 279 and the regulations thereunder—

(1) The term "issued" includes the giving of a note or other evidence of indebtedness to a bank or other lender as well as an issuance of a bond or debenture. In the case of obligations which are registered with the Securities and Exchange Commission, the date of issue is the date on which the issue is first offered to the public. In the case of obligations which are privately placed, the date of issue is the date on which the obligation is sold to the first purchaser.

(2) The term "interest" includes both stated interest and unstated interest (such as original issue discount as defined in paragraph (a)(1) of § 1.163–4 and amounts treated as interest under section 483).

(3) The term "money" means cash and its equivalent.

(4) The term "control" shall have the meaning assigned to such term by section 368(c).

(5) The term "affiliated group" shall have the meaning assigned to such term by section 1504(a), except that all corporations other than the acquired corporation shall be treated as includible corporations (without any exclusion under section 1504(b)) and the acquired corporation shall not be treated as an includible corporation. This definition shall apply whether or not some or all of the members of the affiliated group file a consolidated return.

(c) *Examples.* The provisions of paragraph (a) of this section may be illustrated by the following examples:

Example (1). On January 1, 1969, X Corporation, a calendar year taxpayer, issues an obligation, which satisfies all the tests of section 279(b), requiring it to pay $3.5 million of interest each year. Since the obligation was issued before October 10, 1969, the obligation cannot be corporate acquisition indebtedness, and a deduction for the $3.5 million of interest attributable to such obligation is not subject to disallowance under section 279(a). However, since the obligation was issued after December 31, 1967, in an acquisition described in section 279(b)(1), under section 279(a)(2) the $3.5 million of interest attributable to such obligation reduces the $5 million limitation provided by section 279(a)(1) to $1.5 million.

Example (2). Assume the same facts as in example (1). Assume further that on January 1, 1970, X Corporation issues more obligations which are classified as corporate acquisition indebtedness and which require X Corporation to pay $4 million of interest each year. For 1970 the amount of interest paid or accrued on corporate acquisition indebtedness, which may be deducted is $1.5 million ($5 million maximum provided by section 279(a)(1) less $3.5 million, the reduction required under section 279(a)(2)). Thus, $2.5 million of the $4 million interest incurred on a corporate acquisition indebtedness is subject to disallowance under section 279(a) for the taxable year 1970.

Example (3). Assume the same facts as in example (2). Assume further that on the last day of each of the taxable years 1971, 1972, and 1973 of X Corporation neither of the conditions described in section 279(b)(4) were present.

Under these circumstances, such obligations for all taxable years after 1973 are not corporate acquisition indebtedness under section 279(d)(4). Therefore, the $2.5 million of interest previously not deductible is now deductible for all taxable years after 1973. Although such obligations are no longer treated as corporate acquisition indebtedness, the interest attributable thereto must be applied in further reduction of the $5 million limitation. The $5 million limitation of section 279(a)(1) is therefore reduced to zero. While the limitation is at the zero level any interest paid or incurred on corporate acquisition indebtedness will be disallowed.

§ 1.279–3 Corporate acquisition indebtedness.

(a) *Corporate acquisition indebtedness.* For purposes of section 279, the term "corporate acquisition indebtedness" means any obligation evidenced by a bond, debenture, note, or certificate or other evidence of indebtedness issued after October 9, 1969, by a corporation (referred to in section 279 and the regulations thereunder as "issuing corporation") if the obligation is issued to provide consideration directly or indirectly for the acquisition of stock in, or certain assets of, another corporation (as described in paragraph (b) of this § 1.279–3), is "subordinated" (as described in paragraph (c) of this § 1.279–3), is "convertible" (as described in paragraph (d) of this § 1.279–3), and satisfies either the ratio of debt to equity test (as described in paragraph (f) of § 1.279–5) or the projected earnings test (as described in paragraph (d) of § 1.279–5).

(b) *Acquisition of stock or assets.* (1) Section 279(b)(1) describes one of the tests to be satisfied if an obligation is to be classified as corporate acquisition indebtedness. Under section 279(b)(1), the obligation must be issued to provide consideration directly or indirectly for the acquisition of—

(i) Stock (whether voting or nonvoting) in another corporation (referred to in section 279 and the regulations thereunder as "acquired corporation"), or

(ii) Assets of another corporation (referred to in section 279 and the regulations thereunder as "acquired corporation") pursuant to a plan under which at least two-thirds (in value) of all the assets (excluding money) used in trades or businesses carried on by such corporation are acquired.

The fact that the corporation that issues the obligation is not the same corporation that acquires the acquired corporation does not prevent the application of section 279. For example, if X Corporation acquires all the stock of Y Corporation through the utilization of an obligation of Z Corporation, a wholly owned subsidiary of X Corporation, this section will apply.

(2) *Direct or indirect consideration.* An obligation is used to provide direct consideration for an acquisition within the meaning of section 279(b)(1) where the issuing corporation issues bonds to the shareholders of an acquired corporation in exchange for stock in such acquired corporation. An obligation is used to provide indirect consideration for the acquisition of stock or assets within the meaning of section 279(b)(1) where (i) at the time of the issuance of the obligation the issuing corporation anticipated the acquisition of such stock or assets, or where (ii) at the time of the acquisition the issuing corporation foresaw or reasonably should have foreseen that it would be required to issue obligations to meet its future economic needs of an ordinary recurrent variety. Where the issuance of an obligation occurs within 12 months of an acquisition of stock of an acquired corporation, or of such corporation's assets as described in section 279(b)(1)(B), such obligation will be presumed to be the consideration for such acquisition to the extent of any money used as consideration for such acquisition. A taxpayer may rebut such presumption by a clear preponderance of the evidence.

(3) *Stock acquisition.* (i) For purposes of section 279, an acquisition in which the issuing corporation issues an obligation to provide consideration directly or indirectly for the acquisition of stock in the acquired corporation shall be treated as a stock acquisition within the meaning of section 279(b)(1)(A). Where the stock of one corporation is acquired from another corporation and such stock constitutes at least two-thirds of the assets of the latter corporation, such acquisition shall be deemed an asset acquisition as described in section 279(b)(1)(B) and subparagraph (4) of this section. If the issuing corporation acquires less than two-thirds of the assets of the acquired corporation within the meaning of section 279(b)(1)(B) and subparagraph (4) of this paragraph and such assets include stock of another corporation, the acquisition of such stock is a stock acquisition within the meaning of section 279(b)(1)(A) and of this subparagraph. In such a case the amount of the obligation which is characterized as corporate acquisition indebtedness shall bear the same relationship to the total amount of the obligation issued as the fair market value of the stock acquired bears to the total of the fair market value of the assets acquired and stock acquired, as of the date of acquisition.

(ii) If the issuing corporation acquired stock of an acquired corporation in an acquisition described in section 279(b)(1)(A), and liquidated the acquired corporation under section 334(b)(2) and the regulations thereunder before the last day of the taxable year in which such stock acquisition is made, such obligation issued to provide consideration directly or indirectly to acquire such stock of the acquired corporation shall be considered as issued in an acquisition described in section 279(b)(1)(B).

(4) *Asset acquisition.* (i) For purposes of section 279, an acquisition in which the issuing corporation issues an obligation to provide consideration directly or indirectly for the acquisition of assets of an acquired corporation pursuant to a

plan under which at least two-thirds of the gross value of all the assets (excluding money) used in trade or business carried on by such acquired corporation are acquired shall be treated as an asset acquisition within the meaning of section 279(b)(1)(B). For purposes of section 279(b)(1)(B), the gross value of any acquired asset shall be its fair market value as of the day of its acquisition. In determining the fair market value of an asset, no reduction shall be made for any liabilities, mortgages, liens, or other encumbrances to which the asset or any part thereof may be subjected. For purposes of this subparagraph, an asset which has been actually used in the trades and businesses of a corporation but which is temporarily not being used in such trades and businesses shall be treated as if it is being used in such manner. For purposes of this paragraph, the day of acquisition will be determined by reference to the facts and circumstances surrounding the transaction.

(ii) For purposes of the two-thirds test described in section 279(b)(1)(B), the stock of any corporation which is controlled by the acquired corporation shall be considered as an asset used in the trades and businesses of such acquired corporation.

(5) *Certain nontaxable transactions.* (i) Under section 279(e), an acquisition of stock of a corporation of which the issuing corporation is in control in a transaction in which gain or loss is not recognized shall be deemed an acquisition described in section 279(b)(1)(A) only if immediately before such transaction the acquired corporation was in existence, and the issuing corporation was not in control of such corporation.

(ii) The $5 million limitation provided by section 279(a)(1) is not reduced by the interest on an obligation issued in a transaction which, under section 279(e), is deemed not to be an acquisition described in section 279(b)(1).

(iii) The provisions of this subparagraph may be illustrated by the following examples:

Example (1). On January 1, 1973, W Corporation, a calendar year taxpayer, issues to the public 10,000 10 year convertible bonds each with a principal of $1,000 for $9 million. On June 6, 1973, W Corporation transfers the $9 million proceeds of such bond issue to X Corporation in exchange for X Corporation's common stock in a transaction that satisfies the provisions of section 351(a). On December 31, 1973, W Corporation's ratio of debt to equity is 1½ to 1 and its project earnings exceed three times the annual interest to be paid or incurred. Immediately prior to the transaction between the two corporations W Corporation owned no stock in X Corporation which had been in existence for several years. However, immediately after this transaction W Corporation is in control of X Corporation. Since X Corporation, the acquired corporation, was in existence and W Corporation, the issuing corporation, was not in control of X Corporation immediately before the section 351 transaction (a transaction in which gain or loss is not recognized) and since W Corporation is now in control of X Corporation, the acquisition of X Corporation's common stock by W Corporation is not protected from treatment as an acquisition described in section 279(b)(1)(A). However, the obligation will not be deemed to be corporate acquisition indebtedness since the test of section 279(b)(4) is not met. The interest on the obligation will reduce the $5 million limitation of section 279(a).

Example (2). Assume the facts are the same as described in example (1), except that X Corporation was not in existence prior to June 6, 1973, but rather is newly created by W Corporation on such date. Since X Corporation, the acquired corporation, was not in existence before June 6, 1973, the date on which W Corporation, the issuing corporation, acquired control of X Corporation in a transaction on which gain or loss is not recognized, the acquisition is not deemed to be an acquisition described in section 279(b)(1)(A). Thus, under the provisions of subdivision (ii) of this subparagraph, the $5 million limitation provided by section 279(a)(1) will not be reduced by the yearly interest incurred on the convertible bonds issued by W Corporation.

Example (3). Assume that the facts are the same as described in example (1), except that W Corporation was in control of X Corporation immediately before the transaction. Since W Corporation was in control of X Corporation immediately before the section 351(a) transaction and is in control of X Corporation after such transaction, the result will be the same as in example (2).

(c) *Subordinated obligation*—(1) *In general.* An obligation which is issued to provide consideration for an acquisition described in secton 279(b)(1) is subordinated within the meaning of section 279(b)(2) if it is either—

(i) Subordinated to the claims of trade creditors of the issuing corporation generally, or

(ii) Expressly subordinated in right of payment to the payment of any substantial amount of unsecured indebtedness, whether outstanding or subsequently issued, of the issuing corporation,

irrespective of whether such subordination relates to payment of interest, or principal, or both. In applying section 279(b)(2) and this paragraph in any case where the issuing corporation is a member of an affiliated group of corporations, the affiliated group shall be treated as the issuing corporation.

(2) *Expressly subordinated obligation.* In applying subparagraph (1)(ii) of this paragraph, an obligation is considered expressly subordinated whether the terms of the subordination are provided in the evidence of indebtedness itself, or in another agreement between the parties to such obligation. An obligation shall be considered to be expressly subordinated within the meaning of subparagraph (1)(ii) of this paragraph if such obligation by its terms can become subordinated in right of payment to the payment of any substantial amount of unsecured indebtedness which is outstanding or which may be issued subsequently. However, an obligation shall not be considered expressly subordinated if such subordination occurs solely by operation of law, such as in the case of bankruptcy laws. For purposes of this paragraph, the term "substantial amount of unsecured indebtedness" means an amount of unsecured indebtedness equal to 5 percent or more of the face amount of the obligations issued within the meaning of section 279(b)(1).

(d) *Convertible obligation.* An obligation which is issued to provide consideration directly or indirectly for an acquisition described in section 279(b)(1) is convertible within the meaning of section 279(b)(3) if it is either—

(1) Convertible directly or indirectly into stock of the issuing corporation, or

(2) Part of an investment unit or other arrangement which includes, in addition to such bond or other evidence of indebtedness, an option to acquire directly or indirectly stock in the issuing corporation. Stock warrants or convertible preferred stock included as part of an investment unit constitute options within the meaning of the preceding sentence. Indebtedness is indirectly convertible if the conversion feature gives the holder the right to convert into another bond of the issuing corporation which is then convertible into the stock of the issuing corporation.

In any case where the corporation which in fact issues an obligation to provide consideration for an acquisition described in section 279(b)(1) is a member of an affiliated group, the provisions of section 279(b)(3) and this paragraph are deemed satisfied if the stock into which either the obligation or option which is part of an investment unit or other arrangement is convertible, directly or indirectly, is stock of any member of the affiliated group.

(e) *Ratio of debt to equity and projected earnings test.* For rules with respect to the application of section 279(b)(4) (relating to the ratio of debt to equity and the ratio of projected earnings to annual interest to be paid or incurred), see paragraphs (d), (e), and (f) of § 1.279–5.

(f) *Certain obligations issued after October 9, 1969*—(1) *In general.* Under section 279(i), an obligation shall not be corporate acquisition indebtedness if such obligation is issued after October 9, 1969, to provide consideration for the acquisition of—

(i) Stock or assets pursuant to a binding written contract which was in effect on October 9, 1969, and at all times thereafter before such acquisition, or

(ii) Stock in any corporation where the issuing corporation, on October 9, 1969, and at all times thereafter before such acquisition, owned at least 50 percent of the total combined voting power of all classes of stock entitled to vote of the acquired corporation.

Subdivision (ii) of this subparagraph shall cease to apply when (at any time on or after October 9, 1969) the issuing corporation has acquired control of the acquired corporation. The interest attributable to any obligation which satisfies the conditions stated in the first sentence of this subparagraph

shall reduce the $5 million limitation of section 279(a)(1).

(2) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). On September 5, 1969, M Corporation, a calendar year taxpayer, entered into a binding written contract with N Corporation to purchase 20 percent of the voting stock of N Corporation. The contract was in effect on October 9, 1969, and at all times thereafter before the acquisition of the stock on January 1, 1970. Pursuant to such contract M Corporation issued on January 1, 1970, to N Corporation an obligation which satisfies the tests of section 279(b) requiring it to pay $1 million of interest each year. However, under the provisions of subparagraph (1)(i) of this paragraph, such obligation is not corporate acquisition indebtedness since it was issued to provide consideration for the acquisition of stock pursuant to a binding written contract which was in effect on October 9, 1969, and at all times thereafter before such acquisition. The $1 million of yearly interest on the obligation reduces the $5 million limitation provided for in section 279(a)(1) to $4 million since such interest is attributable to an obligation which was issued to provide consideration for the acquisition of stock in an acquired corporation.

Example (2). On October 9, 1969, O Corporation, a calendar year taxpayer, owned 50 percent of the total combined voting power of all classes of stock entitled to vote of P Corporation. P Corporation has no other class of stock. On January 1, 1970, while still owning such voting stock O Corporation issued to the shareholders of P Corporation to provide consideration for an additional 40 percent of P Corporation's voting stock an obligation which satisfied the tests of section 279(b) requiring it to pay $4 million of interest each year. Hence, O Corporation acquired control of P Corporation, and the provisions of subparagraph (1)(ii) of this paragraph ceased to apply to O Corporation. Thus, 75 percent of the obligation issued by O Corporation to provide consideration for the stock of P Corporation is not corporate acquisition indebtedness (that is, of the 40 percent of the voting stock of P Corporation which was acquired, only 30 percent was needed to give O Corporation control). Since 25 percent of the obligation is corporate acquisition indebtedness, $1 million of interest attributable to such obligation is subject to disallowance under section 279(a) for the taxable year 1970. The remaining $3 million of interest attributable to the obligation will reduce the $5 million limitation provided by in section 279(a)(1).

(g) *Exemptions for certain acquisitions of foreign corporations*—(1) *In general.* Under section 279(f), the term "corporate acquisition indebtedness" does not include any indebtedness issued to any person to provide consideration directly or indirectly for the acquisition of stock in, or assets of, any foreign corporation substantially all the income of which, for the 3-year period ending with the date of such acquisition or for such part of such period as the foreign corporation was in existence, is from sources without the United States. The interest attributable to any obligation excluded from treatment as corporate acquisition indebtednes by reason of this paragraph shall reduce the $5 million limitation of 279(a)(1).

(2) *Foreign corporation.* For purposes of this paragraph, the term "foreign corporation" shall have the same meaning as in section 7701(a)(5).

(3) *Income from sources without the United States.* For purposes of this paragraph, the term "income from sources without the United States" shall be determined in accordance with sections 862 and 863. If more than 80 percent of a foreign corporation's gross income is derived from sources without the United States, such corporation shall be considered to be deriving substantially all of its income from sources without the United States. However, if 50 percent or more of the gross income so determined is foreign personal holding company income within the meaning of section 553, the exemption of section 279(f) shall not apply. Gross income from sources without the United States shall not include income which is effectively connected with the conduct of a trade or business within the United States, within the meaning of section 864(c)(4).

§ 1.279–4 Special rules.

(a) *Special 3-year rule.* Under section 279(d)(4), if an obligation which has been deemed to be corporate acquisition indebtedness for any taxable year would not be such indebtedness for each of any 3 consecutive taxable years thereafter if the ratio of debt to equity and the ratio of projected earnings to annual interest to be paid or incurred of section 279(b)(4) were applied as of the close of each of such 3 years, then such obligation shall not be corporate acquisition indebtedness for all later taxable years after such 3 consecutive taxable years. The test prescribed by section 279(b)(4) shall be applied as of the close of any taxable year whether or not the issuing corporation issues any obligation to provide consideration for an acquisition described in section 279(b)(1) in such taxable year. Thus, for example, if a corporation, reporting income on a calendar year basis, has an obligation outstanding as of December 31, 1975, which was classified as a corporate acquisition indebtedness as of the close of 1972 and such obligation would not have been classified as corporate acquisition indebtedness as of the close of 1973, 1974, and 1975 because neither of the conditions of section 279(b)(4) were present as of such dates, then such obligation shall not be corporate acquisition indebtedness for 1976 and all taxable years thereafter. Such obligation shall not be reclassified as corporate acquisition indebtedness in any taxable year following 1975, even if the issuing corporation issues more obligations (whether or not found to be corporate acquisition indebtedness) in such later years to provide consideration for the acquisition of additional stock in, or assets of, the same acquired corporation with respect to which the original obligation was issued. The interest attributable to such obligation shall reduce the $5 million limitation provided by section 279(a)(1) for 1976 and all taxable years thereafter.

(b) *Five percent stock rule*—(1) *In general.* Under section 279(d)(5), if an obligation issued to provide consideration for an acquisition of stock in another corporation meets the tests of section 279(b), such obligation shall be corporate acquisition indebtedness for a taxable year only if at sometime after October 9, 1969, and before the close of such year the issuing corporation owns or has owned 5 percent or more of the total combined voting power of all classes of stock entitled to vote in the acquired corporation. Once an obligation is deemed to be corporate acquisition indebtedness, such obligation will continue to be deemed corporate acquisition indebtedness for all taxable years thereafter unless the provisions of section 279(d)(3) or (4) apply, notwithstanding the fact that the issuing corporation owns less than 5 percent of the combined voting power of all classes of stock entitled to vote of the acquired corporation in any or all taxable years thereafter.

(2) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). Corporation Y uses the calendar year as its taxable year and has only one class of stock outstanding. On June 1, 1972, X Corporation which is also a calendar year taxpayer and which has never been a shareholder of Y Corporation acquires from the shareholders of Y Corporation 4 percent of the stock of Y Corporation in exchange for obligations which satisfy the conditions of section 279(b). At no time during 1972 does X Corporation own 5 percent or more of the stock of Y Corporation. Accordingly, under the provisions of subparagraph (1) of this paragraph, for 1972 the obligations issued by X Corporation to provide consideration for the acquisition of Y Corporation's stock do not constitute corporate acquisition indebtedness.

Example (2). Assume the same facts as in example (1). Assume further that on February 24, 1973, X Corporation acquires from the shareholders of Y Corporation an additional 7 percent of the stock of Y Corporation in exchange for obligations which satisfy all of the tests of section 279(b). On December 28, 1973, X Corporation sells all of its stock in Y Corporation. For 1973, the obligations issued by X Corporation in 1972 and in 1973 constitute corporate acquisition indebtedness since X Corporation at some time after October 9, 1969, and before the close of 1973 owned 5 percent or more of the voting stock of Y Corporation. Furthermore, such obligations shall be corporate acquisition indebtedness for all taxable years thereafter unless the special provisions of section 279(d)(3) or (4) could apply.

(c) *Changes in obligation*—(1) *In general.* Under section 279(h), for purposes of section 279—

(i) Any extension, renewal, or refinancing of an obligation evidencing a preexisting indebtedness shall not be deemed to be the issuance of a new obligation, and

(ii) Any obligation which is corporate acquisition indebtedness of the issuing corporation is also corporate acquisition indebtedness of any corporation which in any transaction or by operation of law assumes liability for such obligation or becomes liable for such obligation as guarantor, endorser, or indemnitor.

(2) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). On January 1, 1971, X Corporation, which files its return on the basis of a calendar year, issues an obligation, which satisfies the tests of section 279(b), and is deemed to be corporate acquisition indebtedness. On January 1, 1973, an agreement is concluded between X Corporation and the holder of the obligation whereby the maturity date of such obligation is extended until December 31, 1979. Under the provisions of subparagraph (1)(i) of this paragraph such extended obligation is not deemed to be a new obligation, and still constitutes corporate acquisition indebtedness.

(2) On June 12, 1971, X Corporation, a calendar year taxpayer, issued convertible and subordinate obligations to acquire the stock of Z Corporation. The obligations were deemed corporation acquisition indebtedness on December 31, 1971. On March 4, 1973, X Corporation and Y Corporation consolidated to form XY Corporation in accordance with State law. In exchange for the outstanding debt obligations of X Corporation, XY Corporation issued nonconvertible and nonsubordinate obligations. The obligations of XY Corporation, issued in exchange for those of X Corporation, will be deemed to be corporate acquisition indebtedness.

§ 1.279–5 Rules for application of section 279(b).

(a) *Taxable years to which applicable*—(1) *First year of disallowance.* Under section 279(d)(1), the deduction of interest on any obligation shall not be disallowed under section 279(a) before the first taxable year of the issuing corporation as of the last day of which the application of either section 279(b)(4)(A) or (B) results in such obligation being classified as corporate acquisition indebtedness. See section 279(c)(1) and paragraph (b)(2) of this section for the time when an obligation is subjected to the test of section 279(b)(4).

(2) *General rule for succeeding years.* Under section 279(d)(2), except as provided in paragraphs (3), (4), and (5) of section 279(d), if an obligation is determined to be corporate acquisition indebtedness as of the last day of any taxable year of the issuing corporation, such obligation shall be corporate acquisition indebtedness for such taxable year and all subsequent taxable years.

(b) *Time of determination*—(1) *In general.* The determination of whether an obligation meets the conditions of section 279(b) (1), (2), and (3) shall be made as of the day on which the obligation is issued.

(2) *Ratio of debt to equity, projected earnings, and annual interest to be paid or incurred.* (i) Under section 279(c)(1), the determination of whether an obligation meets the conditions of section 279(b)(4) is first to be made as of the last day of the taxable year of the issuing corporation in which it issues the obligation to provide consideration directly or indirectly for an acquisition described in section 279(b)(1) of stock in, or assets of, the acquired corporation. An obligation which is not corporate acquisition indebtedness only because it does not satisfy the test of section 279(b)(4) in the taxable year of the issuing corporation in which the obligation is issued for stock in, or assets of, the acquired corporation may be subjected to the test of section 279(b)(4) again. A retesting will occur in any subsequent taxable year of the issuing corporation in which the issuing corporation issues any obligation to provide consideraton directly or indirectly for an acquisition described in section 279(b)(1) with respect to the same acquired corporation, irrespective of whether such subsequent obligation is itself classified as corporate acquisition indebtedness.

(ii) For purposes of section 279(b)(4) and this paragraph, in any case where the issuing corporation is a member of an affiliated group (see section 279(g) and § 1.279–6 for rules regarding application of section 279 to certain affiliated groups) which does not file a consolidated return and all the members of which do not have the same taxable year, determinations with respect to the ratio of debt to equity of, and projected earnings of, and annual interest to be paid or incurred by, any member of the affiliated group shall be made as of the last day of the taxable year of the corporation which in fact issues the obligation to provide consideration for an acquisition described in section 279(b)(1).

(3) *Redetermination where control or substantially all the properties have been acquired.* Under section 279(d)(3), if an obligation is determined to be corporate acquisition indebtedness as of the close of a taxable year of the issuing corporation in which section 279(c)(3)(A)(i) (relating to the projected earnings of the issuing corporation only) applied, but would not be corporate acquisition indebtedness if the determination were made as of the close of the first taxable year of such corporation thereafter in which section 279(c)(3)(A)(ii) (relating to the projected earnings of both the issuing corporation and the acquired corporation) could apply, such obligation shall be considered not to be corporate acquisition indebtedness for such later taxable year and all taxable years thereafter. Where an obligation ceases to be corporate acquisition indebtedness as a result of the application of this paragraph, the interest on such obligation shall not be disallowed under section 279(a) as a deduction for the taxable year in which the obligation ceases to be corporate acquisition indebtedness and all taxable years thereafter. However, under section 279(a)(2) the interest paid or incurred on such obligation which is allowed as a deduction will reduce the $5 million limitation provided by section 279(a)(1).

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). In 1971, X Corporation, which files its Federal income tax return on the basis of a calendar year, issues its obligations to provide consideration for the acquisition of 15 percent of the voting stock of both Y Corporation and Z Corporation. Y Corporation and Z Corporation each have only one class of stock. When issued, such obligations satisfied the tests prescribed in section 279(b) (1), (2), and (3) and would have constituted corporate acquisition indebtedness but for the test prescribed in section 279(b)(4). On December 31, 1971, the application of section 279(b)(4) results in X Corporation's obligations issued in 1971 not being treated as corporate acquisitions indebtedness for that year.

Example (2). Assume the same facts as in example (1), except that in 1972, X Corporation issues more obligations which come within the tests of section 279(b) (1), (2), and (3) to acquire an additional 10 percent of the voting stock of Y Corporation. No stock of Z Corporation is acquired after 1971. The application of section 279(b)(4)(B) (relating to the projected earnings of X Corporation) as of the end of 1972 results in the obligations issued in 1972 to provide consideration for the acquisition of the stock of Y Corporation being treated as corporate acquisition indebtedness. Since X Corporation during 1972 did issue obligations to acquire more stock of Y Corporation, under the provisions of section 279(c)(1) and subparagraph (2) of this paragraph the obligations issued by X Corporation in 1971 to acquire stock in Y Corporation are again tested to determine whether the test of section 279(b)(4) with respect to such obligations is satisfied for 1972. Thus, since such obligations issued by X Corporation to acquire Y Corporation's stock in 1971 previously came within the provisions of section 279(b) (1), (2), and (3) and the projected earnings test of section 279(b)(4)(B) is satisfied for 1972, all of such obligations are to be deemed to constitute corporate acquisition indebtedness for 1972 and subsequent taxable years. The obligations issued in 1971 to acquire stock in Z Corporation continue not to constitute corporate acquisition indebtedness.

Example (3). Assume the same facts as in examples (1) and (2). In 1973, X Corporation issues more obligations which come within the tests of section 279(b) (1), (2), and (3) to acquire more stock (but not control) in Y Corporation. On December 31, 1973, it is determined with respect to X Corporation that neither of the conditions described in section 279(b)(4) are present. Thus, the obligations issued in 1973 do not constitute corporate acquisition indebtedness. However, the obligations issued in 1971 and 1972 by X Corporation to acquire stock in Y Corporation continue to be treated as corporate acquisition indebtedness.

Example (4). Assume the same facts as in example (3), except that X Corporation acquires control of Y Corporation in 1973. Since X Corporation has acquired control of Y Corporation, the average annual earnings (as defined in section 279(c)(3)(b)) and the annual interest to be paid or incurred (as provided by section 279(c)(4)) of both X Corporation and Y Corporation under section 279(c)(3)(A)(ii) are taken into account in computing for 1973 the ratio of projected earnings to annual interest to be paid or incurred described in section 279(b)(4)(B). Assume further that after applying section 279(b)(4)(B) the obligations issued in 1973 escape treatment as corporate acquisition indebtedness for 1973. Under section 279(d)(3), all of the obligations issued by X Corporation to acquire stock in Y Corporation in 1971 and 1972 are removed from classification as corporate acquisition indebtedness for 1973 and all subsequent taxable years.

Example (5). In 1975, M Corporation, which files its Federal income tax return on the basis of a calendar year, issues its obligations to acquire 30 percent of the voting stock of N Corporation. N Corporation has only one class of stock. Such obligations satisfy the tests prescribed in section 279(b) (1), (2), and (3). Additionally, as of the close of 1975, M Corporation's ratio of debt to equity exceeds the ratio of 2 to 1 and its projected earnings do not exceed three times the annual interest to be paid or incurred. The obligations issued by M Corporation are corporate acquisition indebted-

ness for 1975 since all the provisions of section 279(b) are satisfied. In 1976 M Corporation issues its obligations to acquire from the shareholders of N Corporation an additional 60 percent of the voting stock of N Corporation, thereby acquiring control of N Corporation. However, with respect to the obligations issued by M Corporation in 1975, there is no redetermination under section 279(d)(3) and subparagraph (3) of this paragraph as to whether such obligations may escape classification as corporate acquisition indebtedness because in 1975 it was the ratio of debt to equity test which caused such obligations to be corporate acquisition indebtedness. If in 1975, M Corporation met the conditions of section 279(b)(4) solely because of the ratio of projected earnings to annual interest to be paid or incurred described in section 279(b)(4)(B), its obligation issued in 1975 could be retested in 1976.

(c) *Acquisition of stock or assets of several corporations.* An issuing corporation which acquires stock in, or assets of, more than one corporation during any taxable year must apply the tests described in section 279(b)(1), (2), and (3) separately with respect to each obligation issued to provide consideration for the acquisition of the stock in, or assets of, each such acquired corporation. Thus, if an acquisition is made with obligations of the issuing corporation that satisfy the tests described in section 279(b)(2) and (3) and obligations that fail to satisfy such tests, only those obligations satisfying such tests need be further considered to determine whether they constitute corporate acquisition indebtedness. Those obligations which meet the test of section 279(b)(1) but which are not deemed corporate acquisition indebtedness shall be taken into account for purposes of determining the reduction in the $5 million limitation of section 279(a)(1).

(d) *Ratio of debt to equity and projected earnings*—(1) *In general.* One of the four tests to determine whether an obligation constitutes corporate acquisition indebtedness is contained in section 279(b)(4). An obligation will meet the test of section 279(b)(4) if, as of a day determined under section 279(c)(1) and paragraph (b)(2) of this section, either—

(i) The ratio of debt to equity (as defined in paragraph (f) of this section) of the issuing corporation exceeds 2 to 1, or

(ii) The projected earnings (as defined in subparagraph (2) of this paragraph) of the issuing corporation, or of both the issuing corporation and acquired corporation in any case where subparagraph (2)(ii) of this paragraph is applicable, do not exceed three times the annual interest to be paid or incurred (as defined in paragraph (e) of this section) by such issuing corporation, or, where applicable, by such issuing corporation and acquired corporation.

(2) *Projected earnings.* The term "projected earnings" means the "average annual earnings" (as defined in subparagraph (3) of this paragraph) of—

(i) The issuing corporation only, if subdivision (ii) of this subparagraph, does not apply, or

(ii) Both the issuing corporation and the acquired corporation, in any case where the issuing corporation as of the close of its taxable year has acquired control, or has acquired substantially all of the properties, of the acquired corporation.

For purposes of subdivision (ii) of this subparagraph, an acquisition of "substantially all of the properties" of the acquired corporation means the acquisition of assets representing at least 90 percent of the fair market value of the net assets and at least 70 percent of the fair market value of the gross assets held by the acquired corporation immediately prior to the acquisition.

(3) *Average annual earnings.* (i) The term "average annual earnings" referred to in subparagraph (2) of this paragraph is, for any corporation, the amount of its earnings and profits for any 3-year period ending with the last day of a taxable year of the issuing corporation in which it issues any obligation to provide consideration for an acquisition described in section 279(b)(1), computed without reduction for—

(*a*) Interest paid or incurred,

(*b*) Depreciation or amortization allowed under chapter 1 of the Code,

(*c*) Liability for tax under chapter 1 of the Code, and

(*d*) Distributions to which section 301(c)(1) apply (other than such distributions from the acquired corporation to the issuing corporation),

and reduced to an annual average for such 3-year period. For the rules to determine the amount of earnings and profits of any corporation, see section 312 and the regulations thereunder.

(ii) Except as provided for in subdivision (iii) of this subparagraph, for purposes of subdivision (i) of this subparagraph in the case of any corporation, the earnings and profits for such 3-year period shall be reduced to an annual average by dividing such earnings and profits by 36 and multiplying the quotient by 12. If a corporation was not in existence during the entire 36-month period as of the close of the taxable year referred to in subdivision (i) of this subparagraph, its average annual earnings shall be determined by dividing its earnings and profits for the period of its existence by the number of whole calendar months in such period and multiplying the quotient by 12.

(iii) Where the issuing corporation acquires substantially all of the properties of an acquired corporation, the computation of earnings and profits of such acquired corporation beginning shall be made for the period of such corporation with the first day of the 3-year period of the issuing corporation and ending with the last day prior to the date on which substantially all of the properties were acquired. In determining the number of whole calendar months for such acquired corporation where the period for determining its earnings and profits includes 2 months which are not whole calendar months and the total number of days in such 2 fractional months exceed 30 days, the number of whole calendar months for such period shall be increased by one. Where the number of days in the 2 fractional months total 30 days or less such fractional months shall be disregarded. After the number of whole calendar months is determined, the calculation for average annual earnings shall be made in the same manner as described in the last sentence of subdivision (ii) of this subparagraph.

(e) *Annual interest to be paid or incurred*—(1) *In general.* For purposes of section 279(b)(4)(B), the term "annual interest to be paid or incurred" means—

(i) If subdivision (ii) of this subparagraph does not apply, the annual interest to be paid or incurred by the issuing corporation only, for the taxable year beginning immediately after the day described in section 279(c)(1), determined by reference to its total indebtedness outstanding as of such day, or

(ii) If projected earnings are determined under paragraph (d)(2)(ii) of this section, the annual interest to be paid or incurred by both the issuing corporation and the acquired corporation for 1 year beginning immediately after the day described in section 279(c)(1), determined by reference to their combined total indebtedness outstanding as of such day. However, where the issuing corporation acquires substantially all of the properties of the acquired corporation, the annual interest to be paid or incurred will be determined by reference to the total indebtedness outstanding of the issuing corporation only (including any indebtedness it assumed in the acquisition) as of the day described in section 279(c)(1).

The term "annual interest to be paid or incurred" refers to both actual interest and unstated interest. Such unstated interest includes original issue discount as defined in paragraph (a)(1) of § 1.163-4 and amounts treated as interest under section 483. For purposes of this paragraph and paragraph (f) of this section (relating to the ratio of debt to equity), the indebtedness of any corporation shall be determined in accordance with generally accepted accounting principles. Thus, for example, the indebtedness of a corporation includes short-term liabilities, such as accounts payable to suppliers, as well as long-term indebtedness. Contingent liabilities, such as those arising out of discounted notes, the assignment of accounts receivable, or the guarantee of the liability of another, shall be included in the determination of the indebtedness of a corporation if the contingency is likely to become a reality. In addition, the indebtedness of a corporation includes obligations secured by property of the corporation with respect to which the corporation is not personally liable. See section 279(g) and § 1.279-6 for rules with respect to the computation of annual interest to be paid or incurred in regard to members of an affiliated group of corporations.

(2) *Examples.* The provisions of these paragraphs may be illustrated by the following examples:

Example (1). Corporation X's earnings and profits calculated in accordance with section 279(c)(3)(B) for 1972, 1971, and 1970 respectively were $29 million, $23 million, and $20 million. The interest to be paid or incurred during the calendar year of 1973 as determined by reference to the issuing corporation's total outstanding indebtedness as of December 31, 1972, was $10 million. By dividing the sum of the earnings and profits for the 3 years by 36 (the number of whole calendar months in the 3-year period) and multiplying the quotient by 12, the average annual earnings for X Corporation is $24 million. Since the projected earnings of X Corporation do not exceed by three times the annual interest to be paid or incurred (they exceed by only 2.4 times), one of the circumstances described in section 279(b)(4) is present.

Example (2). On March 1, 1972, W Corporation acquires substantially all of the properties of Z Corporation in exchange for W Corporation's bonds which satisfy the tests of section 279(b) (2) and (3). W Corporation files its income tax returns on the basis of fiscal years ending June 30. Z Corporation, which was formed on September 1, 1969, is a calendar year taxpayer. The earnings and profits of W Corporation for the last 3 fiscal years ending June 30, 1972, calculated in accordance with the provisions of section 279(c)(3)(B) were $300 million, $400 million, and $380 million, respectively. The average annual earnings of W Corporation is $360 million ($1,080 million÷36×12). The earnings and profits of Z Corporation calculated in accordance with the provisions of section 279(c)(3)(B) were $4 million for the period of September 1, 1969 to December 31, 1969, $10 million and $14 million for the calendar years of 1970 and 1971, respectively, and $2 million for the period of January 1, 1972, through February 29, 1972, or a total of $30 million. To arrive at the average annual earnings, the sum of the earnings and profits, $30 million, must be divided by 30 (the number of whole calendar months that Z Corporation was in existence during W Corporation's 3-year period ending with day prior to the date substantially all the assets were acquired) and the quotient is multiplied by 12, which results in an average annual earnings of $12 million ($30 million÷30×12) for Z Corporation. The combined average annual earnings of W Corporation and Z Corporation is $372 million. The interest for the fiscal year ending June 30, 1973, to be paid or incurred by W Corporation on its outstanding indebtedness as of June 30, 1972, is $110 million. Since the projected earnings exceed the annual interest to be paid or incurred by more than three times, the obligation will not be corporate acquisition indebtedness, unless the issuing corporation's debt to equity ratio exceeds 2 to 1.

(f) *Ratio of debt to equity*—(1) *In general.* The condition described in section 279(b)(4)(A) is present if the ratio of debt to equity of the issuing corporation exceeds 2 to 1. Under section 279(c)(2), the term "ratio of debt to equity" means the ratio which the total indebtedness of the issuing corporation bears to the sum of its money and all its other assets (in an amount equal to adjusted basis for determining gain) less such total indebtedness. For the meaning of the term "indebtedness", see paragraph (e)(1) of this section. See section 279(g) and § 1.279–6 for rules with respect to the computation of the ratio of debt to equity in regard to an affiliated group of corporations.

(2) *Examples.* The provisions of section 279(b)(4)(A) and this paragraph may be illustrated by the following example:

Example (1). On June 1, 1971, X Corporation, which files its federal income tax returns on a calendar year basis, issues an obligation for $45 million to the shareholders of Y Corporation to provide consideration for the acquisition of all of the stock of Y Corporation. Such obligation has the characteristics of corporate acquisition indebtedness described in section 279(b) (2) and (3). The projected earnings of X Corporation and Y Corporation exceed 3 times the annual interest to be paid or incurred by those corporations and, accordingly, the condition described in section 279(b)(4)(B) is not present. Also, on December 31, 1971, X Corporation has total assets with an adjusted basis of $150 million (including the newly acquired stock of Y Corporation having a basis of $45 million) and total indebtedness of $90 million. Hence, X Corporation's equity is $60 million computed by subtracting its $90 million of total indebtedness from its $150 million of total assets. Since X Corporation's ratio of debt to equity of 1.5 to 1 ($90 million of total indebtedness over $60 million equity) does not exceed 2 to 1, the condition described in section 279(b)(4)(A) is not present. Therefore, X Corporation's obligation for $45 million is not corporate acquisition indebtedness because on December 31, 1971, neither of the conditions specified in section 279(b)(4) existed.

(g) *Special rules for banks and lending or finance companies*—(1) *Debt to equity and projected earnings.* Under section 279(c)(5), with respect to any corporation which is a bank (as defined in section 581) or is primarily engaged in a lending or finance business, the following rules are to be applied:

(i) In determining under paragraph (f) of this section the ratio of debt to equity of such corporation (or of the affiliated group of which such corporation is a member), the total indebtedness of such corporation (and the assets of such corporation) shall be reduced by an amount equal to the total indebtedness owed to such corporation which arises out of the banking business of such corporation, or out of the lending or finance business of such corporation, as the case may be;

(ii) In determining under paragraph (e) of this section the annual interest to be paid or incurred by such corporation (or by the issuing corporation and acquired corporation referred to in section 279(c)(4)(B) or by the affiliated group of corporations of which such corporation is a member), the amount of such interest (determined without regard to this subparagraph) shall be reduced by an amount which bears the same ratio to the amount of such interest as the amount of the reduction for the taxable year under subdivision (i) of this subparagraph bears to the total indebtedness of such corporation; and

(iii) In determining under section 279(c)(3)(B) the average annual earnings, the amount of the earnings and profits for the 3-year period shall be reduced by the sum of the reductions under subdivision (ii) of this subparagraph for such period.

For purposes of this paragraph, the term "lending or finance business" means a business of making loans or purchasing or discounting accounts receivable, notes, or installment obligations. Additionally, the rules stated in this paragraph regarding the application of the ratio of debt to equity, the determination of the annual interest to be paid or incurred, and the determination of the average annual earnings also apply if the bank or lending or finance company is a member of an affiliated group of corporations. However, the rules are to be applied only for purposes of determining the debt, equity, projected earnings and annual interest of the bank or lending or finance company which then are taken into account in determining the debt to equity ratio and ratio of projected earnings to annual interest to be paid or incurred by the affiliated group as a whole. Thus, these rules are to be applied to reduce the bank's or lending or finance corporation's indebtedness, annual interest to be paid or incurred, and average annual earnings which are taken into account with respect to the group, but are not to reduce the indebtedness of, annual interest to be paid or incurred by, and average annual earnings of, any corporation in the affiliated group which is not a bank or a lending or finance company. In determining whether any corporation which is a member of an affiliated group is primarily engaged in a lending or finance business, only the activities of such corporation, and not those of the whole group, are to be taken into account. See § 1.279–6 for the application of section 279 to certain affiliated groups of corporations.

(2) *Examples.* The provisions of this paragraph may be illustrated by the following examples:

Example (1). As of the close of the taxable year, X Bank has a total indebtedness of $100 million, total assets of $115 million, and $80 million is owed to X Bank by its customers. Bank X's indebtedness is $20 million ($100 million total indebtedness less $80 million owed to the X Bank by its customers) and its assets are $35 million ($115 million total assets less $80 million owed to the bank by its customers). If its annual interest to be paid or incurred is $5 million, such amount is reduced by $4 million

$$\left(\$5 \text{ million interest to be paid or incurred} + \frac{\$80 \text{ million owed to X Bank by its customers}}{\$100 \text{ million total indebtedness.}}\right)$$

Thus, X Bank's annual interest to be paid or incurred is $1 million.

Example (2). Assume the same facts as in example (1). X Bank has earnings and profits of $23 million for the 3-year period used to determine projected earnings. In computing the average annual earnings, the $23 million amount will be reduced by $12 million (three times the $4 million reduction of interest in example (1), assuming that the reduction was the same for each year). Thus X Bank's earnings and profits for such 3-year period are $11 million ($23 million total earnings and profits less $12 million reduction).

(h) *Statement to be attached to return.* In any case where any corporation claims a deduction for interest paid or incurred during the taxable year on any obligation issued to provide consideration for an acquisition described in section 279(b)(1) of stock in, or assets of, an acquired corporation, the corporation shall attach to its return for such taxable year a statement which includes the particular provisions of section 279 and, in sufficient detail, the facts establishing that such obligation was not corporate acquisition indebtedness, or that the amount of the deduction for interest on its corporate acquisition indebtedness did not exceed the amount of interest which may be deducted on such obligations under section 279(a).

§ 1.279–6 Application of section 279 to certain affiliated groups.

(a) *In general.* Under section 279(g), in any case in which the issuing corporation is a member of an affiliated group, the application of section 279 shall be determined by treating all of the members of the affiliated group in the aggregate as the issuing corporation, except that the ratio of debt to equity of, projected earnings of, and the annual interest to be paid or incurred by any corporation (other than the issuing corporation determined without regard to this paragraph) shall be included in the determinations required under section 279(b)(4) as of any day only if such corporation is a member of the affiliated group on such day, and, in determining projected earnings of such corporation under section 279(c)(3), there shall be taken into account only the earnings and profits of such corporation for the period during which it was a member of the affiliated group.

(b) *Aggregate money and other assets.* In determining the aggregate money and all the other assets of the affiliated group, the money and all the other assets of each member of such group shall be separately computed and such separately computed amounts shall be added together, except that adjustments shall be made, as follows:

(1) There shall be eliminated from the aggregate money and all the other assets of the affiliated group intercompany receivables as of the date described in section 279(c)(1);

(2) There shall be eliminated from the total assets of the affiliated group any amount which represents stock ownership in any member of such group;

(3) In any case where gain or loss is not recognized on transactions between members of an affiliated group under paragraph (d)(3) of this section, the basis of any asset involved in such transaction shall be the transferor's basis;

(4) The basis of property received in a transaction to which § 1.1502–31(b) applies shall be the basis of such property determined under such section; and

(5) There shall be eliminated from the money and all the other assets of the affiliated group any other amount which, if included, would result in a duplication of amounts in the aggregate money and all the other assets of the affiliated group.

(c) *Aggregate indebtedness.* For purposes of applying section 279(c), in determining the aggregate indebtedness of an affiliated group of corporations the total indebtedness of each member of such group shall be separately determined, and such separately determined amounts shall be added together, except that there shall be eliminated from such total indebtedness as of the date described in section 279(c)(1)—

(1) The amount of intercompany accounts payable,

(2) The amount of intercompany bonds or other evidences of indebtedness, and

(3) The amount of any other indebtedness which, if included, would result in a duplication of amounts in the aggregate indebtedness of such affiliated group.

(d) *Aggregate projected earnings.* In the case of an affiliated group of corporations (whether or not such group files a consolidated return under section 1501), the aggregate projected earnings of such group shall be computed by separately determining the projected earnings of each member of such group under paragraph (d) of § 1.279–5, and then adding together such separately determined amounts, except that—

(1) A dividend (a distribution which is described in section 301(c)(1) other than a distribution described in section 243(c)(1)) distributed by one member to another member shall be eliminated, and

(2) In determining the earnings and profits of any member of an affiliated group, there shall be eliminated any amount of interest income received or accrued, and of interest expense paid or incurred, which is attributable to intercompany indebtedness,

(3) No gain or loss shall be recognized in any transaction between members of the affiliated group, and

(4) Members of an affiliated group who file a consolidated return shall not apply the provisions of § 1.1502–18 dealing with inventory adjustments in determining earnings and profits for purposes of this section.

(e) *Aggregate interest to be paid or incurred.* For purposes of section 279(c)(4), in determining the aggregate annual interest to be paid or incurred by an affiliated group of corporations, the annual interest to be paid or incurred by each member of such affiliated group shall be separately calculated under paragraph (e) of § 1.279–5, and such separately calculated amounts shall be added together, except that any amount of annual interest to be paid or incurred on any intercompany indebtedness shall be eliminated from such aggregate interest.

§ 1.279–7 Effect on other provisions.

Under section 279(i), no inference is to be drawn from any provision in section 279 and the regulations thereunder that any instrument designated as a bond, debenture, note, or certificate or other evidence of indebtedness by its issuer represents an obligation or indebtedness of such issuer in applying any other provision of this title. Thus, for example, an instrument, the interest on which is not subject to disallowance under section 279 could, under section 385 and the regulations thereunder, be found to constitute a stock interest, so that any amounts paid or payable thereon would not be deductible.

[FR Doc.72–6837 Filed 5–3–72;8:52 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 231]

COLORADO RIVER IRRIGATION PROJECT, ARIZONA

Proposed Interim Regulations and Rates

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by 5 U.S.C. section 301 (1970 ed.), and section 2 of the Act of August 30, 1935 (49 Stat. 1039), and the Act of June 18, 1940 (54 Stat. 422), it is proposed to amend Part 231 of Subchapter U, Chapter I, of Title 25 of the Code of Federal Regulations. The primary purpose of this amendment is to provide additional revenue to meet the increased cost of operating and maintaining the power system of the Colorado River Irrigation Project, Arizona, and to make the rules and regulations compatible with present operations and requirements of the Project. It is proposed to accomplish this (1) by increasing the power rates for customers under Rate Schedule No. 1—Residential and Rate Schedule No. 2—Commercial, and (2) by adding Rate Schedule No. 3—Irrigation Pumping and Rate Schedule No. 4—Street and Area Lighting. Rate Schedule No. 1—Residential replaces the Combination Rate, and Rate Schedule No. 2—Commercial replaces the General Rate. To attain compatibility with current project operations and requirements, it is proposed (1) to revise the language of certain sections to correct inconsistencies; (2) to eliminate certain sections no longer needed; (3) to combine certain sections under one section with a new heading; (4) to add new sections where needed to provide for changed conditions; and (5) to renumber sections as required to place them in proper sequence.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Indian Affairs, Washington, D.C. 20242, within 30 days of the publication of this notice in the FEDERAL REGISTER.

Part 231 of Subchapter U, Chapter I, Title 25 of the Code of Federal Regulations is amended to read as follows:

Sec.
231.1 Purpose of regulations.
231.2 Authority of Officer in Charge.
231.3 Disputes.
231.4 Applications; contracts.
231.5 Cash deposits.
231.6 Deposits returned.
231.7 Extensions.
231.8 Extensions beyond specified distances.
231.9 Extensions limited.
231.10 Measuring extensions.
231.11 Rights-of-way.
231.12 Temporary service.
231.13 Type of service.
231.14 Service connections.
231.15 Entrance wires, switch, and protection.
231.16 Location and installation of meters.
231.17 Consumer responsible for equipment.
231.18 Change of consumer's equipment.
231.19 Apparatus detrimental to service.
231.20 Wiring standards.
231.21 Meter reading.
231.22 Bills.
231.23 Discontinuance of service on failure to pay bills.
231.24 Disputed bills.
231.25 Notice by consumer.
231.26 Fraud; tampering.
231.27 Resale of electric power.
231.28 Compensation of employees.
231.29 Noncompliance with rules.
231.30 Definition of maximum demand.
231.31 Interruptions to service.
231.32 Written claim.
231.33 Contingent upon appropriations.
231.34 Minimum contract period.
231.51 Rate Schedule No. 1—Residential rate.
231.52 Rate Schedule No. 2—Commercial rate.
231.53 Rate Schedule No. 3—Irrigation pumping rate.
231.54 Rate Schedule No. 4—Street and area lighting.

AUTHORITY: The provisions of this Part 231 issued under sec. 2, 49 Stat. 1039; 54 Stat. 422; and 5 U.S.C. sec. 301.

§ 231.1 Purpose of regulations.

The rules and regulations in this part are approved for the conduct of the electric power system of the Colorado River Irrigation Project, Arizona and California. The rules and regulations of this part are subject to change by the proper authority and such changes will apply to all contracts then and afterwards in effect.

§ 231.2 Authority of Officer in Charge.

The Officer in Charge as referred to herein is the Superintendent of the Colorado River Indian Agency or his designated representative. The Officer in Charge or his designee is responsible for operation of the electric power system and enforcement of public notices establishing rates and regulations. He is fully authorized to carry out and enforce the rules and regulations in this part.

§ 231.3 Disputes.

In case of disputes regarding application of these rules and regulations and decisions of the Officer in Charge made pursuant thereto, appeal may be made to the Commissioner of Indian Affairs whose decision will be final. While an appeal is pending, electric service will not be discontinued except in case of emergency as provided for in §§ 231.26 and 231.29: *And provided further,* That payments or deposits are made as required in § 231.24.

§ 231.4 Applications; contracts.

In order to become a consumer under the Colorado River Irrigation Project electric power system, an application shall be made which becomes a contract upon the approval of the Officer in Charge. In general, services will be rendered to all applicants signing valid contracts where service lines exist. The Officer in Charge is authorized to reject applications where it does not appear that the rules and regulations in this part will be complied with, or when not to the interest of the United States. After 10 days from the issuance of a written notice to the consumer regarding failure to comply with these rules and regulations, the Officer in Charge may suspend or cancel the consumer's service contract. Negotiations for contracts involving special conditions or service within town sites of record will be subject to approval by the Commissioner of Indian Affairs.

§ 231.5 Cash deposits.

A cash deposit or other form of guarantee in advance, in an amount of twice the estimated monthly bill, but not less than $20, will be required from all consumers except tribal, city, county, State, or Federal agencies. Where service to a consumer requires the construction of extensions beyond existing service lines, the consumer may be required by the Officer in Charge to deposit in advance an amount equal to 1 year's estimated billing.

§ 231.6 Deposits returned.

The consumer's cash deposit, less the amount of any unpaid bills for electric service excepting the unused portion of deposits for extensions, will be returned to the consumer when service is discontinued by written order of the consumer.

§ 231.7 Extensions.

Except as provided in § 231.8, the construction of extensions within the limits of urban areas of single-phase circuits will not exceed 100 feet, and extensions of three-phase circuits will not exceed 80 feet, for each dollar of guaranteed monthly revenue. The construction of extensions in rural areas of single-phase circuits will not exceed 264 feet, and extensions of three-phase circuits will not exceed 132 feet, for each dollar of guaranteed monthly revenue. Extensions will be constructed along existing rights-of-way insofar as practicable.

§ 231.8 Extensions beyond specified distance.

If extensions are desired beyond the distances specified in § 231.7, or if project funds are not available, prospective consumers may, after appropriate written agreement with the Officer in Charge, furnish or pay for such satisfactory line material and labor as may be necessary to construct the additional extension. The agreement may provide that part or all of the cost of the extension will be refunded to the consumer by allowing him a monthly credit equal to 20 percent of his power bill each month until the agreed amount is refunded, but not to exceed 5 years.

§ 231.9 Extensions limited.

The Officer in Charge shall decline to construct any extension which in his opinion will be excessive in cost or detrimental to the best interest of the project, or for which appropriations and funds are not available. All extensions shall remain the property of the United States.

§ 231.10 Measuring extensions.

In measuring an extension there shall be included all the primary distribution circuit which it is necessary to build and also the length of the secondary circuit, in excess of 100 feet, to the point of connection with the consumer's service.

§ 231.11 Rights-of-way.

Where there is no existing right-of-way or where no right-of-way has been acquired for such facilities, the consumer shall make or procure satisfactory conveyance to the United States of rights-of-way across all property necessary for the lines of the United States or incidental to the furnishing of service.

§ 231.12 Temporary service.

Temporary service refers to service to circuses, bazaars, fairs, construction works, and other business of such a nature that service on the premises will probably be discontinued within less than 1 year. Unless the payment of the cost is satisfactorily guaranteed, applicants for temporary service shall be required to deposit with the authorized collector a sum of money equal to the estimated net cost of installing and removing any facilities necessary in connection with furnishing such service, and also an additional sum approximately equal to the estimated bill for electric service: *Provided,* That if service is to continue for more than 2 months the said additional sum need not be greater than twice the estimated monthly bill. After service is discontinued, an account shall be rendered to the consumer and proper adjustment shall be made.

§ 231.13 Type of service.

(a) Service for lights and usual domestic and other appliances, including motors of less than 7½ horsepower, will be single-phase, 120/240 volts, three-wire, except when special approval for another type of service has been obtained from the Officer in Charge.

(b) Three-phase service at suitable voltage may be furnished for motor installations of 7½ horsepower and over, providing a three-phase circuit and the required voltage can be provided at the point where the consumer desires service.

(c) All service will be 60-cycle.

§ 231.14 Service connections.

(a) The consumer shall furnish and install the necessary service equipment in accordance with the following specifications:

(1) Service wires from the main line switch to the service entrance shall be encased in rigid steel conduit and shall be brought outside the building at a location most convenient to the lines of the United States. If brought out elsewhere, they shall be carried in rigid steel conduit to the point designated by the Officer in Charge. Service wires will not be carried over buildings to reach outlets where clearance of 8 feet for roofs less than one-fourth pitch, and 2 feet for roofs greater than one-fourth pitch, cannot be obtained. Outlets must be brought out at least 12 feet above the ground. If the consumer or his wiring contractor has any doubt as to the proper location for the service entrance, he should consult the Officer in Charge before the work is done.

(b) The ordinary method of connection with the street mains will be overhead wires. Consumers desiring the feed wires to run underground must run their own wires in approved conduit from the building to the point where connection is to be made. Conduits on the consumer's service pole must be installed in a manner satisfactory to the Officer in Charge. Consumers desiring underground service extensions to a pole owned by the Government will provide and install needed materials to be placed on the pole. All connections to Government owned facilities will be made by Government personnel. Conduits must be provided at the upper end with a suitable weatherproof fitting installed not more than 18 inches below the service drop. The conductors must be of such size that at full load the voltage drop from the point of attachment on the pole to the building entrance will not exceed 2 percent.

(c) Not more than one service will be installed to any one building.

§ 231.15 Entrance wires, switch, and protection.

(a) All single- and three-phase meters will be of the socket type. The socket and meter will be furnished by the United States. The socket shall be installed by the consumer. From the load side of the meter socket the consumer shall install the service wire in rigid steel conduit to a load center. This box must contain an automatic breaker or fused disconnect switch of an approved size for the connected demand. An additional grouping of branch fused disconnects or circuit breakers must be installed to serve lights, motors, or appliances, as required by the National Electrical Code. The neutral wire shall not be fused.

(b) On three-phase installations a main line entrance switch must be placed on the load side of the meter and adjacent thereto. This switch shall be fused on the load side of the switch or an automatic circuit breaker of approved type and capacity shall be installed. If fuses are used, they must be of cartridge type when the voltage is in excess of 150 volts to ground. The neutral wire shall not be fused.

(c) Entrance wires must be carried to the meter in rigid steel conduit and so arranged that they can be connected to the line side of the meter, and the load wires to the load side without crossing the wires near the meter.

(d) Where two or more meters are to be placed in one installation, extra arrangements for meter sockets or loops and meter boards shall be made by the consumer and each meter shall be protected by an individual circuit breaker or fused disconnect switch. In such case, the meter loops must be plainly marked to show the service and load ends and to what circuit each belongs.

§ 231.16 Location and installation of meters.

Meters will be furnished and installed by the United States. The consumer shall provide and maintain the necessary meter box or cabinet, switches, wiring, and test facilities. The locations of meters must be satisfactory to the Officer in Charge and in accordance with the following specifications:

(a) All meters must be located as near as possible to the point of entrance of the service, in a clean, dry, safe place, where they will be free from vibration.

(b) Meters must be in readily accessible locations so that the meter readers and test men may have access to the meters without inconveniencing the consumer. Location on an open porch or in an approved shelter on the outside of a building will be satisfactory. Under no circumstance will meters be installed in attics, sitting rooms, bathrooms, rest rooms, bedrooms, kitchens, or over stoves, sinks, tubs, doors, windows, or in any location where the visits of the meter reader or tester will cause annoyance to the consumer.

(c) No meter will be installed more than 7 feet nor less than 6 feet above the floor or working level. Meters must not be located above stairways, porch steps, basement entrances, nor in any place where a short step ladder or chair cannot be safely placed for reaching the meter. For underground installation, meters will be placed on approved pedestals.

(d) Meter boards must be furnished by the consumer where meters are to be set on lath and plaster, concrete, brick, stone, metal, or uneven surfaces, or in other places where the meter cannot be conveniently supported directly on the wall or pole. Meter boards must be not less than three-quarters of an inch thick, of sound wood, surfaced on all sides and of ample dimensions for the meters. They must be mounted in a substantial manner with their faces set truly vertical.

(e) A working space of not less than 36 inches must be provided and maintained in front of every meter and meter box.

(f) Where current and potential transformers are required for use with meters, ample provision shall be made by the consumer for their mounting, and a ground wire shall be provided.

(g) Where two or more meters are to be placed on one building, they must be grouped at one common place, unless special permission is granted by the Officer in Charge.

(h) No load wires of any description shall be carried within the same conduit as the supply wires except in cases of pole metering for rural customers. Tampering or in any way interfering with a meter or its connections is prohibited.

§ 231.17 Consumer responsible for equipment.

The consumer shall, at his own risk and expense, furnish, install, and keep in good and safe condition all electric wires, machinery, and apparatus which may be required for receiving electric energy from the United States, and for applying and utilizing such energy, including all necessary protective devices.

§ 231.18 Change of consumer's equipment.

In the event the consumer shall make any appreciable load change either in the amount or character of the electric lamps, appliances, machinery, or apparatus installed upon his premises, he shall immediately give the Officer in Charge written notice thereof.

§ 231.19 Apparatus detrimental to service.

(a) The Officer in Charge may refuse to supply loads of a character that may seriously impair service to other consumers. He may require the consumer to provide suitable equipment to limit load fluctuations.

(b) All motors shall be provided with suitable starting devices or apparatus to limit their starting current. Motors of 15 h.p. and above shall be equipped with sufficient capacitance to maintain a minimum power factor of 90 percent.

(c) The Officer in Charge may discontinue electric service to any consumer who shall continue to use appliances or apparatus detrimental to the service after he has been notified to correct the condition and has failed to do so within a prescribed time.

§ 231.20 Wiring standards.

(a) All wiring and electrical apparatus on consumers' premises shall be installed in accordance with and conform to standards as prescribed by applicable local, county, or State code, or Federal regulations, or the National Board of Fire Underwriters, as determined by the Officer in Charge.

(b) The United States reserves the right to make all service connections. No service will be connected where an inspection is required until the installation has been inspected and approved by the inspector.

§ 231.21 Meter reading.

Meters will be read at regular intervals. Should the seal of the meter be broken by other than the proper representative of the United States, or in case the meter fails to register correctly, the amount of power used by the consumer will be estimated from the records of his previous use and other available and proper information.

§ 231.22 Bills.

(a) Bills for electric service will be rendered monthly. Payments shall be made at the designated office of the Colorado River Agency. On initial connection the consumer will be billed on actual consumption if connection was made within 15 days prior to meter reading. Any period over the 15 days will be considered a full billing period.

(b) Removal bills, special bills, bills for temporary service, or bills rendered to persons discontinuing service are payable on presentation.

(c) Bills for a connection or reconnection service, and payments for deposits, shall be paid before service is connected or reconnected. Reconnection service will be performed on advance payment of $10 and/or overtime if required.

(d) Uncollected bills that require action by the U.S. Department of the Interior Solicitor's Office for collection shall include 50 percent administrative charge plus 1½ percent per month interest charge from date of delinquency.

§ 231.23 Discontinuance of service on failure to pay bills.

(a) Bills are due and payable upon receipt. On failure of the consumer to pay his bill for electric service within 15 days after the billing date, the Officer in Charge shall discontinue the supply of energy, and service to th same consumer will not be resumed at the same or at any other location until the consumer has paid all bills then due, plus a reconnection charge of $10 during normal work hours, or $10 plus overtime expenses during nonwork hours.

(b) Checks returned due to insufficient funds or any other reason are considered nonpayment of bill and the Officer in Charge may discontinue the supply of energy and service as provided in paragraph (a) of this section. An accounting charge of $5 will be made to the consumer in addition to the applicable reconnect charge as provided in paragraph (a) of this section.

§ 231.24 Disputed bills.

In case of a dispute between the consumer and Officer in Charge as to the correct amount of any bill for electric service furnished the consumer, the consumer may protest by depositing with the Officer in Charge the amount of the bill and file a written statement of his claim. The matter shall then be referred to the Commissioner of Indian Affairs as provided in § 231.3. Service will continue if the amount of each bill, as it becomes due, is deposited within 15 days of the date shown on the billing, pending a decision on the appeal.

§ 231.25 Notice by consumer.

A consumer about to vacate premises who desires discontinuance of service shall give a written request at least 2 days prior thereto, specifying the date he desires service to be discontinued. If such notice is not given, he will be held responsible for all electric energy furnished to such premises until the service is discontinued.

§ 231.26 Fraud; tampering.

Tampering or in any way interfering with meters, transformers, poles, conductors, or any part of the property of the United States is prohibited, and any violation of this provision shall be subject to prosecution pursuant to law. Service will be discontinued to any premises at any time when in the opinion of the Officer in Charge such action is necessary to protect against abuse, fraud, or theft.

§ 231.27 Resale of electric power.

Service will be discontinued should a consumer resell electric energy delivered to such consumer from the Project electric power system without prior written permission of the Officer in Charge to do so, and subject to such terms and conditions as he may impose.

§ 231.28 Compensation of employees.

All employees are strictly forbidden to demand or accept any personal compensation for services rendered to a consumer.

§ 231.29 Noncompliance with rules.

Should a consumer be found to be violating these rules and regulations and should he not remedy the violation, the Officer in Charge may discontinue electrical service. Except in cases of emergency or as otherwise provided, the consumer will be given written notice of at least 5 days. The notice shall state the particular rule or regulation that has been violated and inform the consumer of the action to be taken. Advance notice need not be given in the event of the discovery of a dangerous consumer-caused condition.

§ 231.30 Definition of maximum demand.

The maximum demand for each month shall be defined as the average amount of power used by the consumer during that period of 30 consecutive minutes when such average is the greatest for that month as determined from time to time by the United States by suitable meters or other means.

§ 231.31 Interruptions to service.

The United States will furnish energy continuously so far as reasonable diligence will permit but the United States, its officers, agents, or employees shall not be liable for damages when, for any reason, suspensions of the operation of the power system of the United States, or any part thereof, interfere with the delivery of electrical energy to a consumer. Should such suspensions occur due to causes arising on the system of the United States, the minimum bills of consumers who are affected may be reduced 1 percent for each 8 hours or major fraction of total suspension occurring in 1 month.

§ 231.32 Written claim.

The consumer may make written claim, within 30 days after date of monthly bill, for reduction on account of any suspension or suspensions alleged to have occurred and not considered in such bill. If written claim is not made within 30 days, claim shall be deemed to have been waived. If any dispute arises as to whether there was a suspension of service, or whether any such suspension was due to causes arising on the power system, the matter shall be referred to the Commissioner of Indian Affairs as provided in § 231.3.

§ 231.33 Contingent upon appropriations.

All contracts are subject to appropriations being made by Congress from year to year of moneys sufficient to do the work provided for therein, and to there being sufficient moneys available to permit allotments to be made for the performance of said work. No liability shall accrue against the United States by reason of such moneys not being appropriated, nor on account of there not being sufficient moneys to permit sufficient allotments.

§ 231.34 Minimum contract period.

The minimum contract period is 1 year. The contract, however, may be terminated if the consumer vacates the premises, except in cases where an extension has been constructed to supply the consumer as stated in §§ 231.5 and 231.7.

§ 231.51 Rate Schedule No. 1—residential rate.

(a) *Application.* This schedule applies to electrical service delivered through one meter to a consumer, either urban or rural, for domestic use.

(b) *Monthly rate.* (1) $5 for the first 150 kilowatt-hours or less.

(2) 2.5 cents per kilowatt-hour for the next 150 kilowatt-hours.

(3) 1.8 cents per kilowatt-hour for the next 1,700 kilowatt-hours.

(4) 1.6 cents per kilowatt-hour for the next 1,500 kilowatt-hours.

(5) 1.4 cents per kilowatt-hour for all additional kilowatt-hours.

§ 231.52 Rate Schedule No. 2—commercial rate.

(a) *Application.* This schedule shall apply to all electrical power use other than domestic, irrigation, and Agency. Domestic power consumed in residential dwellings which are also used for commercial purposes shall be billed under this schedule.

(b) *Monthly rate.* (1) Energy charge:

(i) $4.50 per month for the first 100 kilowatt-hours or less.

(ii) 2.5 cents per kilowatt-hour for next 900 kilowatt-hours.

(iii) 2.1 cents per kilowatt-hour for next 4,000 kilowatt-hours.

(iv) 2.1 cents per kilowatt-hour for next 150 kilowatt-hours per kilowatt of billing demand over 25 kilowatts.

(v) 1.5 cents per kilowatt-hour for next 5,000 kilowatt-hours.

(vi) 0.9 cent per kilowatt-hour for all additional kilowatt-hours.

(2) Demand charge:

(i) None for first 25 kilowatts of billing demand.

(ii) $0.50 per kilowatt for next 125 kilowatts of billing demand.

(iii) None for all additional kilowatts of billing demand.

(3) Minimum charge:

(i) $4.50 or $1 per kilowatt of billing demand, or the amount specified in a contract, whichever is greatest.

(4) Billing demand: The highest 15-minute integrated demand in kilowatts occurring during the month, or the demand specified in a contract, whichever is greater.

§ 231.53 Rate Schedule No. 3—irrigation pumping rate.

(a) Application: This schedule shall apply to power used for pumping of irrigation water for irrigation systems approved by the Officer in Charge.

This schedule is not applicable to temporary, breakdown, standby, supplementary, nor resale service.

(b) Monthly rate:

(1) Demand charge—$1.00 per kilowatt of billing demand.

(2) Energy charge—$0.90 per kilowatt-hour.

(3) Billing demand—The maximum kilowatts measured during the 12 months ending with the current month, or the kilowatts specified in a contract, whichever is greater.

(4) Minimum charge—The demand charge, or the amount specified in a contract, whichever is greater.

§ 231.54 Rate Schedule No. 4—street and area lighting.

(a) Application: This rate schedule applies to service for lighting public streets, alleys, thoroughfares, public parks, schoolyards, industrial areas, parking lots, and similar areas where dusk-to-dawn service is desired. The Project will own, operate, and maintain the lighting system, including normal lamp and globe replacement.

(b) Monthly rate:

Lamps	Per lamp	
	Metered	Unmetered
200 watts or less incandescent (2,800 lumens or less)	$1.80	$2.80
175 watts mercury vapor (approximately 6,500 lumens)	3.50	4.50
250 watts mercury vapor (approximately 10,000 lumens)	4.40	5.40
500 watts mercury vapor (approximately 18,000 lumens)	6.00	7.00

The minimum term of a service contract will be 12 months, payable in advance. The advance payment may be waived in special cases by the Officer in Charge. Installation charges, the cost of wood poles or special steel, aluminum, or other supports; special fixtures; and the cost of underground service, will be charged as determined by the Officer in Charge. Special yellow lamps to repel insects will be subject to a surcharge of 50 cents per month; 12-month minimum; payable in advance.

HARRISON LOESCH,
Assistant Secretary of the Interior.

APRIL 28, 1972.

[FR Doc.72-6769 Filed 5-3-72;8:47 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 910]

LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

Proposed 1971–72 Fiscal Year Budget and Rate of Expenses

Consideration is being given to the following proposal submitted by the Lemon Administrative Committee, established pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 36 F.R. 9061), regulating the handling of lemons grown in the State of Arizona and that part of the State of California south of a line drawn due east and west through the post office in Turlock, Calif., effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

Amend § 910.209 *Expenses and rate of assessment* (36 F.R. 24062) by adding the following paragraph:

§ 910.209 Expenses and rate of assessment.

* * * * *

(c) *Reserve.* Unexpended funds in excess of expenses incurred during the fiscal year ended July 31, 1971, in the amount of $20,000 are carried over as reserve in accordance with § 910.42(a)(2).

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

Dated: May 1, 1972.

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

[FR Doc.72-6813 Filed 5-3-72;8:51 am]

[7 CFR Part 1127]

MILK IN THE SAN ANTONIO, TEX., MARKETING AREA

Termination of Proceeding To Suspend Certain Provisions of the Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), a notice of proposed rule making was issued by the Deputy Administrator, Regulatory Programs, on April 7, 1972 (37 F.R. 7342), with respect to a proposed suspension of certain provisions of the order regulating the handling of milk in the San Antonio, Tex., marketing area. Interested persons were invited to submit views, data, and arguments to the Hearing Clerk not later than April 17, 1972, in connection with the proposed suspension.

The provisions that were proposed to be suspended are as follows:

In § 1127.11(b), the language "nor shall it include a dairy farmer during the months of March through June, if milk from the same dairy farmer (or farm) was received at a nonpool plant operated by the same handler, as other than producer milk, on more than half the days of delivery during the preceding months of July through February."

The proposed action would have suspended the provisions which exclude from "producer" status during the months of March through June any dairy farmer who delivers milk to a handler's pool plant if more than one-half of the farmer's milk was delivered during the preceding months of July through February, other than as producer milk, to a nonpool plant operated by the same handler.

Two parties in the San Antonio market submitted written views opposing the proposed suspension action. On the basis of all facts available to the Department, including written views, data, and arguments submitted by interested parties, it is concluded that the aforesaid provisions should not be suspended. Any change at this time in such provisions, if warranted, should be made only on the basis of a public hearing.

As indicated in the Assistant Secretary's decision (25 F.R. 11073) at the time these provisions were adopted, the purpose of such provisions is to prevent milk supplies which a handler (including a cooperative association) associated primarily with his nonpool plant during the months of short production from being pooled at his San Antonio pool plant during the months of heavy production and thereby dissipating the returns to producers regularly supplying the market. The decision noted that dairymen associated primarily with the nonpool plant should not be permitted to come on to the San Antonio market during just the flush production months, a time when local milk supplies for the market are already usually more than adequate, for the purpose of sharing on an opportune basis in the market's pool proceeds. It was concluded that a dairy farmer in this situation would not be reasonably associated with the market for the purpose of pooling during the flush production period if his milk had been delivered to the handler's nonpool plant for more than half of the time during the preceding months of July through February.

The cooperative association petitioning for the suspension action stated that the provisions in question prevent it from pooling on the San Antonio market the milk of some of its members who it claims are "historically and rightfully associated with the market." It is these provisions, however, that presently establish when a dairy farmer is associated with the market to the degree that war-

rants his participation in the San Antonio pool during the flush production period. On the basis of the present criteria, those members of the cooperative who are ineligible as "producers" on the San Antonio market because of the provisions in question obviously do not meet the test of being associated primarily with this market. If a different rule governing pooling is appropriate at this time, it should be based upon a full review in a hearing since the matter involves broader considerations than the pooling of the milk of the several producers proponent desires pooled under the San Antonio order at this time.

Moreover, there has been inadequate demonstration by petitioner that the provisions proposed to be suspended are inappropriate under current marketing conditions and that these safeguards to the integrity of the San Antonio pool are no longer needed. During the months of September 1971 through February 1972 the Class I utilization of producer milk on the San Antonio market ranged between 89 and 94 percent. For March 1972 the Class I utilization was 78 percent. Presumably, the need for additional milk supplies on the San Antonio market would have been more urgent during the months of short production and would have prompted a shift of supplies from other markets to the San Antonio market in those months. A shift of supplies at this time appears unnecessary for the purpose of assuring San Antonio handlers of an adequate supply of milk.

It is hereby found and determined that the proposed suspension should not be effectuated and that the proceeding begun in this matter on April 7, 1972, should be and is hereby terminated.

Signed at Washington, D.C., on April 28, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-6814 Filed 5-3-72;8:51 am]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 5]

GOVERNMENT OWNED HYDROELECTRIC POWER PROJECTS

Exemption of Sales of Electricity

Contracts for the sale of electric power by the TVA are exempted from all provisions of the Contract Work Hours and Safety Standards Act by 29 CFR 5.14(b) (2). The reasons for this exemption apply equally to such contracts made by other Federal agencies and instrumentalities.

It is therefore proposed to amend 29 CFR 5.14(b) to exempt from all provisions of the Contract Work Hours and Safety Standards Act contracts for the sale of electric power by the United States, its agencies, or instrumentalities to States, counties, municipalities, cooperatives, corporations, and individuals.

Interested persons are invited to submit written data, views, or arguments regarding this proposed exemption to the Deputy Assistant Secretary for Employment Standards, Department of Labor, Washington, D.C. 20210, within 30 days after publication of this notice in the FEDERAL REGISTER.

Section 5.14(b) (6) of Title 29, Code of Federal Regulations, is proposed to be amended as follows:

§ 5.14 Limitations, variations, tolerances, and exemptions under the Contract Work Hours and Safety Standards Act.

* * * * *

(b) *Exemptions.* * * *

(6) Sales of electric power by the United States, its agencies, or instrumentalities to States, counties, municipalities, cooperative organizations of citizens or farmers, corporations and/or individuals.

* * * * *

(Sec. 105, Public Law 87-581, 76 Stat. 359, 40 U.S.C. 331)

Signed at Washington, D.C., this 26th day of April 1972.

HORACE E. MENASCO,
Deputy Assistant Secretary
for Employment Standards.

[FR Doc.72-6771 Filed 5-3-72;8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[41 CFR Part 3-30]

CONTRACT FINANCING

Proposed Forms of Financing and Advance Payment

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Office of the Secretary is considering an amendment to 41 CFR Chapter 3 by amending Part 3-30, Contract Financing, to add a new Subpart 3-30.1 and a new § 3-30.403 under Subpart 3-30.4.

Any person who wishes to submit written data, views, or objections pertaining to the proposed amendment may do so by filing them in duplicate with the Director, Office of Procurement and Materiel Management, OASAM, Room 3340, HEW North Building, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, DC 20201, within 30 days following publication of this notice in the FEDERAL REGISTER. All comments submitted pursuant to this notice will be available for public inspection during regular business hours in the Office of Procurement and Materiel Management.

This amendment provides instructions to contracting officers concerning the use of the letter of credit method of financing advance payments to contractors. It also prescribes that an annual interest rate of 6 percent be charged on all advance payments not exempted by the regulation.

Dated: April 27, 1972.

N. B. HOUSTON,
Deputy Assistant Secretary
for Administration.

As proposed, the amendments to Part 3-30 would read as follows:

PART 3-30—CONTRACT FINANCING

Subpart 3-30.1—Forms of Financing

§ 3-30.104 Advance payments—description.

§ 3-30.104-1 Letters of credit.

(a) *Single letter of credit system.* Blanket determination and findings authorizing interest free advance payments under a single Federal Reserve letter of credit have been executed and remain in effect for each of the nonprofit organizations listed in § 3-30.150. These determinations and findings are applicable to all existing and future contracts entered into by the Department and its operating agencies. All contracts with these organizations which require advance payments (whether under section 305 of the Federal Property and Administrative Services Act of 1949, as amended, or other statutory authority) shall provide for payment to be made under the appropriate Federal Reserve letter of credit. The clause set forth in § 3-7.5007 shall be included in all such contracts and the cognizant fiscal office shall be apprised of its inclusion.

(b) *Individual contracts.* In those instances where it is practical and feasible to finance an advance payment under an existing Federal Reserve letter of credit other than one which is incorporated under the single system described in paragraph (a) of this section, a determination and findings shall be submitted as prescribed in § 3-3.303-51, except where authority other than section 305 of the Federal Property and Administrative Services Act is cited. In cases where authority other than section 305 is cited a determination and findings shall be submitted to the appropriate authorizing official.

Subpart 3-30.4—Advance Payments

§ 3-30.403 Interest.

(a) Interest will be charged on the unliquidated balance of all advance payments at a rate of 6 percent per annum except that advance payments without interest may be approved when in connection with nonprofit contracts which are without fee with educational institutions and other nonprofit organizations, whether public or private, for the performance of work involving health services, educational programs, or social service programs, including, but not limited to, such programs as:

(1) Community health representative services for an Indian Tribe or Band;

(2) Narcotic addict rehabilitative services;
(3) Comprehensive health care service program for Model Neighborhood programs;
(4) Planning and development of health maintenance organizations;
(5) Dissemination of information derived from educational research;
(6) Surveys or demonstrations in the field of education;
(7) Producing or distributing educational media for handicapped persons including captioned films for the deaf;
(8) Operation of language or area centers;
(9) Conduct of biomedical research and services in support thereof;
(10) Research surveys or demonstrations involving the training and placement of health manpower and health professionals, and dissemination of information related thereto;
(11) Surveys or demonstrations in the field of social service.

(b) Contracts with interest-free advance payments should provide that the contractor will charge interest at a rate of 6 percent per annum on subadvances or downpayments to subcontractors, and that interest charged on such subadvances and downpayments will be credited to the account of the Government. However, interest should not be charged on subadvances on nonprofit subcontracts which are without fee with nonprofit educational or research institutions for experimental, research, or developmental work.

[FR Doc.72-6775 Filed 5-3-72;8:48 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 17]

[Docket No. 8877; Reference Notice 68-11]

PROJECTS AFFECTING PUBLIC PARKS, RECREATIONAL AREAS, WILDLIFE REFUGES, OR HISTORIC SITES

Withdrawal of Notice of Proposed Rule Making

The purpose of this notice is to withdraw Notice 68-11 (33 F.R. 7041) in which the Federal Aviation Administration solicited comments on a proposed regulation implementing, with respect to projects requiring the approval of the FAA, section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)). As stated in Notice 68-11, section 4(f) provides that no program or project that requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site may be approved unless there is no feasible and prudent alternative and the program or project includes all possible planning to minimize harm to the park, area, refuge, or site involved.

Since the issuance of Notice 68-11, the National Environmental Policy Act of 1969 has been enacted (83 Stat. 852) that concerns, among other things, major Federal actions significantly affecting the quality of the human environment, and the Council on Environmental Quality, created thereunder, has issued guidelines for statements on proposed Federal actions affecting the environment (36 F.R. 7724; April 23, 1971). Since the issuance of Notice 68-11, the Airport and Airway Development Act of 1970 also has been enacted (84 Stat. 219). Sections 16(c)(3), 16(c)(4), and 16(d) thereof, with respect to airport development projects, respectively concern the interest of communities in or near which the project may be located, the protection and enhancement of the natural resources, and public hearings to consider the economic, social, and environmental effects of airport location.

The FAA has issued a notice of proposed rule making to implement the 1970 Act with respect to the Airport Aid Program (Notice 70-50; 35 F.R. 19678). It is expected that the final rules to be issued pursuant to that notice, together with other appropriate regulatory actions to be taken by the FAA, will provide the FAA's regulatory implementation of the National Environmental Policy Act of 1969, the guidelines of the Council on Environmental Quality, section 4(f) of the Department of Transportation Act, and sections 16(c)(3), 16(c)(4), and 16(d) of the Airport and Airway Development Act of 1970.

By reason of the foregoing, the FAA has determined that rule-making action on the proposed new Part 17 would not be appropriate at this time, and that Notice 68-11 should be withdrawn. The substance of Notice 68-11 will be incorporated in a new notice of wider scope, as indicated above.

In consideration of the foregoing, the notice of proposed rule making published in the FEDERAL REGISTER (33 F.R. 7041) on May 10, 1968 and circulated as Notice 68-11, entitled "Projects Affecting Public Parks, Recreational Areas, Wildlife Refuges, or Historic Sites," is hereby withdrawn.

(Sec. 313(a), Federal Aviation Act of 1958; 49 U.S.C. 1354(a). The Federal Airport Act; 49 U.S.C 1101 et seq. Section 52(c) of the Airport and Airway Development Act of 1970; 84 Stat. 235. Section 2(a), 2(b)(2), 4(f) and 9(e)(1) of the Department of Transportation Act; 49 U.S.C. 1651 (a) and (b)(2), 1653(f), 1657(e)(1). Section 1.47(g) of the regulations of the Office of the Secretary of Transportation; 14 CFR 1.47(g))

Issued in Washington, D.C., on April 28, 1972.

J. H. SHAFFER,
Administrator.

[FR Doc.72-6786 Filed 5-3-72;8:49 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 225]

[Reg. Y]

BANK HOLDING COMPANIES

Acquisition of Additional Bank by Holding Companies With "Grandfather" Clause Privileges as to Nonbank Interests

On October 26, 1971, the Board of Governors offered for public comment a proposed amendment to Regulation Y (FEDERAL REGISTER of October 29, 1971, 36 F.R. 20779). In general the proposal provides that, if a company that became a bank holding company as a result of enactment of the Bank Holding Act Amendments of 1970 acquires an additional bank, the authority Congress gave the company to retain nonbanking interests on the basis of certain grandfather clauses in those amendments must be relinquished no later than 2 years from the date the additional bank is acquired, unless the Board's order approving acquisition of the bank provides to the contrary.

In the light of the comments received on the proposal, the Board has decided to consider each application by a company with grandfather benefits on a case-by-case basis, rather than adopt the proposed amendment as a general regulation. Such ad hoc procedure will afford the Board an opportunity to examine the relatively few companies involved from the standpoint of whether the combination of banking and nonbanking interests for the prescribed period of time is likely to have an adverse effect on the public interest.

By order of the Board of Governors, April 17, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-6763 Filed 5-3-72;8:47 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1124]

[Ex Parte 277 (Sub-No. 1)]

ADEQUACY OF INTERCITY RAIL PASSENGER SERVICE

Extension of Time for Filing Comments

APRIL 26, 1972.

At the request of Mr. John H. O'Brien of the Bureau of Enforcement, Interstate Commerce Commission, the date for filing reply statements is hereby extended

from April 28, 1972, to May 26, 1972.[1] An original and 15 copies of each party's reply statement, including a certificate showing service upon all parties of record should be directed to the Interstate Commerce Commission, Office of Proceedings, Room 5354, Washington, D.C. 20423.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-6832 Filed 5-3-72;8:52 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 249]

[Release No. 34-9576]

INFORMATION NOT CONTAINED IN ANNUAL REPORT TO SHAREHOLDERS

Proposed Disclosure

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed amendment to Form 10-K (17 CFR 249.310) under the Securities Exchange Act of 1934. Form 10-K is the annual report form required to be filed with the Commission by most commercial and industrial companies having securities registered pursuant to section 12 of the Act for trading on a securities exchange or in the over-the-counter markets.

The proposed amendment would add to Form 10-K a new item which would require the registrant to list by subject matter the items of information contained in the report which are not contained in the registrant's annual report to its security holders. Annual reports filed with the Commission on Form 10-K are used by a variety of persons, including security analysts, investment advisors, brokerage houses, stockholders, investors, and other persons. The purpose of the proposed amendment is to bring specifically to the attention of such persons information contained in the annual report on Form 10-K which is not contained in the issuer's annual report to its security holders.

The text of the proposed amendment, which is in the form of a new Item 16, reads as follows:

Item 16. Information contained herein which is not contained in the annual report to security holders.

List by subject matter the items of information contained in this report which are not contained in the issuer's annual report to its security holders.

* * * * *

All interested persons are invited to submit their views and comments on the proposed amendment in writing to Charles J. Sheppe, Chief, Branch of Regulations and Legislative Matters, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549 on or before May 26, 1972. All communications with respect to the proposed amendment should refer to File No. S7-439. All such communications will be available for public inspection.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

APRIL 20, 1972.

[FR Doc.72-6778 Filed 5-3-72;8:48 am]

[1] Notice of proposed rule making in this matter was published on Dec. 11, 1971 (36 F.R. 23636), and an extension of time for filing comments was published on Mar. 8, 1972 (37 F.R. 4968).

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order 124]

ASSISTANT COMMISSIONER (STABILIZATION) ET AL.

Authority To Deny Requests for Exemptions in Stabilization Matters

The authority delegated to the Commissioner of Internal Revenue by Treasury Department Order No. 150–78, to deny requests for exemptions that are the same as or substantially the same as exemption requests considered and denied by the Cost of Living Council, is hereby redelegated to the following officials:

Assistant Commissioner (Stabilization).
Regional Commissioners.
Assistant Regional Commissioners (Appellate).
Assistant Regional Commissioners (Stabilization).
Regional Inspectors.
District Directors.
Director of International Operations.

The authority delegated herein may be redelegated only by the officials specified in this order and may not be redelegated by those officials to whom the specified officials redelegate.

Date of issue: April 24, 1972.

Effective date: April 24, 1972.

[SEAL] JOHNNIE M. WALTERS,
Commissioner.

[FR Doc.72-6809 Filed 5-3-72;8:50 am]

NOTICE OF GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C. 925(c) the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding 1 year.

It has been established to my satisfaction that the circumstances regarding the convictions and each 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 will not be contrary to the public interest.

Anding, Louis Q., Jr., 201 Holy Cross Place, Kenner, LA, convicted on October 13, 1969, in the U.S. District Court for the Eastern District of Louisiana.

Armstrong, Michael H., Route 2, Humansville, MO., convicted on March 19, 1964, in the U.S. District Court for the District of Kansas, Kansas City, Kans.

Brower, Robert Eugene, 321 Lime Street, Topeka, KS, convicted on November 13, 1964, in the District Court of Shawnee County, Kans.

Cade, Jack Robert, 4032 Montgomery, Detroit, MI, convicted on August 30, 1935, in the Recorder's Court for the city of Detroit, Mich.

Cobb, John Raymond, 1425 De Ville, Wichita Falls, TX, convicted on April 16, 1959, and on June 13, 1962, in the 27th Judicial District Court, Bell County, Tex.

DeMario, Ralph John, 856 West Circle Drive, Vestal, NY, convicted on May 28, 1958, in the Broome County Court, Binghamton, N.Y.

DeRitis, Joseph, 3 Ruth Ellen Way, Rochester, NY, convicted on June 10, 1944, in the U.S. District Court, Western District of New York.

Johnson, William, 1316 Mount Street, Gary, IN, convicted on August 5, 1968, in the U.S. District Court for the Northern District of Indiana, Hammond Division.

Peters, Allen Stanley, 57–58 246th Crescent, Douglaston, NY, convicted on November 8, 1968, in the Nassau County Court, N.Y.

Quarles, Johnnie Lewis, 16616 Muirland Avenue, Detroit, MI, convicted on May 16, 1946, in the Recorder's Court of the city of Detroit, Mich.

Richmond, Ronnie D., 602 Davis Street, Poplar Bluff, MO, convicted on November 22, 1966, in the Butler County Circuit Court, Poplar Bluff, Mo.

Thompson, Donald Theodore, 9700 Southwest Tualatin Road No. 14, Sherwood, OR, convicted on August 8, 1967, in the Marion County Court, Oreg.

Vickers, Paul Wayne, Route 4, Bristol, Va., convicted on October 8, 1969, in the Corporation Court of the city of Bristol, Va.

Wheat, James Louis, Rural Delivery No. 1, Watkins Glen, N.Y., convicted on October 28, 1955, in the Chemung County Supreme Court, Chemung County, N.Y.; and on March 12, 1956, in the U.S. District Court, Rochester, N.Y.

Wilson, Larry Eugene, Route 6, Box 82, Lakeview, OR, convicted on July 18, 1967, in the Superior Court of California, Modoc County, Calif.; and on September 13, 1967, in the Circuit Court of Oregon, Lake County, Oreg.

Wuestewald, John M., 40465 Flagstaff, Sterling Heights, MI, convicted on December 5, 1961, in the Recorder's Court of the city of Detroit, Mich.

Signed at Washington, D.C., this 27th day of April 1972.

[SEAL] REX D. DAVIS,
Director, Alcohol, Tobacco, and Firearms Division.

[FR Doc.72-6810 Filed 5-3-72;8:50 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 4986]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 26, 1972.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, serial number S 4986, for the withdrawal of the lands described below from all forms of appropriation under the public land laws, including the general mining but not the mineral leasing laws.

The applicant desires the land for the construction, operation, and maintenance of the planned facilities of the Auburn Dam and Reservoir, Auburn-Folsom South Unit, American River Division of the Central Valley Project.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing on or before June 5, 1972, to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, E–2841 Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

The Department's regulations 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, to eliminate the lands needed for purposes more essential 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 it, 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, CALIFORNIA

T. 12 N., R. 9 E.,
Sec. 1, lot 11;
T. 13 N., R. 10 E.,
Sec. 11, S½NE¼SE¼ and SE¼SE¼;
Sec. 14, lots 1, 4, 5, and 6, and SW¼SE¼;
Sec. 28, NE¼SW¼NE¼ and N½NW¼NW¼;
T. 14 N., R. 11 E.,
Sec. 33, SE¼NW¼SW¼, S½NE¼SW¼, S½N½SE¼, and NW¼SW¼SE¼;
Sec. 34, N½NW¼SW¼, NE¼SE¼SW¼, and S½SE¼SW¼.

The aforedescribed areas aggregate approximately 441.36 acres of Federal land of which 420.70 acres (in T. 13 N., R. 10 E., and T. 14 N., R. 11 E.) are in the Eldorado and Tahoe national forests.

The applicant agency desires the withdrawal of the following described lands from location and entry under the mining laws but not the mineral leasing laws, as these lands are patented, having been patented under the Stockraising Homestead Act of December 29, 1916 (39 Stat. 862), as amended, with a reservation of all minerals to the United States.

MOUNT DIABLO MERIDIAN

T. 12 N., R. 9 E.,
Sec. 4, lots 8 and 9;
T. 14 N., R. 10 E.,
Sec. 6, lots 17 and 18, NE¼ lot 19, and W½ lot 19.

The above-described patented lands aggregate approximately 131.72 acres.

WALTER F. HOLMES,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-6768 Filed 5-3-72;8:47 am]

CHIEF, LANDS AND MINERALS ADJUDICATION SECTION, BRANCH OF LANDS AND MINERALS OPERATIONS, MONTANA STATE OFFICE

Redelegation of Authority

APRIL 25, 1972.

1. Pursuant to the authority contained in the Redelegation of Authority published in the FEDERAL REGISTER on June 26, 1971, as F.R. Doc. 71-9044, I hereby redelegate to the Chief, Lands and Minerals Adjudication Section, in the Branch of Lands and Minerals Operations, authority to take action on the following matters listed in Part I of Bureau Order No. 701 of July 23, 1964, as amended:

Section	*Section*
2.2(b).	2.9(i).
2.3(a).	2.9(j).
2.6(a).	2.9(k).
2.6(h).	2.9(l).
2.9(a).	2.9(m).
2.9(b).	2.9(n).
2.9(c).	2.9(p).
2.9(d).	2.9(q).
2.9(e).	2.9(r).
2.9(f).	2.9(s).
2.9(h).	

2. The Chief, Lands and Minerals Adjudication Section may by written order designate any qualified employee of his section to perform the functions of his position, in an acting capacity in his absence. Such order will be approved by the Chief, Branch of Lands and Minerals Operations.

3. *Effective date.* This redelegation will become effective immediately upon publication in the FEDERAL REGISTER (5-4-72).

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

Approved: April 25, 1972.

EDWIN ZAIDLICZ,
State Director.

[FR Doc.72-6815 Filed 5-3-72;8:51 am]

Office of the Secretary

[DES 72-52]

PROPOSED INSTALLATION AND OPERATION OF SKID-MOUNTED DESALTING UNIT AND INJECTION WELL IN IMPERIAL VALLEY, CALIF.

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the proposed installation and operation of a skid-mounted desalting unit in the Imperial Valley, Calif. and invites written comment within thirty (30) days of this notice.

The environmental statement considers the construction of a desalting test facility at a geothermal test well in the Imperial Valley, Calif., the drilling of a deep brine injection well and the operation of the test facility for desalting the geothermal brine and the injection well for disposal of waste brine. The purposes of the tests would be to obtain information on the behavior of geothermal brine in a desalting system, on the production of geothermal brines and on the disposal of waste brine from a geothermal desalting system.

Copies are available for inspection at the following location:

Office of Saline Water, Room 5346, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-3503.

Dated: April 25, 1972.

W. W. LYONS,
Deputy Assistant Secretary of the Interior.

[FR Doc.72-6770 Filed 5-3-72;8:48 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 391.1, the lists (37 F.R. 2795, 6143, and 7723) of establishments which are operated under Federal inspection pursuant to the Federal Meat Inspection Act, as amended (21 U.S.C. 601 et seq.), and which use humane methods of slaughter and incidental handling of livestock are hereby amended as indicated in the following table listing species at additional establishments that have been reported as being slaughtered and handled humanely.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Curry County Meat Co.	2248					(*)	
Osburn Packing Co.	7150		(*)			(*)	
Oaklawn Grain & Feed, Inc.	7157					(*)	
New establishments Reported: 3							

Done at Washington, D.C., on April 26, 1972.

KENNETH M. MCENROE,
Acting Associate Administrator, Meat and Poultry Inspection Program.

[FR Doc.72-6721 Filed 5-3-72;8:45 am]

Forest Service

A 3-YEAR ROAD CONSTRUCTION PROGRAM FOR KOOTENAI NATIONAL FOREST

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a 3-Year Road Construction Program for the Kootenai National Forest, USDA-FS-DES (Adm) 72-32.

The environmental statement concerns proposed development of a 3-year program (July 1, 1972 through June 30, 1975) of road construction and reconstruction on the Kootenai National Forest, Mont. coordinated with resource needs and public needs and desires.

This draft environmental statement was filed with CEQ on April 18, 1972.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3230, 12th Street and Independence Avenue SW., Washington, D.C. 20250.
USDA, Forest Service, Northern Region, Federal Building, Missoula, Mont. 59801.
Kootenai National Forest, 418 Mineral Avenue, Libby, MT 59923.

A limited number of single copies are available upon request to Mr. George A. Mahrt, Forest Supervisor, U.S. Forest Service, Kootenai National Forest, 418 Mineral Avenue, Libby, MT 59923.

Copies are also available from the National Technical Information Service,

U.S. Department of Commerce, Springfield, Va. 22151 for $3 each. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Mr. George A. Mahrt, Forest Supervisor, Kootenai National Forest, 418 Mineral Avenue, Libby, MT 59923. Comments must be received within 30 days of the date of publication of this notice in order to be considered in the preparation of the final environmental statement.

THOMAS C. NELSON,
Deputy Chief, Forest Service.

APRIL 27, 1972.

[FR Doc.72-6792 Filed 5-3-72;8:49 am]

Office of the Secretary

CALIFORNIA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following counties in the State of California natural disasters have caused a general need for agricultural credit:

COUNTIES

El Dorado.	San Benito.
Fresno.	San Joaquin.
Kern.	San Luis Obispo.
Kings.	Santa Cruz.
Madera.	Stanislaus.
Merced.	Tehama.
Nevada.	Tulare.
Placer.	

Emergency loans will not be made in the above-named counties under this designation pursuant to applications received after June 30, 1973, except subsequent loans to qualified borrowers who received initial loans under this designation.

The urgency of the need for Emergency loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 28th day of April 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72-6793 Filed 5-3-72;8:49 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-165; NADA No. 11-334V]

AMERICAN CYANAMID CO.

Acetazolamide; Notice of Withdrawal of Approval of New Animal Drug Application

A notice of opportunity for a hearing proposing to withdraw approval of NADA (new animal drug application) No. 11-334V for the drugs Vetamox Acetazolamide Tablets and Vetamox Acetazolamide Oblets was published in the FEDERAL REGISTER of July 22, 1970 (35 F.R. 11716). American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, holder of this application requested the withdrawal of said NADA.

Based on the grounds set forth in said notice and the firm's response, the Commissioner of Food and Drugs concludes that approval of said NADA should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under the authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 11-334V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document.

Dated: April 19, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc. 72-6803 Filed 5-3-72;8:50 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-171]

REGIONAL ADMINISTRATORS ET AL.

Redelegation of Authority With Respect to Housing Management

The redelegation of authority by the Assistant Secretary for Housing Management to Regional Administrators et al., published at 35 F.R. 16105, October 14, 1970, is amended in the following respects:

1. In section A, subparagraph 8, d is revoked.

2. In section E, subparagraph 1, b is amended to read as follows:

b. To approve operating budgets and budget revisions, except those for local housing authorities which have 500 or more units in management and require an operating subsidy.

(Secretary's delegation of authority to redelegate published at 36 F.R. 5005, Mar. 16, 1971)

Effective date. This amendment to redelegation of authority is effective as of March 23, 1972.

G. RICHARD DUNNELLS,
Acting Assistant Secretary for Housing Management.

[FR Doc.72-6811 Filed 5-3-72;8:51 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-263]

NORTHERN STATES POWER CO.

Notice of Availability of Applicant's Supplementary Environmental Report

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a report entitled "Environmental Report—Supplement 1," dated April 4, 1972, for the Monticello Nuclear Generating Plant, submitted by the Northern States Power Co. is being placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the Environmental Resource Center, Minneapolis Public Library, 1222 Southeast Fourth Street, Minneapolis, MN 55414. The report also is being made available to the public at the office of the Minnesota State Planning Agency, Suite 603, 550 Cedar Street, St. Paul, MN 55101.

This report is a supplemental discussion on environmental considerations related to the operation of the Monticello Nuclear Generating Plant located in Wright and Sherburne Counties, Minn. The initial Environmental Report is dated November 3, 1971, and was noticed in the FEDERAL REGISTER on January 22, 1972 (37 F.R. 1073).

After the reports have been analyzed by the Commission's Director of Regulation or his designee, a draft detailed statement of environmental considerations related to the proposed action will be prepared. Upon preparation of the draft detailed statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft detailed statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice also will contain a statement to the effect that the comments of Federal agencies and State and local officials thereon will be available when received.

Dated at Bethesda, Md., this 25th day of April, 1972.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[FR Doc.72-6798 Filed 5-3-72; 8:50 am]

[Docket No. 50-267]

PUBLIC SERVICE COMPANY OF COLORADO

Notice of Consideration of Issuance of Facility Operating License and Notice of Opportunity for Hearing

The Atomic Energy Commission (the Commission) will consider the issuance of a facility operating license to the Public Service Company of Colorado (the licensee) which would authorize the licensee to possess, use, and operate the Fort St. Vrain Nuclear Generating Station, a high temperature gas-cooled reactor (the facility), located on the licensee's site in Weld County, Colo., at steady-state power levels not to exceed 842 megawatts (thermal) in accordance with the provisions of the license and the Technical Specifications appended thereto, upon the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, and a finding by the Commission that the application for the facility license (as amended) complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Provisional Construction Permit No. CPPR-54, issued by the Commission on September 17, 1968. A report on the application by the Advisory Committee on Reactor Safeguards was submitted on May 12, 1971.

Prior to issuance of an operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CPPR-54. In addition, the license will not be issued until the Commission has made the findings, reflecting its review of the application under the Atomic Energy Act of 1954, as amended, which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the license, the licensee will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facility is subject to the provisions of section C of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits were issued prior to January 1, 1970. Notice is hereby given, pursuant to 10 CFR Part 2, "Rules of Practice," and Appendix D of 10 CFR Part 50, "Licensing of Production and Utilization Facilities," that the Commission is providing an opportunity for hearing with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional construction permit in the captioned proceeding should be continued, modified, terminated, or appropriately conditioned to protect environmental values.

Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, Public Service Company of Colorado may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values; and (2) with respect to the issuance of a facility operating license. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. In accordance with 10 CFR 2.714, a petition for leave to intervene which is not timely filed will be dismissed unless the petitioner shows good cause for failure to file it on time.

For further details pertinent to the matters under consideration, see (1) the application for the facility operating license dated October 19, 1966, as amended; (2) the report of the Advisory Committee on Reactor Safeguards on the application for a facility operating license for the Fort St. Vrain facility dated May 12, 1971; (3) the licensee's Environmental Report dated December 22, 1970, which was prepared under the Commission's regulations in effect prior to September 9, 1971, and Supplement No. 1 thereto, dated October 18, 1971; (4) the safety January 20, 1972, by the Division of Reactor Licensing; (5) the Commission's Draft Environmental Statement dated April, 1972 noted above; and as they become available; (6) the AEC regulatory Staff's Final Environmental Statement pursuant to 10 CFR Part 50, Appendix D; (7) the proposed facility operating license; and (8) the Technical Specifications which will be attached as Appendix A to the proposed facility operating license, all of which documents are or will be available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and in the Greeley Public Library, City Complex Building, Greeley, Colo.

Copies of items (2), (3), (4), and (5) to the extent of supply and, (6) and (7), when available, may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 26th day of April 1972.

For the Atomic Energy Commission.

ROGER S. BOYD,
Assistant Director for Boiling Water Reactors, Division of Reactor Licensing.

[FR Doc.72-6753 Filed 5-3-72;8:46 am]

[Dockets Nos. 50-101, 50-290]

UNITED NUCLEAR CORP. AND GULF UNITED NUCLEAR FUELS CORP.

Notice of Issuance of Facility Operating License Amendments

The Atomic Energy Commission has issued, effective as of date of issuance, Amendment No. 7 to License No. R-49 and Amendment No. 2 to License No. CX-25. The licenses were previously issued to United Nuclear Corp. to possess, use and operate the light water moderated reactor and the Proof Test Facility located in Pawling, N.Y. United Nuclear has entered into a lease agreement with Gulf United Nuclear Fuels Corp. that demises the facilities to Gulf United for possession and operation. These amendments restate the licenses in their entirety and authorize the United Nuclear Corp. to own the facilities and the Gulf United Nuclear Fuels Corp. to possess and operate the facilities.

On June 29, 1971, United Nuclear Corp. informed the Commission that Gulf Oil Corp. and the United Nuclear Corp. were forming a joint venture corporation to be called Gulf United Nuclear Fuels Corp. The activities presently conducted by United Nuclear Corp. under the licenses would be transferred to the new corporation. The transfer was actually made on July 1, 1971. There are no changes to the operating staff for the facilities or in the uses which will be made of the facilities.

The Commission has found that the applications for the amendments comply with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendments, and has concluded that the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public. The Commission has also found that prior public notice of proposed issuance of these amended licenses is not required since the operation of the facilities in accordance with the terms of the amended licenses does not involve significant hazards considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of the notice in the FEDERAL REGISTER, the applicants may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to these amendments, see (1) the licensee's letter of June 29, 1971, applications for

license transfers dated July 1, 1971, and supplement dated July 22, 1971, and (2) the amendments to the facility licenses all of which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. A copy of each amendment may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 25th day of April 1972.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[FR Doc.72-6752 Filed 5-3-72;8:46 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23827 etc.]

BAKER, OREG.; ONTARIO, OREG./PAYETTE, IDAHO; ROSEBURG, OREG., DELETION CASE

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 15, 1972, at 10 a.m., local time, in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner John E. Faulk.

In order to facilitate the conduct of the conference parties are instructed to submit to the Examiner and other parties (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before May 5, 1972, and the other parties on or before May 12, 1972. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights.

Dated at Washington, D.C., May 1, 1972.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.72-6806 Filed 5-3-72;8:50 am]

[Docket No. 23333; Order 72-5-3]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Trans-Atlantic and North/Central Pacific Cargo Rate Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of May 1972.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1–2, 3–1, and 1–2–3 of the International Air Transport Association (IATA). Agreement CAB 22969, R–1 through R–28, adopted at cargo conference in Geneva during November 1971 and in London during March 1972, embodies cargo rates to apply in transatlantic services, principally on the North Altantic.[1] Agreement CAB 23017, R–1 through R–11, adopted by mail vote, establishes North/Central Pacific cargo rates. Both agreements are intended to be effective for a 16-month period—June 1, 1972, through September 30, 1973—and would increase all rates and charges, with the exception of rates for bulk unitized freight which would generally be reduced. The principal elements of the agreements are described below.

North Atlantic minimum charges would be increased from $22 to $24 with respect to shipments moving between points in Europe/Africa, on the one hand, and the U.S. gateways of New York/Boston, on the other hand; the minimum charge would be increased from $25 to $31 to/from other U.S. cities.[2] On the North/Central Pacific, small shipments moving to and from Hawaii or West Coast points would be subject to an increase in minimum charge from $18 to $22, and charges applicable for other U.S. points would be raised from $22 to $27 except in the case of Alaska, where the minimum charge would remain at $22.

Changes within the general cargo rate structure for North Atlantic and North/Central Pacific services are reflected in Appendixes A and B,[3] respectively, where present and proposed rate levels have been compared in selected primary markets. In addition to increases that result from cancellation of the 200-kilogram weightbreak on the North Atlantic and the 200- and 400-kilogram weightbreaks on North/Central Pacific routes, remaining rates have been increased purportedly for the purpose of recouping cost increases resulting from (1) currency revaluations following the devaluation of the U.S. dollar and/or (2) en route facilities charges levied upon carriers by foreign governments. Most specific commodity rates in both geographic areas have also been increased to account for currency revaluation and en route facilities charges. Otherwise, numerous rates would be canceled, and, on the North Atlantic, basic specific commodity rate levels are increased in the range of 2–10 percent in addition to the aforementioned upward currency and facilities charge adjustment.

Provisions governing the unitization of freight would be amended to conform essentially with changes already approved by the Board for application in other world areas. Details on standard nonaircraft unit load devices, which would qualify for discounts and tare weight allowances where such are owned by shippers, are shown in Appendix C.[3] To the extent that the formula upon which discounts are based has not been altered, no substantive change in rating concept has occurred; neither have the carriers made substantive changes in provisions relating to carrier-owned, nonaircraft unit load devices, which will continue to receive a tare allowance but no discount. With respect to the bulk unitization of freight in aircraft unit load devices, the carriers had earlier adopted a list of 11 standard device sizes which are to be used for rating purposes[4] by the individual traffic conferences of IATA, and this list is set forth in Appendix D.[3] On the North Atlantic, the present six sizes of unit load devices would be retained, with pivot weights and charges generally reduced. Rates and provisions would also be established for the other five sizes of unit load devices, although rates for the largest two of these devices would be applicable to/from Germany only. A comparison of present and proposed pivot weights and rates for the various unit load devices in selected markets is set forth in Appendix E.[3] A similar comparison of rates and provisions for North/Central Pacific services is made in Appendix F,[3] which reflects the carriers' proposal to reduce pivot weights and charges for the present four sizes of devices and to add rates and provisions for three new sizes.

In view of the import of the agreements to the shipping public and other third parties, the Board believes it desirable to establish a schedule for the receipt of carrier documentation in support of the agreements as well as for the receipt of comments and replies thereto. It is apparent that the filing of the important transatlantic agreement only 27 working days before its intended effectiveness leaves a wholly inadequate period for review and consideration of the agreement by shippers, forwarders, agents, other carriers, and the Board. The North/Central Pacific agreement was filed only 6 working days earlier. The Board has indicated, on several occasions in the past, its concern that the filing date of recent major IATA agreements has increasingly telescoped the Board's own time to provide opportunity

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[1] The relationship of rates for Mid/South Atlantic routes with those for North Atlantic services results in parallel changes to the former rate structures.

[2] With respect to traffic destined for or originating in the Middle East, minimum charges vary by direction and would be increased as follows:

	New York—Boston		Other U.S. cities	
	Present	Proposed	Present	Proposed
Eastbound	$18	$24	$21	$30
Westbound	17	20	20	27

[3] Appendices A–F filed as part of original document.

[4] Generally speaking, the rating concept of the bulk unitization program is based on dollar charges to apply, regardless of the commodities being shipped (excepting valuable and restricted articles), on a point-to-point basis. The charge applies up to a specified pivot weight, after which the weight in excess is assessed an over-pivot weight charge.

for public comment and to render a decision. Although the Board has always endeavored to accommodate the intended effectiveness dates of agreements, it has nevertheless reserved a 60-day period within which to act on submitted IATA resolutions, since it is clearly in the public interest that the Board, as well as interested persons and parties, be given an adequate period for review and development of a full record. For these reasons, we are herein providing that tariffs implementing the agreements shall not only be filed on 30 days statutory notice but shall also be marked for effectiveness no earlier than July 1, 1972.

The Cost of Living Council recently exempted from its control substantially all rates, fares, and charges applicable in foreign air transportation.[5] As a technical matter, this exemption moots the data filing requirements of Section 221.165a of the Economic Regulations and an appropriate exemption will be granted. Nevertheless, in view of the broad revisions contemplated by the agreements, the Board is of the view that similar data, as outlined below, is necessary as a basis for the findings required by section 412 of the Act.[6] The U.S.-flag carriers' data in justification of their agreements should, in all cases, be submitted separately for the customary ratemaking entity, i.e., transatlantic and transpacific. In this framework, each affected U.S.-flag carrier should provide a forecast of air freight traffic and revenues, for the year beginning July 1, 1972, reflecting the existing and proposed rate structures.[7] Such estimates are to be shown separately for each carrier's all-cargo and combination passenger and cargo services. Additionally, each carrier should provide a forecast of its all-cargo operations, for the same period and on the same basis, showing capacity, traffic (air freight as well as mail), revenues, expenses,[8] operating profit, interest expense, income taxes, investment base, and rate of return on investment.

[5] 6 CFR 101.34(d)(4) effective Mar. 31, 1972.

[6] In this connection, our statement issued Apr. 30, 1971, prior to the start of the carriers' cargo rate negotiations in Singapore, stated in part that the Board "would require very substantial justification for increases either within the general cargo rate scales or in minimum charges."

[7] Forecast data regarding capacity and traffic should be stated in terms of ton-miles, and carriers should show the traffic mix which would obtain under the various rate categories, i.e., shipments subject to minimum charges, consignments under general cargo rate levels by weightbreak, under specific commodity rates, and under bulk unitization rates.

[8] The expense estimates are to be shown by Form 41 functional accounts. Cost increases attributed to currency revaluations and the imposition of en route facilities charges should be separately identified. All assumptions and bases for the expense estimates and allocation procedures should be fully explained. All forecasts shall reflect the Board's established ratemaking standards. Anticipatory cost increases shall be excluded.

Accordingly, it is ordered That:

1. The U.S. air carriers be and hereby are exempted from the requirements of section 221.165a of the Board's regulations with respect to the filing of Agreements CAB 22969 and 23017;

2. Tariffs implementing Agreements CAB 22969 and 23017 in air transportation as defined by the Act shall be marked to become effective no earlier than July 1, 1972, and shall be filed on not less than 30 days' notice;

3. Full documentation and justification from air carriers, as well as comments and objections from interested persons and parties, may be filed on or before May 19, 1972, with respect to rates and related matters incorporated in Agreements CAB 22969 and 23017;

4. Replies to justifications and comments received in response to ordering paragraph 3 above may be filed on or before May 30, 1972; and

5. This order will be served upon all United States and foreign route carriers, and also upon all U.S. indirect air carriers.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-6807 Filed 5-3-72;8:50 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF TRANSPORTATION

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Director, Office of Information, Office of the Secretary.

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

[FR Doc.72-6795 Filed 5-3-72;8:50 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11227 etc.; FCC 72R-121]

CITY OF NEW YORK MUNICIPAL BROADCASTING SYSTEM (WNYC) AND MIDWEST RADIO-TELEVISION, INC. (WCCO)

Memorandum Opinion and Order Modifying Issues

In regard applications of City of New York Municipal Broadcasting System (WNYC), New York, N.Y., for special service authorization to operate additional hours from 6 a.m. e.s.t., to sunrise, New York, N.Y., and from sunset, Minneapolis, Minn., to 10 p.m., e.s.t., Docket No. 11227, File No. BSSA-266; City of New York Municipal Broadcasting System (WNYC), New York, N.Y., Docket No. 17588, File No. BP-16148; Midwest Radio-Television, Inc. (WCCO), Minneapolis, Minn., for construction permits, Docket No. 19403, File No. BP-19151.

1. This proceeding involves the applications of the City of New York Municipal Broadcasting System (WNYC) for an extension of a special services authorization and for a construction permit to increase power from 1 kw. daytime to 50 kw. specified hours from 6 a.m., e.s.t., to 10 p.m., e.s.t., utilizing a directional antenna; and the application of Midwest Radio-Television, Inc. (WCCO), for a construction permit to change transmitter site and install a new antenna system. Applications of WNYC were designated for hearing by Commission memorandum opinion and order, 8 FCC 2d 1047, 10 RR 2d 885 (1967), and 11 issues were specified. Subsequently, pursuant to Review Board order (11 FCC 2d 287, 12 RR 2d 189 (1968)), and Commission order (29 FCC 2d 244, 21 RR 2d 1050 (1971)), the issues were modified and enlarged in certain respects. By memorandum opinion and order, 33 FCC 2d 285, 23 RR 2d 664, released January 25, 1972, the Commission recently accepted for filing the application of WCCO seeking a change in transmitter site and installation of a new antenna system and consolidated it herein (as corrected by Errata, released February 9, 1972, Mimeo 81956). Presently before the Review Board is a petition to modify issues, filed February 24, 1972, by WCCO, which seeks modification of present Issue No. 6.[1] [2]

2. In its petition, WCCO seeks to have Issue No. 6 modified to encompass WNYC's 1 kw. proposal. Specifically WCCO argues that Issue No. 6 should include a determination of the effect of WCCO's existing and proposed operation on the 1 kw. proposal of WNYC. With regard to WCCO's proposed operation. WCCO urges that the modification sought is necessary in order to be consistent with the Examiner's ruling that "the two WNYC and single WCCO proposals are not to be considered as 'mutually exclusive' and that the designated issues include determination as to the mutual impact of WCCO and WNYC operating as proposed." Further, petitioner urges that, "to present a complete showing," Issue No. 6 should include the impact of

[1] Present Issue No. 6 reads as follows:

To determine whether, in the light of the interference that would be received, the proproposed 50 kw. nighttime operation of WNYC would be consistent with the requirements of the note to § 73.24(b) of the Commission's rules, and, if not, whether circumstances exist that would warrant a waiver of that section.

[2] Also before the Board are the following related pleadings: (a) Opposition, filed Mar. 8, 1972, by WNYC; (b) opposition, filed Mar. 10, 1972, by the Broadcast Bureau; and (c) reply, filed Mar. 20, 1972, by WCCO.

WCCO's present facilities upon WNYC's 1 kw. operation. In order to accomplish this, WCCO proposes deleting "50 kw." from Issue No. 6 and substituting "operations" in place of "operation."

3. In opposition, WNYC argues that WCCO's request to modify Issue No. 6 is clearly untimely and without merit. WNYC bases this argument on the fact that Issue No. 6 was initially specified by Commission order, supra, released July 12, 1967, and, except for minor wording changes, it has been in effect since then. Therefore, urges WNYC, since the issue has been designated since 1967 and "circumstances in this respect are now essentially and substantially the same," WCCO's request should be denied.

4. The Broadcast Bureau also opposes WCCO's request. The Bureau contends that WCCO's request is grossly untimely and should be denied on this ground alone. Moreover, the Bureau expresses the view that "WCCO is improperly asking the Board to undo what the Commission has done," citing "Fidelity Radio, Inc.," 1 FCC 2d 661, 6 RR 2d 140 (1965). Absent a showing that the Commission overlooked any material at the time of designation, argues the Bureau, it is improper for WCCO to ask the Review Board to circumvent the Commission's designation order. Finally, the Bureau urges that petitioner has not shown that the Commission has overlooked material which, if considered, would have caused the Commission to rephrase the issue in the manner WCCO requests.

5. In reply, WCCO contends that there are two aspects to its requests: (1) To determine the effect on WNYC's SSA 1 kw. proposal by WCCO's "Franklin antenna proposal," which has just been consolidated for hearing; and (2) to determine the effect of WCCO's existing operation upon such SSA proposal. WCCO concedes that its request as to the second aspect of the petition is late, but argues that the first aspect is timely because the issue was not raised until the Commission order released January 28, 1972, supra, consolidating herein WCCO's application to change its site and antenna system. Moreover, argues WCCO, the "Fidelity" case is not applicable here because the Commission "has been preoccupied with pleadings, arguments and issues relating to the monstrous WNYC 50 kw. application, and obviously did not, in consolidating the Franklin antenna proposal, consider the SSA proposal in connection with Issue No. 6." Petitioner urges the Review Board to correct this "inadvertent omission," citing "Atlantic Broadcasting Co. (WUST)," 5 FCC 2d 717, 8 RR 2d 991 (1966).

6. The Review Board will grant petitioner's request to modify Issue No. 6. With regard to the timeliness of the request, the Board agrees with WCCO's assertion that there are two separate aspects to its request. While the first aspect, relating to the effect of WCCO's existing operation upon WNYC's 1 kw. operation, is late, the second aspect, relating to the effect of WCCO's recent antenna proposal, is timely filed. However, in view of all the circumstances, the Board believes it would be in the public interest to allow the modification of Issue No. 6 to include both aspects of WCCO's request. "The Edgefield-Saluda Radio Co. (WJES)," 5 FCC 2d 148, 8 RR 2d 611 (1966). The public interest would be served by a grant of petitioner's request because, absent the modification, the record would not contain sufficient information to allow a full exploration of the interrelationship of the various proposals and an evaluation of the results thereof. Thus, the requested modification will prevent unnecessary future delay of the proceedings by allowing the introduction at this time of evidence permitting a full evaluation of the competing proposals for making the necessary determination as to which will best serve the public interest, convenience and necessity. Section 309(a) of the Communications Act of 1934, as amended. "Day-Nite Radio Message Service Corp.," 23 FCC 2d 665, 19 RR 2d 301 (1970). Finally, the Broadcast Bureau's reliance on "Fidelity Radio, Inc., supra," is, in our view, misplaced. In "Atlantic Broadcasting Co. (WUST), supra," the Commission held that the Board should "look to see whether specific reasons are stated for our action or inaction in a designation order, rather than merely considering whether the petitioner relies on new facts or whether we were aware of the general matter upon which he relies * * *", and that a ruling should be made that will enable the hearing to "be conducted in an orderly and expeditious manner." 5 FCC 2d at 721, 8 RR 2d at 996. A reading of the designation order and later orders in this proceeding reveals no "reasoned analysis" of the matter presently under consideration, and the granting of the modification request can assist in enabling the hearing to proceed in an "expeditious manner;" therefore, an evaluation of the merits of the request is appropriate.

7. *Accordingly, it is ordered,* That the petition to modify issues, filed February 24, 1972, by Midwest Radio-Television, Inc. (WCCO), is granted; and

8. *It is further ordered,* That Issue No. 6, as specified in the designation order herein, is modified to read as follows:

To determine whether, in the light of the interference that would be received, the proposed nighttime operations of WNYC would be consistent with the requirements of the note to § 73.24(b) of the Commission's rules, and, if not, whether circumstances exist that would warrant a waiver of that section.

Adopted: April 26, 1972.

Released: April 28, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-6820 Filed 5-3-72;8:51 am]

[3] Board member Nelson not participating.

FEDERAL MARITIME COMMISSION

CALCUTTA, EAST COAST OF INDIA AND EAST PAKISTAN/USA CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

William L. Hamm, Secretary, Calcutta, East Coast of India and East Pakistan/U.S.A. Conference, 25 Broadway, New York, NY 10004.

Agreement No. 8650-8, modifies the basic agreement by (1) changing the name of the conference from Calcutta East Coast of India and East Pakistan/U.S.A. Conference to Calcutta, East Coast of India and Bangladesh/U.S.A. Conference, and (2) substituting Bangladesh for Pakistan in the Preamble.

Dated: April 27, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-6754 Filed 5-3-72;8:46 am]

GLOBAL TERMINAL AND CONTAINER SERVICES, INC., AND DART CONTAINERLINE CO., LTD.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 15 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreements filed by:

Edwin Longcope, Esq., Hill, Betts & Nash, 26 Broadway, New York, NY 10004.

Agreement No. T-2622, between Global Terminal & Container Services, Inc. (Global) and Dart Containerline Co. Ltd. (Dart), provides for the 20-year operation of a container chassis management service by Global at its marine terminal facility located at New York harbor. Dart is to furnish Global a fleet of container chassis adequate to handle the number of containers it anticipates it will put through Global's facility for the current calendar year. These chassis are to be utilized by Global in a common pool, together with chassis supplied by other users of Global's facility under the same terms and conditions as set forth in the subject agreement. Global will provide the necessary management services for the movement and control of the chassis consisting of (1) reporting services; (2) repair services; (3) per diem chassis rental billing and collection services; and (4) accounting services. As compensation, Global is to receive (1) all per diem charges for rentals which will be billed and collected by Global directly from the users of the chassis; (2) the costs for the inland positioning of the chassis; and (3) Dart's share of the common pool's total chassis operating costs, such share to be computed in accordance with a formula set forth in the agreement.

Agreement No. T-2623, also between Global and Dart, is a 20-year container terminal services agreement providing that Global will furnish Dart container terminal and stevedoring services at its facility at New York harbor. Dart is bound by the agreement to use Global's facility exclusively for containerships trading to and from the port of New York. As compensation, Global is to receive all applicable tariff charges, which are to be assessed in accordance with the tariff it will file with the FMC, plus the sum of $333,333 annually, which is to be increased at the end of the 5th, 10th, and 15th years of the agreement.

Dated: April 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-6755 Filed 5-3-72;8:46 am]

GLOBAL TERMINAL AND CONTAINER SERVICES, INC., AND COMPAGNIE FABRE/SGTM, S.A.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 15 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreements filed by:

Edwin Longcope, Esq., Hill, Betts & Nash, 26 Broadway, New York, NY 10004.

Agreement No. T-2633, between Global Terminal & Container Services, Inc. (Global, and Compagnie Fabre/SGTM, S.A. (Fabre), provides for the 20-year operation of a container chassis management service by Global at its marine terminal facility located at New York harbor. Fabre is to furnish Global a fleet of container chassis adequate to handle the number of containers it anticipates it will put through Global's facility for the current calendar year. These chassis are to be utilized by Global in a common pool, together with chassis supplied by other users of Global's facility under the same terms and conditions as set forth in the subject agreement. Global will provide the necessary management services for the movement and control of the chassis consisting of (1) reporting services; (2) repair services; (3) per diem chassis rental billing and collection services; and (4) accounting services. As compensation, Global is to receive (1) all per diem charges for chassis rentals which will be billed and collected by Global directly from the users of the chassis; (2) the costs for the inland positioning of the chassis; and (3) Fabre's share of the common pool's total chassis operating costs, such share to be computed in accordance with a formula set forth in the agreement.

Agreement No. T-2634, also between Global and Fabre, is a 20-year container terminal services agreement providing that Global will furnish Fabre container terminal and stevedoring services at its facility at New York harbor. Fabre is bound by the agreement to use Global's facility exclusively for containerships trading to and from the port of New York. As compensation, Global is to receive all applicable tariff charges, which are to be assessed in accordance with the tariff it will file with the FMC, plus the sum of $333,333 annually, which is to be increased at the end of the 5th, 10th, and 15th years of the agreement.

Dated: April 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-6756 Filed 5-3-72;8:46 am]

GLOBAL TERMINAL AND CONTAINER SERVICES, INC., AND DR. AUGUST OETKER SCHIFFAHRTS UND BETEILIGUNGS-GES MBH

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 15 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they

desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreements filed by:

Edwin Longcope, Esq., Hill, Betts & Nash, 26 Broadway, New York, NY 10004.

Agreement No. T–2624, between Global Terminal & Container Services, Inc. (Global), and Dr. August Oetker Schiffahrts Und Beteiligungs-Ges Mbh (Columbus Line), provides for the 20-year operation of a container chassis management service by Global at its marine terminal facility at New York harbor. Columbus Line is to furnish Global a fleet of container chassis adequate to handle the number of containers it anticipates it will put through Global's facility for the current calendar year. These chassis are to be utilized by Global in a common pool, together with chassis supplied by other users of Global's facility under the same terms and conditions as set forth in the subject agreement. Global will provide the necessary management services for the movement and control of the chassis, consisting of (1) reporting services; (2) repair services; (3) per diem chassis rental billing and collection services; and (4) accounting services. As compensation, Global is to receive (1) all per diem charges for chassis rentals which will be billed and collected by Global directly from the users of the chassis; (2) the costs for the inland positioning of the chassis; and (3) Columbus Line's share of the common pool's total chassis operating costs, such share to be computed in accordance with a formula set forth in the agreement.

Agreement No. T–2625, also between Global and Columbus Line, is a 20-year container terminal services agreement providing that Global will furnish Columbus Line container terminal and stevedoring services at its facility at New York harbor. Columbus Line is bound by the agreement to use Global's facility exclusively for containerships trading to and from the port of New York. As compensation, Global is to receive all applicable tariff charges, which are to be assessed in accordance with the tariff it will file with the FMC, plus the sum of $333,333 annually, which is to be increased at the end of the 5th, 10th, and 15th years of the agreement.

Dated: April 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–6757 Filed 5–3–72;8:46 am]

THE INDIA, PAKISTAN, CEYLON, AND BURMA OUTWARD FREIGHT CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

William L. Hamm, Secretary, The India, Pakistan, Ceylon and Burma Outward Freight Conference, 25 Broadway, New York, NY 10004.

Agreement No. 7690–15, modifies the basic agreement by (1) changing the name of the Conference from The India, Pakistan, Ceylon and Burma Outward Freight Conference to The India, Pakistan, Bangladesh, Ceylon and Burma Outward Freight Conference, (2) specifically including the name of Bangladesh in the Preamble, and (3) incorporating all previous modifications of the basic agreement, superseding and cancelling Agreement No. 7690–11, as amended.

Dated: April 27, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–6758 Filed 5–3–72;8:46 am]

NEW ORLEANS STEAMSHIP ASSOCIATION

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Edward S. Bagley, Esq. Terriberry, Carroll, Yancey & Farrell, 2141 International Trade Mart, 2 Canal Street, New Orleans, LA 70130.

Agreement No. T–2631, between the members of the New Orleans Steamship Association, sets forth the method of funding and implementing the Guaranteed Annual Income Plan which has been negotiated with longshore unions at the port of New Orleans in current contracts executed during March 1972. The funding formula is set forth in the agreement and provides that a substantial portion of the funds will be derived from container royalty payments reflected in the contracts with the unions.

Dated: April 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72–6759 Filed 5–3–72;8:47 am]

PACIFIC MARITIME ASSOCIATION

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San

Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Edward D. Ransom, Esq., Lillick, McHose, Wheat, Adams & Charles, 311 California Street, San Francisco, CA 94104.

Agreement No. T-2635, between the members of the Pacific Maritime Association (PMA), provides for an interim arrangement for funding the Longshore Pay Guarantee Plan. Since the PMA members have been unable to decide upon a long-range method of meeting their obligation to the fund, it has been decided to adopt for interim funding of the Pay Guarantee Plan the Modernization and Mechanization funding formula previously approved by the Commission as FMC Agreement No. T-2210.

Dated: April 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-6760 Filed 5-3-72;8:47 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	*Owner/Operator and Vessels*
01026---	Terkildsen & Olsen A/S:
	Grete Terkol.
01034---	Graff-Wang & Evjen:
	Seagull.
01092---	Thor Dahls Hvalfangerselskap A/S:
	Thorsoy.
01106---	N.V. Stoomvaart - Maatschappij "Oostzee" (Steamship Co. "Oostzee" Ltd.):
	Witmarsum.
01191---	Leif Erichsens Rederi A/S and D/S A/S Forto:
	Sungeira.
01198---	A/S Dovrefjell and A/S Falkefjell:
	Gjendefjell.
01251---	Aktieselskapet Havprins:
	Havtjeld.
01254---	Aktieselskapet Havbor:
	Havjo.
01343---	Hamburg-Sudamerikanische Dampfschifffahrts-Gesellschaft Eggert & Amsinck:
	Cap Finisterre.
01418---	Athelknight Tankers Co., Ltd.:
	Anco Knight.
01423---	Charente Steamship Co., Ltd., Thomas & Jas Harrison, Ltd., Managers:
	Factor.
01428---	The Ocean Steam Ship Co., Ltd.:
	Ascanius.
01502---	Moore-McCormack Lines., Inc.:
	Robin Goodfellow.
	Robin Trent.
	Robin Gray.
	Robin Hood.
01530---	Herm. Dauelsberg, Bremen:
	Bella.
01557---	Knut Knutsen O.A.S.:
	Martin Bakke.
01612---	Clio Shipping Co.:
	Clio.
01613---	Reardon Smith Line, Ltd.:
	Devon City.
01712---	Nereide S.p.A.-Palermo:
	Polinice.
01764---	Reynolds Metals Co.:
	Sacal Borincano.
01841---	Chas. Kurz & Co., Inc.:
	Naeco.
01861---	BP Tanker Co., Ltd.:
	British Sailor.
	British Talent.
01868---	"Ausonia" di Navigazione dei Fratelli Ravano di Alberto:
	Honestas.
01904---	Waterman Steamship Corp.:
	John B. Waterman.
01910---	Deutsche Dampfschifffahrts-Gesellschaft "Hansa," 6 Schlachte, 28 Bremen 1/W. Germany:
	Goldenfels.
	Werdenfels.
	Gutenfels.
02037---	Shosen Mitsui Kyakusen K.K.:
	Argentina Maru.
02075---	Eden Shipping Co.:
	World Gallantry.
02194---	Compagnie Generale Transatlantique:
	Caraibe.
02353---	F. A. Vinnen & Co.:
	Christina Vinnen.
02430---	The Buckeye Steamship Co.:
	Buckeye Victory.
02453---	The Turnbull Scott Shipping Co., Ltd.:
	Baxtergate.
02458---	The China Navigation Co., Ltd.:
	Taiwan.
02601---	Caraibische Scheepvaart Maatschappij N.V.:
	Tiburon.
02603---	Empresa Hondurena de Vapores, SA:
	Aragon.
02715---	Allied Towing Corp.:
	New Bucket.
	Hot Oil No. 17.
02752---	Seaford Marine S.A.:
	Olympic Flame.
02772---	Phillips Petroleum Co.:
	Mary Lee.
	Marjorie B.
02889---	Showa Kaiun K.K.:
	Astra Maru.
02967---	Sunshine Transport Corp.:
	Sunny Ocean.
02973---	Compania Maritima Antigonis S.A.:
	Cleaki.
03002---	Crystal Blue Shipping Co. S.A., Panama:
	Eratini.
03003---	Eratini Compania Naviera S.A. Panama:
	Tolofon.
03029---	Bluefield Marine S.A.:
	Olympic Laurel.
03057---	British India Steam Navigation Co., Ltd.:
	Waipara.
	Juna.
	Chakdina.
	Carpentaria.
	Jelunga.
	Juwara.
	Teesta.
	Tairea.
	Nardana.
	Nowshera.
	Nuddea.
	Tanda.
	Aska.
	Amra.
	Nyanza.
	Mulbera.
	Morvada.
	Merkara.
	Manora.
	Uganda.
	Nevasa.
	Howra.
	Chakla.
	Chilka.
	Chinkoa.
	Chakdara.
	Chakrata.
	Zaida.
03314---	Gulf Oil Corp.:
	Gulfjaguar.
03422---	Daiwa Kaiun Kabushiki Kaisha:
	Fiji Maru.
03459---	Meiji Kaiun K.K.:
	Meisho Maru.
03468---	Nihonkai Kisen Kabushiki Kaisha:
	Chokai Maru.
03470---	Nikko Kaiji K.K.:
	Kaiyo Maru.
03492---	Sawayama Kisen K.K.:
	Alaska Maru.
03501---	Osaka Shosen Mitsui Senpaku K.K.:
	Hodakasan Maru.
03532---	Zuisei Kaiun Kabushiki Kaisha:
	Kyokko Maru.
03661---	Overseas Carriers Corp., New York:
	Overseas Suzanne.
03867---	Dasco Compania Naviera S.A. of Panama:
	Nicolaos.
04002---	Compagnie Des Messageries Maritimes:
	Caledonien.
04004---	Koninklijke Java-China-Paketvaart Lijnen N.V.:
	Tjimanuk.
	Tjibantjet.
04068---	Papachristidis Co., Ltd.:
	Montrealais.
	Feux-Follets.
	Quebecois.
04097---	Eastern Lake Carriers, Ltd.:
	Grande Hermine.
	Petite Hermine.
04117---	Marine Chartering (Bahamas), Ltd.
	Fanafjord.

Certificate No.	Owner/operator and vessels
04143---	Gulf-Northern Co., Inc.: FT 18. FT 20. FT 22. FT 24. FTS 26. FTW 14. FTW 16. Jimmy Vickers.
04178---	Canada Steamship Lines, Ltd.: Saguenay.
04181---	Whitney-Fidalgo Seafoods, Inc.: Sandra D.
04184---	M/G Transport Services, Inc.: Barge ABL-501. Barge UM-551. Barge UM-562.
04289---	Dixie Carriers, Inc.: Rookwood.
04356---	Pacific Far East Line, Inc.: Sonoma.
04357---	Koninklijke Nedlloyd N.V.: Karimun.
04407---	Domar, Inc.: Ceco 2501.
04411---	The Ulster Steamship Co., Ltd.: Carrigan Head.
04467---	Kyowa Gyogyo Kabushiki Kaisha: Kyowamaru No. 7.
04513---	Hinode Gyogyo Kabushiki Kaisha: Hinodemaru No. 53.
04564---	Yamashita-Shinnihon Kisen Kaisha: Yamakuni Maru. Oji Maru.
04625---	American Commercial Lines, Inc.: Chem III.
04794---	Sea King Corp.: Grand Madonna.
05007---	Northern Transportation Co., Ltd.: A.S. 3.
05175---	Harbor Towing, Inc.: B-7. B-4. B-1.
05236---	Mid-South Towing Co.: Maba Keice.
05281---	Slade, Inc.: S-8503.
05423---	Autolykos Comp. de Vapores, S.A.: Mastro Stelios.
05488---	Chung Shek Enterprises Co., Ltd.: Sea Amber. Sea Coral.
05520---	Union Carbide Corp.: IOT 105. IOT 106. IOT 155.
05640---	Manson Construction & Engineering Co. & General Construction Co.: ZB 1000.
05711---	Mr. Kamekichi Tada: Takatori Maru No. 12.
05994---	Taiyo Sangyo Kabushiki Kaisha: No. 1 Taisan Maru.
06031---	Retlow Enterprises, Inc.: Hines-7.
06033---	M. & D., Inc.: Hines-6.
06184---	First Silver Cloud Shipping, Inc.: Remscheid.
06435---	Dampskibsaktieselskabet Den Norske Afrika-OG Australielinie, Wilhelmsens Dampskibsaktieselskab, A/S Tonsberg, A/S Tankfart I, A/S Tankfart IV, A/S Tankfart V, A/S Tankfart VI: Toscana. Tallerand.
06438---	Skips A/S Tudor: Toluma.
06442---	Dampskibsaktieselskabet Den Norske Afrika-OG Australielinie: Troms.
06499---	Koshin Kaiun K.K.: Koshin Maru.

By the commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-6761 Filed 5-3-72;8:47 am]

FEDERAL POWER COMMISSION

[Docket No. CP72-252]

C. B. GAS GATHERING CO.

Notice of Application

APRIL 28, 1972.

Take notice that on April 26, 1972, C. B. Gas Gathering Co. (applicant), Post Office Box 1873, Corpus Christi, TX 78403, filed in Docket No. CP72-252 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Natural Gas Pipeline Company of America in the Willamar Field, Willacy County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell gas for 22 months commencing on or after July 1, 1972, at the rate of 35 cents per Mcf at 14.65 p.s.i.a. within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Average daily deliveries would be 15,000 Mcf of gas and maximum daily deliveries would be 25,000 Mcf of gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 22, 1972, 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 16 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-6821 Filed 5-3-72;8:51 am]

[Docket No. CP72-249]

CONSOLIDATED GAS SUPPLY CORP. AND EQUITABLE GAS CO.

Notice of Application

APRIL 28, 1972.

Take notice that on April 17, 1972, Consolidated Gas Supply Corp. (Consolidated), 445 West Main Street, Clarksburg, WV 26301, and Equitable Gas Co. (Equitable), 420 Boulevard of the Allies, Pittsburgh, PA 15219, filed in Docket No. CP72-249 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas and the construction and operation of metering facilities therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants seek authorization to exchange up to 1,000 Mcf per day in Wetzel and Marion Counties, W. Va. Consolidated proposes to construct certain metering and connecting facilities at the point where its Line No. H-1 crosses the pipeline facilities of Equitable near Pine Grove, W. Va., and where its Line No. H-19575 crosses Equitable's facilities near Littleton, W. Va. It will accept deliveries from Equitable at these points, and Equitable, in turn, will accept equivalent deliveries from Consolidated at an existing delivery point near Fairmont, W. Va. Consolidated proposes to finance the cost of said facilities, estimated at $6,724, with funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 22, 1972, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-6822 Filed 5-3-72;8:51 am]

[Docket No. CI72-673]

MOBIL OIL CORP.

Notice of Application

APRIL 28, 1972.

Take notice that on April 14, 1972, Mobil Oil Corp. (applicant), Post Office Box 1774, Houston, TX 77001, filed in Docket No. CI72-673 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continuation of a sale of natural gas to United Gas Pipe Line Co. (United) from acreage in the Lockport Field, Calcasieu Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a June 19, 1956, gas sales contract applicant is currently selling natural gas to United in the Lockport Field. United's facilities, involved in the subject sale, are situated in United's service area known as the Lafayette District of the New Orleans Division, which the Commission on February 9, 1972, in Opinion No. 610 (United Gas Pipe Line Co., Docket No. CP71-89), found to be jurisdictional under the Natural Gas Act. Paragraph 74 of said Opinion permits producers, who have been selling natural gas directly to United's facilities found to be jurisdictional in the Opinion, to file their gas sales contracts as provided by Paragraph 12 of the Commission's notice issued July 17, 1970, in Docket No. R-389A (35 F.R. 11638) for consideration by the Commission without prejudice to their rights to challenge the opinion.

Accordingly, applicant seeks authorization to continue the sale for resale of natural gas from the aforesaid acreage to United as provided by Paragraph 74 of Commission Opinion No. 610. Applicant contends that since the Commission found in Opinion No. 610 that there was no commingling of the gas prior to 1970 on United's Lafayette facilities, the vintage of the gas sold under the subject contract is "new gas" (post-October 1, 1968) and that it is entitled to continue receiving the present contract price of 21.75 cents per Mcf at 15.025 p.s.i.a., inclusive of tax reimbursement. In the alternative applicant requests authorization to continue the sale for resale of natural gas to United on an emergency basis at a rate of 21.75 cents, pending the issuance of a final non-appealable order in Docket No. CP71-89, and acceptance of the rate schedule filing pending such determination.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 23, 1972, 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). 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-6823 Filed 5-3-72;8:51 am]

[Docket No. CP70-185]

TENNESSEE GAS PIPELINE CO.

Notice of Petition To Amend

APRIL 28, 1972.

Take notice that on April 24, 1972, Tennessee Gas Pipeline Co., a division of Tenneco Inc. (petitioner), Post Office Box 2511, Houston, TX 77001, filed in Docket No. CP70-185 a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on June 22, 1970, 43 FPC 937, by authorizing certain natural gas service and reducing the volume of certain authorized sales, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued in the subject docket petitioner was authorized, inter alia, to sell a maximum daily quantity of 16,035 Mcf of gas per day to United Gas Pipeline Co. (United) for the Shaw, et al., Service Area under its Rate Schedule GS-1. Petitioner states that pursuant to this authorization, United and it entered into several service agreements, one being for the sale of a maximum daily quantity of 4,410 Mcf of gas per day to United for service to the towns of Sardis and Como and the city of Senatobia, Miss. Petitioner indicates that on August 26, 1971, in Docket No. CP71-123 United received Commission approval to abandon and sell to the city of Senatobia and the towns of Sardis and Como, Miss., the facilities it formerly used to serve these customers. Petitioner states that as a result of the aforementioned sale and abandonment, it now sells gas directly to the city of Senatobia et al. Petitioner asserts the rendition of this service results in no additional cost to it and is accomplished utilizing existing facilities without entailing any operating problems and without affecting its ability to render authorized natural gas service to any other customers. Petitioner therefore requests that the Commission amend its order of June 22, 1970, to authorize petitioner to render natural gas service to the city of Senatobia et al., up to a maximum daily quantity of 4,410 Mcf of gas per day under its Rate Schedule GS-1, and to reduce the volume of authorized sales to United to 11,625 Mcf of gas per day.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 23, 1972, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-6824 Filed 5-3-72;8:51 am]

[Docket No. E-6957]

DEPARTMENT OF THE INTERIOR ET AL.

Notice of Request for Approval of Rate Schedules

APRIL 28, 1972.

Notice is hereby given that the Secretary of the Interior (Secretary) acting on behalf of Southeastern Power Administration (SEPA) and pursuant to section 5 of the Flood Control Act of 1944 (58 Stat. 887, 890), on March 31, 1972, filed

with the Federal Power Commission a request in Docket No. E–6957 for a 5-year extension of the Commission's current confirmation and approval of SEPA's Wholesale Power Rate Schedules JW–1 (Revised) and JW–2 (Revised) for the sale of electric power and energy generated at the Jim Woodruff Project (project). The Commission, by order issued August 8, 1967, in Docket No. E–6957 (38 FPC 301), approved these rate schedules for the period ending August 19, 1972. Approval of such rate schedules is now requested for an additional period of 5 years beginning August 20, 1972.

The project is located on the Apalachicola River, approximately on the Georgia-Florida State line. The output of the project which is not needed in its operation is sold by SEPA to preference customers (public bodies and cooperatives) and to Florida Power Corp. (Florida Power), which delivers the electric energy sold to the preference customers over its facilities for the account of SEPA. Florida Power purchases such project output as is in excess of the requirements of the preference customers.

Wholesale Power Rate Schedule JW–1 (Revised) is available to public bodies and cooperatives served through the facilities of Florida Power within a 150-mile radius of the project. This rate schedule is applicable to firm power and accompanying energy made available by SEPA from the project and sold in wholesale quantities. Under this rate schedule the monthly demand charge is $1.50 per kilowatt of billing demand, and the energy charge is 4.5 mills per kilowatt-hour.

Wholesale Power Rate Schedule JW–2 (Revised) is available to Florida Power and is applicable to electric energy generated at the project and sold to Florida Power in wholesale quantities. The energy sold under this rate schedule is delivered at the point where Florida Power's transmission system connects with the project bus. Under this rate schedule the energy charge is 4 mills per kilowatt-hour for on-peak energy and 2.5 mills per kilowatt-hour for off-peak energy, subject to certain fuel cost adjustments.

By contractual arrangements (which are not part of Wholesale Power Rate Schedules JW–1 (Revised) and JW–2 (Revised)) SEPA pays Florida Power a transmission service charge of 1 mill per kilowatt-hour for energy delivery to the preference customers within a 100-mile radius of the project and 1.75 mills per kilowatt-hour for energy delivered within a radius of 100–150 miles. In addition, SEPA pays Florida Power for furnishing support capacity and energy, to make the project sales to the preference customers dependable, at a rate of $2.55 per kilowatt per month and 6.4 mills per kilowatt-hour subject to certain fuel cost adjustments.

In support of Wholesale Power Rate Schedules JW–1 (Revised) and JW–2 (Revised), the Secretary submitted to the Commission the repayment study, dated March 1972, which was prepared by SEPA and shows that such rate schedules will produce revenues sufficient to repay all costs associated with the production and transmission of electric power and energy generated at the project and to amortize the project investment within 50 years from 1957, the date of commencement of the project's full commercial operation.

Wholesale Power Rate Schedules JW–1 (Revised) and JW–2 (Revised), together with the repayment study in support thereof, are on file with the Commission and available for public inspection. Any person desiring to make comments or suggestions for the Commission's consideration with respect to said rate schedules should submit the same in writing on or before May 26, 1972, to the Federal Power Commission, Washington, D.C. 20426.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72–6825 Filed 5–3–72;8:52 am]

[Docket No. CP71–197]

HAMPSHIRE GAS CO.

Notice of Petition To Amend

APRIL 26, 1972.

Take notice that on March 31, 1972, Hampshire Gas Co. (petitioner), 1100 H Street NW., Washington, DC 20005, filed in Docket No. CP71–197, a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on April 26, 1971, 47 FPC _____, by authorizing an increase in the stabilized shut-in reservoir pressure, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner is ordered in subject docket to operate its storage facilities in the Oriskany formation of the Little Capon and Augusta Fields, Whip Cove Anticline, at a pressure not exceeding the maximum stabilized shut-in reservoir pressure of 2,317 p.s.i.a. Petitioner states that it has now determined that it would be feasible to increase the capacity of its storage field by increasing the stabilized shut-in reservoir pressure by injecting additional volumes of gas sufficient to raise the reservoir pressure from 2,317 p.s.i.a. to a pressure of 2,819 p.s.i.a. at the average depth of the Little Capon Field and 2,812 p.s.i.a. at the average depth of the Augusta Field. Petitioner further states that the proposed wellhead pressure for both of these fields is consistent with the desired pressure of the surface system. Petitioner asserts that it is desirable to increase the reservoir pressure to values above the discovery pressure to provide increased storage capacity and higher deliverability of the wells at the higher pressure.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 22, 1972, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72–6788 Filed 5–3–72;8:49 am]

[Docket No. E–7645]

PUBLIC SERVICE CO. OF INDIANA, INC.

Order Granting Rehearing for Purposes of Further Consideration

APRIL 26, 1972.

On March 27, 1972, IMEA Cities,[1] Statewide and the "REMC's"[2] filed applications for rehearing of the Commission's order of February 25, 1972, denying motion to reject rate filing in the above-titled proceeding.

These applications raised important issues which require additional time for their full resolution. We therefore grant the application for rehearing solely for the purpose of allowing us an opportunity to give full and adequate consideration to the matters set forth therein.

The Commission orders:

The applications for rehearing filed by IMEA Cities, Statewide and the "REMC's" are hereby granted for purposes of adequate consideration by the Commission.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.72–6787 Filed 5–3–72;8:49 am]

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[1] Indiana Municipal Electric Association Corp. and the cities and towns of Bainbridge, Bargersville, Centerville, Covington, Darlington, Edinburg, Flora, Greendale, Greenfield, Hagerstown, Lawrenceburg, Lebanon, Linton, Middleton, Montezuma, Paoli, Pendleton, Rising Sun, Rockville, South Whitley, Thornton, Tipton, Veedersburg, and Waynetown, Ind. (Referred to collectively as IMEA Cities.)

[2] Indiana Statewide Rural Electric Cooperative, Inc. (Statewide) filing jointly with the following Rural Electric Membership Corporations of Boone County, Carroll County, Clark County, Fulton County, Hancock County, Hendricks County, Koscusko County, Miami-Cass County, Tipmount County, United, Wabash County, and Warren County.

[Docket No. RP71-6, etc.]

TENNESSEE GAS PIPELINE CO.

Notice of Extension of Time and Postponement of Hearing

APRIL 27, 1972.

Tennessee Gas Pipeline Co., a Division of Tenneco, Inc., Dockets Nos. RP71-6, RP71-57, and RP72-1.

Notice is hereby given that the procedural dates prescribed by the order issued December 23, 1971, and modified by notices issued January 13, 1972, February 15, 1972, March 8, 1972, and March 29, 1972, are further modified, as follows:

1. The time within which parties shall serve their prepared direct testimony and exhibits is extended to and including May 30, 1972. The time within which any rebuttal evidence by Tennessee shall be served is extended to and including June 20, 1972.

2. Cross-examination of the evidence shall commence on July 11, 1972.

By direction of the Commission.[1]

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-6789 Filed 5-3-72;8:49 am]

[1] Chairman Nassikas and Commissioner Moody dissenting.

[Docket No. RI72-207, etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

APRIL 21, 1972.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

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

The Commission finds:

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI72-207	Mobil Oil Corp	38	[1] 17	El Paso Natural Gas Co. (Jicarilla Field; Rio Arriba County, N. Mex.) (San Juan Basin).	----------	3-23-72	4-23-72	[10] Accepted			
	do	38	18	do	$291,615	3-23-72	----------	9-23-72	[2] 13.2175	22.0	RI69-430.
					291,615	3-23-72	----------	9-23-72	[2] 15.2510	22.0	RI69-430.
	do	313	[1] 13	El Paso Natural Gas Co. (Ignacio Field; La Plata County, Colo.) (San Juan Basin).	----------	3-27-72	4-27-72	[10] Accepted			
	do	313	14	do	14,043	3-27-72	----------	9-27-72	14.0	22.0	RI69-442.
	do	314	[1] 15	El Paso Natural Gas Co. (San Juan Basin Field; San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	----------	3-27-72	4-27-72	[10] Accepted			
	do	314	16	do	26,081	3-27-72	----------	9-27-72	14.2678	22.0	RI69-431.
	do	360	[1] 12	El Paso Natural Gas Co. (Fulcher-Kutz Field; San Juan County, N. Mex.) (San Juan Basin Area).	----------	3-27-72	4-27-72	[10] Accepted			
	do	360	13	do	9,962	3-27-72	----------	9-27-72	13.2175	22.0	RI69-431.
	do	370	[1] 5	El Paso Natural Gas Co. (Basin Dakota Field; San Juan County, N. Mex.) (San Juan Basin Area).	----------	3-27-72	4-27-72	[10] Accepted			
	do	370	6	do	13,969	3-27-72	----------	9-27-72	14.0	22.0	RI69-431.
					13,969	3-27-72	----------	[4] 5-28-72	14.0	22.0	RI70-277.
	do	427	[1] 14	El Paso Natural Gas Co. (Flora Vista Field; San Juan County, N. Mex.) (San Juan Basin Area).	----------	3-27-72	4-27-72	[10] Accepted			
	do	427	15	do	8,472	3-27-72	----------	9-27-72	15.2869	22.0	RI69-431.
RI72-208	Northern Natural Gas Producing Co.	25	[1] 20	El Paso Natural Gas Co. (San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin).	----------	3-29-72	4-29-72	[10] Accepted			
	do	25	21	do	60	3-29-72	----------	9-29-72	[4] 14.2343	22.0	RI69-856.
					52	3-29-72	----------	9-29-72	21.33	22.0	RI72-161.
	do	26	[1] 19	do	----------	3-29-72	4-29-72	[10] Accepted			
	do	26	20	do	751	3-29-72	----------	9-29-72	[10] 14.2343	22.0	RI69-432.
					1,537	3-29-72	----------	9-29-72	21.33	22.0	RI72-161.
	do	27	[1] 20	do	----------	3-29-72	4-29-72	[10] Accepted			
	do	27	21	do	1,030	3-29-72	----------	9-29-72	[5] 14.2343	22.0	RI69-432.
				do	1,326	3-29-72	----------	9-29-72	21.33	22.0	RI72-161.
	do	30	[1] 7	El Paso Natural Gas Co. (Basin Dakota and Blanco (Mesa Verde) San Juan County, N. Mex.) (San Juan Basin).	----------	3-29-72	4-29-72	[10] Accepted			
	do	30	8	do	4,154	3-29-72	----------	9-29-72	14.2343	22.0	RI69-432.
RI72-209	Mobil Oil Corp	200	[1] 10	El Paso Natural Gas Co. (Blanco (Mesa Verde) San Juan County, N. Mex.) (San Juan Basin).	----------	3-29-72	4-1-72	[10] Accepted			
RI72-72	do	200	11	do	(758)	3-29-72	4-1-72	[17] Accepted			RI72-72.
RI72-209	do	361	[1] 13	El Paso Natural Gas Co. (Gallegos Canyon, San Juan County, N. Mex.) (San Juan Basin).	----------	3-29-72	4-1-72	[10] Accepted			
RI72-72	do	361	14	do	(2,269)	3-29-72	4-1-72	[17] Accepted			RI72-72.

See footnotes at end of table.

Docket	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI72-210	Getty Oil Co.	141	[8] 2	Grand Valley Transmission Co. (Horse Point Unit, Grand County, Utah).		3-23-72	4-23-72	[16] Accepted			
		141	3	do	2,000	3-23-72		5-24-72	13.0	[7] 19.0	
RI72-211	American Petrofina Co. of Texas.	16	[1] 19	El Paso Natural Gas Co. (Blanco Field, Rio Arriba County, N. Mex., San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	16	20	do	34,960	3-27-72		9-27-72	14.0	22.0	RI69-359.
	do	17	[1] 6	do		3-27-72	4-27-72	[16] Accepted			
	do	17	7	do	10,560	3-27-72		9-27-72	14.0	22.0	RI64-456.
	do	23	[1] 6	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	23	7	do	160	3-27-72		9-27-72	14.0	22.0	RI69-359.
	do	18	[1] 13	El Paso Natural Gas Co. (San Juan Basin Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).		3-27-72	4-27-72	[16] Accepted			
	do	18	14	do	5,310	3-27-72		9-27-72	13.0	22.0	
	do	19	[1] 17	El Paso Natural Gas Co. (Blanco Pictured Cliffs Field, Rio Arriba and San Juan Counties, N. Mex.) (San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	19	18	do	16,110	3-27-72		9-27-72	13.0	22.0	
					16,110	3-27-72		[8] 5-28-72	13.0	22.0	
	do	20	[1] 9	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	20	10	do	11,340	3-27-72		9-27-72	13.0	22.0	
	do	22	[1] 6	El Paso Natural Gas Co. (San Juan Field, San Juan County, N. Mex., San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	22	7	do	9,840	3-27-72		9-27-72	14.0	22.0	RI69-359
	do	42	[1] 2	El Paso Natural Gas Co. (San Juan Unit, Rio Arriba County, N. Mex., San Juan Basin).		3-29-72	4-29-72	[16] Accepted			
	do	42	3	do	1,680	3-29-72		9-29-72	14.0	22.0	RI70-1584.
	do	69	[1] 3	El Paso Natural Gas Co. (Canyon Largo Unit, Rio Arriba County, N. Mex., San Juan Basin).		3-29-72	4-29-72	[16] Accepted			
	do	69	4	do	3,600	3-29-72		9-29-72	13.0	22.0	
	do	24	[1] 7	El Paso Natural Gas Co. (Blanco Field, Rio Arriba County, N. Mex.) (San Juan Basin).		3-28-72	4-28-72	[16] Accepted			
	do	24	8	do	3,280	3-28-72		9-28-72	14.0	22.0	RI69-359.
	do	25	[1] 12	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin).		3-29-72	4-29-72	[16] Accepted			
	do	25	13	do	630	3-29-72		9-29-72	13.0	22.0	
	do	26	[1] 16	do		3-28-72	4-28-72	[16] Accepted			
	do	26	17	do	2,880	3-28-72		9-28-72	14.0	22.0	RI69-359.
	do	41	[1] 2	El Paso Natural Gas Co. (Gallegos Canyon Unit, San Juan County, N. Mex.) (San Juan Basin).		3-28-72	4-28-72	[16] Accepted			
	do	41	3	do	6,400	3-28-72		9-28-72	14.0	22.0	RI70-1584.
	do	46	[1] 2	El Paso Natural Gas Co. (Pan-American-Wilbori Gas Unit, San Juan County, N. Mex.) (San Juan Basin).		3-29-72	4-29-72	[16] Accepted			
	do	46	3	do	480	3-29-72		9-29-72	14.0	22.0	RI70-1584.
RI72-212	Mobil Oil Corp.	217	22	El Paso Natural Gas Co. (Hogsback Field, Lincoln and Sublette Counties Wyo.).	338,965	3-23-72		9-23-72	20.306	[9] 23.9181	RI72-106.
	do	367	11	do	578	3-27-72		9-27-72	20.306	[9] 20.8482	RI72-106.
	do	371	8	El Paso Natural Gas Co. Tip Top Field, Sublette County, Wyo.).	2,676	3-27-72		9-27-72	20.306	[9] 22.0743	RI72-130.
	do	199	[1] 6	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin).		3-29-72	4-29-72	[15] Accepted			
	do	199	7	do	560	3-29-72		9-29-72	13.2175	22.0	RI71-120.
	do	422	[1] 4	El Paso Natural Gas Co. (Fulcher Kutz Field, San Juan County, N. Mex.) (San Juan Basin).		3-29-72	4-29-72	[16] Accepted			
	do	422	5	do	3,651	3-29-72		9-29-72	14.0	22.0	RI69-431.
RI72-213	Odessa Natural Corp.	2	[1] 7	El Paso Natural Gas Co. (Dakota Basin, San Juan County, N. Mex.) (San Juan Basin).		3-27-72	4-27-72	[16] Accepted			
	do	2	8	do	74,976	3-27-72		[11] 11-7-72	[10] 15.0578	22.0	
RI72-214	Skelly Oil Co.	107	[1] 19	El Paso Natural Gas Co. (Ignacio-Blanco and South Blanco Fields, Rio Arriba County, N. Mex. and La Plata County, Colo.).		3-27-72	4-27-72	[16] Accepted			
	do	107	20	do	2,826	3-27-72		5-28-72	[12] 15.0634	21.33	RI69-389.
					17,725	3-27-72		5-28-72	[13] 13.0551	21.33	RI69-389.
	do	131	[1] 16	El Paso Natural Gas Co. (acreage in Rio Arriba County, N. Mex.) (San Juan Basin).	[14]	3-27-72		5-28-72	[14] 15.0	20.075	RI69-389.
	do	131	17	do		3-29-72	4-29-72	[16] Accepted			
	do	144	[1] 12	El Paso Natural Gas. Co. (Gaullan, South Blanco, Ballard, and Aztec Fields, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin).	18,189	3-29-72		5-30-72	13.0551	21.33	RI71-410.
	do	144	13	do	29,219	3-29-72	4-29-72	[16] Accepted			
								5-30-72	13.0551	21.33	RI69-389.

See footnotes at end of table.

Docket	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
....do		157	[1] 9	El Paso Natural Gas Co. (Basin Dakota and Devil-Fork Gallup Fields, Rio Arriba County, N. Mex.) (San Juan Basin).	.....	3-27-72	4-27-72	[16] Accepted	.....	.....	
....do		157	10	....do	537	3-27-72	.....	5-28-72	15.0593	21.33	RI69-362.
					[18] 11,002	3-27-72	.....	5-28-72	[19] 13.0536	21.33	RI69-362.

*Unless otherwise stated, the pressure base is 15.025 p.s.i.a.
[1] Contract amendment.
[2] Low pressure gas (below 500 p.s.i.g.) from certain Pictured Cliffs Wells in Jicarilla Area.
[3] High pressure gas (above 500 p.s.i.g.).
[4] Suspension period for sales under supplement No. 3 which are covered under agreement dated after Oct. 1, 1968.
[5] Applies only to acreage added by supplements Nos. 3, 4, and 5.
[6] Contract amendment.
[7] Subject to B.t.u. and compression adjustment.
[8] Suspension period for sales from acreage added by supplement No. 16 which was dedicated after Oct. 1, 1968.
[9] Increase based on adjustment of Bureau of Labor Statistics Wholesale Price Index of all commodities.
[10] Rate suspended in Docket No. RI72-198 and will become effective May 7, 1972.
[11] Five months after currently suspended rate becomes effective.
[12] Not used.
[13] Not used.
[14] Not used.
[15] No production at present.
[16] Accepted for filing as of the dates shown in the "Effective Date" column.
[17] Accepted for filing as of the proposed effective date of Apr. 1, 1972, with waiver of notice granted, subject to the existing rate proceeding in Docket No. RI72-72.
[18] Applies only to acreage added by supplements 2, 3, and 4.
[19] Applicable to Mexico Fed. "G" No. 1 Well, N/Z, sec. 18-24N-6W, Rio Arriba County, N. Mex.

The proposed renegotiated increase of Getty Oil Co. under its FPC Gas Rate Schedule No. 141 to 19 cents per Mcf is for a sale of gas in Grand County, Utah, where no area increased ceiling rate has been announced. The Commission has previously used the 13 cents per Mcf increased ceiling rate of adjacent Colorado to determine the action to be taken on increases in this area. The increase of Getty Oil Co. also does not exceed the 1-day suspension ceiling and it therefore is suspended for 1 day.

The proposed decreases filed by Mobil Oil Corp. under Supplement No. 11 to its FPC Gas Rate Schedule No. 200 and Supplement No. 14 to its FPC Gas Rate Schedule No. 361 relate to sales of gas to El Paso Natural Gas Co. in the San Juan Basin Area, and are accepted for filing effective April 1, 1972, with waiver of notice granted, subject to refund in the existing rate proceeding in Docket No. RI72-72.

The proposed increases of Mobil under Supplement No. 6 to its FPC Gas Rate Schedule No. 370 and American Petrofina Company of Texas under Supplement No. 18 to its FPC Gas Rate Schedule No. 19, insofar as they relate to sales from acreage dedicated under contracts dated on or after October 1, 1968, do not exceed the corresponding rate filing limitations imposed in Southern Louisiana for such vintage gas and therefore are suspended herein for 1 day.

The rate filings of Skelly also do not exceed the ceiling for a 1-day suspension and they are therefore suspended for 1 day.

The other proposed increased rates involved here exceed the corresponding rate filing limitations imposed in Southern Louisiana and therefore are suspended for 5 months.

With the exception of Odessa Natural Corp. and El Paso Natural Gas Co., there is no known affiliation between buyers and sellers.

All of the producers' proposed rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

CERTIFICATION OF ABBREVIATED SUSPENSION

Pursuant to § 300.16(i)(3) of the Price Commission Rules and Regulations, 6 CFR Part 300 (1972), the Federal Power Commission certifies as to the abbreviated suspension period in this order as follows:

(1) This proceeding involves producer rates which are established on an area rather than company basis. This practice was established by Area Rate Proceeding, Docket No. AR 61-1 et al., Opinion No. 468, 34 FPC 159 (1965), and affirmed by the Supreme Court in Permian Basin Area Rate Case, 390 U.S. 747 (1968). In such cases as this, producer rates are approved by this Commission if such rates are contractually authorized and are at or below the area ceiling.

(2) In the instant case, the requested increases do not exceed the ceiling rate for a 1-day suspension.

(3) By Order No. 423 (36 F.R. 3464) issued February 18, 1971, this Commission determined as a matter of general policy that it would suspend for only 1 day a change in rate filed by an independent producer under section 4(d) of the Natural Gas Act [15 U.S.C. 717c(d)] in a situation where the proposed rate exceeds the increased rate ceiling, but does not exceed the ceiling for a 1 day suspension.

(4) In the discharge of our responsibilities under the Natural Gas Act, this Commission has been confronted with conclusive evidence demonstrating a natural gas shortage. (See Opinions Nos. 595, 598, and 607, and Order No. 435.) In these circumstances and for the reasons set forth in Order No. 423 the Commission is of the opinion in this case that the abbreviated suspension authorized herein will be consistent with the letter and intent of the Economic Stabilization Act of 1970, as amended, as well as the Rules and Regulations of the Price Commission, 6 CFR Part 300 (1972). Specifically, this Commission is of the opinion that the authorized suspension is required to assure continued, adequate, and safe service and will assist in providing for necessary expansion to meet present and future requirements of natural gas.

[FR Doc.72-6662 Filed 5-3-72;8:45 am]

[Docket No. G-2858 etc.]

PERRY, ADAMS AND LEWIS, INC., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

APRIL 21, 1972.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 15, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

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

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-2858 C&E 3-31-72	Perry, Adams and Lewis, Inc. (successor to Clinton Oil Co. (Operator) et al.), 1012 Baltimore Ave., Kansas City, MO 64105.	Cities Service Gas Co., Section 15, Township 29 North, Range 1 East, Kay County, Okla.	[1] 23.75	14.65
G-4075 D 3-31-72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., La Sal Vieja Field, Willacy County, Tex.	[2]	
G-4904 E 4-5-72	Amoco Production Co. (successor to John B. Hawley, Jr. et al.), Post Office Box 591, Tulsa, OK 74102.	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	[3] 12.19375	14.65
G-4954 E 2-22-72	J. D. Burke (successor to Sun Oil Co. (Operator) et al.), Post Office Box 1336, Corpus Christi, TX 78403.	United Gas Pipe Line Co., Marshall Field, Goliad County, Tex.	[4] 19.0	14.65
G-6588 3-16-72 [5]	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Carthage Field, Panola County, Tex.	[6] 19.1	14.65
G-7535 C 3-15-72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	El Paso Natural Gas Co., Jalmat-Yates et al., fields, Lea County, N. Mex.	[7] 11.0	14.65
G-15222 E 3-16-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	United Gas Pipe Line Co., Bourg Field, Terrebonne and Lafourche Parishes, La.	[8] 22.609	15.025
G-15223 E 3-9-72	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Bully Camp Field, Lafourche Parish, La.	[8] 22.375 [9] 23.60	15.025
G-17508 E 3-16-72	do	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Morton County, Kans.	[10] 17.5	14.65
G-19223 E 3-16-72	do	Transcontinental Gas Pipe Line Corp., Wildcat Bayou Field, Terrebonne Parish, La.	[8] 22.844	15.025
G-19417 E 3-20-72	do	Cimarron Transmission Co., West Enville Field, Love County, Okla.	[11] 18.6988	14.65
G-20049 E 3-16-72	do	Southern Natural Gas Co., Montegut Field, Terrebonne and Lafourche Parishes, La.	22.375	15.025
CI60-777 E 3-20-72	do	Truckline Gas Co., Southwest Esther Field, Vermilion Parish, La.	22.375	15.025
CI61-127 E 3-20-72	do	Texas Gas Transmission Corp., Chacahoula Field, Lafourche Parish, La.	22.375	15.025
CI61-164 E 3-22-72	do	Michigan Wisconsin Pipeline Co., Holly Ridge Field, Tensas Parish, La.	[12] 19.364	15.025
CI61-323 D 4-3-72	Union Oil Co., of California, Union Oil Center, Los Angeles, Calif. 90017.	Transwestern Pipeline Co., Como Area, Beaver County, Okla.	Depleted	
CI62-46 E 3-20-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Southern Natural Gas Co., Grange Field, Lawrence and Jefferson Davis Counties, Miss.	[13] 20.0	15.025
CI63-1488 D 3-31-72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., La Sal Vieja Field, Willacy County, Tex.	[2]	
CI64-902 3-9-72 [14]	Suburban Propane Gas Corp., 2210 Mercantile Bank Bldg., Dallas, Tex. 75201.	Northern Natural Gas Co., Ozona (Canyon Sand) Field, Crockett County, Tex.	[15] 17.03363	14.65
CI64-917 E 3-22-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Natural Gas Pipeline Co. of America, Boonesville Field, Jack County, Tex.	[16] 18.2	14.65
CI68-1199 E 1-17-72	HNG Oil Co. (successor to Roden Oil Co.), Post Office Box 1188, Houston, TX 77001.	Natural Gas Pipeline Co. of America, Lochridge Area, Ward County, Tex.	[17] 17.5656	14.65
CI69-192 3-15-72 [18]	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Phillips Petroleum Co., Section 32, Block B-2, H&GN Survey, Gray County, Tex.	13.5	14.65

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI70-1144 B 5-8-70	Colorado Oil & Gas Corp. (Operator) et al., Box 749, Denver, CO 80201.	Panhandle Eastern Pipe Line Co., Stevens Field, Meade County, Kans.	Depleted	
CI72-25 A 7-12-71	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Florida Gas Transmission Co., Flomaton Field, Escambia County, Ala.	[19] 32.5	14.65
CI72-468 E 1-17-72	HNG Oil Co. (successor to Roden Oil Co.), Post Office Box 1188, Houston, TX 77001.	Northern Natural Gas Co., Northeast Oates (Devonian) Field, Pecos County, Tex.	[20] 24.0	14.65
CI72-564 3-6-72 [21]	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	Southern Natural Gas Co., Half Moon Lake Field, St. Bernard Parish, La.	[22] 22.375	15.025
CI72-607 3-16-72 [23]	Lone Star Producing Co., 301 South Harwood St., Dallas, TX 75201.	Arkansas Louisiana Gas Co., Hanan Unit Well No. 1, Grant County, Okla.	[24] 18.5	14.65
CI72-622 (G-16006) F 3-22-72	Gulf Oil Corp. (successor to El Paso Products Co.), Post Office Box 1589, Tulsa, OK 74102.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	[25] 14.05775	15.025
CI72-623 B 3-29-72	Ashland Oil, Inc. (Operator) et al., Post Office Box 1503 Houston, TX 77001.	Champlin Petroleum Co., Witcher Field, Oklahoma County, Okla.	Depleated	
CI72-624 B 3-29-72	do	Champlin Petroleum Co., Witcher Field, Oklahoma County, Okla.	Depleated	
CI72-625 B 3-29-72	Ashland Oil, Inc., Post Office Box 1503, Houston, TX 77001.	do	Depleted	
CI72-626 A 3-29-72	Texas Pacific Oil Co., Inc., 1700 One Main Pl., Dallas, TX 75250.	Northern Natural Gas Co., South Eunice San Andres Field, Lea County, N. Mex.	[1] 24.5	14.65
CI72-627 B 3-29-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Cities Service Gas Co., Eureka Area, Grant and Alfalfa Counties, Okla.	Depleted	
CI72-628 A 3-29-72	Texas Pacific Oil Co., Inc., 1700 One Main Pl., Dallas, TX 75250.	Northern Natural Gas Co., Slapout Area, Beaver County, Okla.	[1] 20.0	14.65
CI72-629 B 3-31-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Transwestern Pipeline Co., West Woodward Field, Ellis County, Okla.	Depleted	
CI72-630 A 3-31-72	J. M. Huber Corp., 2000 West Loop South, Houston, TX 77027.	Montana-Dakota Utilities Co., Poison Creek Area, Fremont County, Wyo.	[26] 26.0	15.025
CI72-631 B 3-31-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Cities Service Gas Co., Laverne Field, Harper County, Okla.	Depleted	
CI72-632 B 4-3-72	Patoil Corp., Operator, 1442 Milam Bldg., San Antonio, Tex. 78205.	Texas Eastern Transmission Corp., Southwest Helen Gohlke Field, Victoria County, Tex.	Depleted	
CI72-633 B 4-3-72	Cities Service Oil Co. (Operator) et al., Post Office Box 300, Tulsa, OK 74102.	Florida Gas Transmission Co., Bay Natchez Field, Assumption and Iberville Parishes, La.	[2]	
CI72-634 B 4-3-72	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Perry, Adams & Lewis, Inc., Ponca City Field, Kay County, Okla.	Depleted	
CI72-635 A 4-3-72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	Transwestern Pipeline Co., Rock Tank-Lower Morrow Field, Eddy County, N. Mex.	[1] 30.48	14.65
CI72-636 A 4-3-72	Columbia Gas Development Corp., Post Office Box 1350, Houston, TX 77001.	Columbia Gas Transmission Corp., Block 292 Field, Eugene Island Area, Offshore Louisiana.	[1] 35.0	15.025
CI72-637 3-29-72 [27]	Getty Oil Co., Post Office Box 1404, Houston, TX 77001.	United Gas Pipe Line Co., West Mermentau Field, Jefferson Davis Parish, La.	20.33	15.025
CI72-638 (G-3009) F 3-30-72	The Louisiana Land and Exploration Co. (Operator) (successor to Atlantic Richfield Co.), Post Office Box 60350, New Orleans, LA 70160.	United Gas Pipe Line Co., Lake Gero Field, Terrebonne Parish, La.	[28] 23.8	15.025
CI72-639 (CI69-590) F 3-30-72	Phil O'Neal, d.b.a. O'Neal Drilling Co. (successor to Signal Oil & Gas Co.), Post Office Box 12278, Oklahoma City, OK 73112.	Lone Star Gas Co., Robertson Lease, Stephens County, Okla.	[29] 16.8	14.65
CI72-640 (G-18021) F 3-30-72	The Louisiana Land and Exploration Co. (Operator) (successor to Placid Oil Co.), Post Office Box 60350, New Orleans, LA 70160.	United Gas Pipe Line Co., Lake Gero Field, Terrebonne Parish, La.	[28] 22.5	15.025
CI72-641 (G-13633) F 3-30-72	The Louisiana Land and Exploration Co. (Operator) (successor to Pennzoil Producing Co. (Operator) et al.), Post Office Box 60350, New Orleans, LA 70160.	do	[28] 23.8	15.025
CI72-642 A 4-5-72	Anadarko Production Co., Post Office Box 296, Liberal, KS 67901.	Northern Natural Gas Co., South Eunice, San Andres Pool, Lea County, N. Mex.	[30] 24.5	14.65

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI72-643..... (G-11744) F 3-31-72	Petroleum, Inc. (successor to Atlantic Richfield Co. (Operator) et al.), 300 West Douglas, Wichita, KS 67202.	Northern Natural Gas Co., Goetzonger Unit, Beaver County, Okla.	[31] 20.0	14.65

[1] Subject to upward and downward B.t.u. adjustment.
[2] Acreage is nonproductive.
[3] Initial price includes 12.50050 cents per Mcf base rate (fractured), plus 0.00325 cent per Mcf tax reimbursement and minus 0.31 cent per Mcf downward B.t.u. adjustment.
[4] Application previously noticed Mar. 29, 1972. By letter filed Feb. 28, 1972, applicant amended its application to reflect a rate of 19 cents per Mcf.
[5] Renegotiated agreement to include residue, natural and casinghead gas produced from leases dedicated to the original contract dated Feb. 21, 1947.
[6] Area rate under Opinion No. 607; however, the contract price is 25 cents per Mcf.
[7] Applicant receives payment for liquid content on sliding scale basis.
[8] Pursuant to Opinion No. 598.
[9] Applicable to later vintage gas.
[10] Pursuant to Opinion No. 586.
[11] Rate in effect subject to refund in Docket No. RI69-349.
[12] Application previously noticed Apr. 10, 1972 in G-2639 et al., at a rate of 21.014 cents per Mcf, minus 1.236 cents per Mcf downward B.t.u. adjustment. Pursuant to Opinion No. 607, the rate should be 19.364 cents per Mcf.
[13] Application previously noticed Apr. 10, 1972 in G-2639 et al., at a rate of 26.175 cents per Mcf. The application should be noticed at a rate of 20 cents per Mcf.
[14] Applicant proposes to continue the sale of its own gas authorized in Docket No. CI64-902 to be made pursuant to Delta Drilling Co. (Operator) et al., FPC Gas Rate Schedule No. 30.
[15] Except supplements Nos. 9, 12, 13, and 23 which prices per Mcf are 16.561 cents, 17.0636 cents, 16.561 cents, and 17.0637 cents, respectively.
[16] Pursuant to Opinion No. 607.
[17] Subject to upward and downward B.t.u. adjustment. Rate in effect subject to refund in Docket No. RI70-1774.
[18] Renegotiated agreement to include casinghead gas from the B. E. Finley Lease.
[19] Application previously noticed July 29, 1971 in G-2598 at a rate of 30 cents per Mcf. By amendment to application filed Apr. 3, 1972, applicant amended its application to reflect a rate of 32.5 cents per Mcf.
[20] Subject to upward and downward B.t.u. adjustment. Subject to 1.5 cents per Mcf compression charge by buyer. Subject to treating and dehydration charges to be deducted by buyer.
[21] Applicant proposes to continue the sale of its own gas heretofore authorized in Docket No. CI64-633 to be made pursuant to J. C. Trahan Drilling Contractor, Inc., FPC Gas Rate Schedule No. 27.
[22] Partial contract price pursuant to limitation of AR69-1.
[23] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI70-352 to be made pursuant to Robert C. Anderson (Operator) et al., FPC Gas Rate Schedule No. 1.
[24] Plus upward B.t.u. adjustment.
[25] Rate in effect subject to refund in Docket No. RI64-468; however, the contract price is 15 cents per Mcf, plus 0.3448 cent per Mcf tax reimbursement.
[26] Gas-well gas. Plus 3 cents per Mcf upward B.t.u. adjustment.
[27] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-18135 to be made pursuant to Delta Drilling Co. (Operator) et al., FPC Gas Rate Schedule No. 26.
[28] Gas-well gas.
[29] Rate in effect subject to refund in Docket No. RI69-590.
[30] Adjusted for B.t.u.
[31] Plus 1 cent per Mcf upward B.t.u. adjustment and 0.315 cent per Mcf tax reimbursement.

[FR Doc.72-6663 Filed 5-3-72;8:45 am]

[Docket No. RI72-215 etc.]

TENNECO OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

APRIL 26, 1972.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

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

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI72-215	Tenneco Oil Co	1	[1] 4	El Paso Natural Gas Co. (San Juan Basin of N. Mex.).		4-3-72	5-4-72	[28] Accepted			
	do	1	5	do	2,314	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-465.
					(4)				15.2924	[3] 28.0	RI69-465.
	do	17	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do	17	6	do	2,314	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-465.
					(4)				15.2924	[3] 28.0	RI69-465.
	do	21	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do	21	6	do	3,689	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	RI69-466.
	do	26	[1] 4	do		4-3-72	5-4-72	[28] Accepted			
	do	26	5	do	3,295	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	RI69-466.
	do	36	[1] 4	do		4-3-72	5-4-72	[28] Accepted			
	do	36	5	do	2,744	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-465.
					(4)				13.2534	[3] 28.0	RI69-465.
	do	37	[1] 5	do		4-3-72	4-1-72	[28] Accepted			
RI72-75	do	37	6	do	(991)	4-3-72	4-1-72	[33] Accepted	29.23	[2] 22.0	RI72-75.
					(5)			[33] Accepted	29.23	[3] 28.0	RI72-75.
RI72-215	do	38	[1] 4	do		4-3-72	5-4-72	[28] Accepted			
	do	38	5	do	201	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	
	do	39	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do	39	6	do	208	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	45	[1] 7	do		4-3-72	5-4-72	[28] Accepted	15.2924		
									[6] 12.0		
	do	45	8	do	4,300	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-465.
					(4)				[6] 12.0	[3] 28.0	
	do	47	[1] 5	do		4-3-72	4-1-72	[28] Accepted			
RI72-75	do	47	6	do	(1,880)	4-3-72	4-1-72	[33] Accepted	29.23	[2] 22.0	RI72-75.
					(4)			[33] Accepted	29.23	[3] 28.0	
RI72-215	do	50	[1] 7	El Paso Natural Gas Co. (acreage in San Juan and Rio Arriba Counties, N.M.) (San Juan Basin).		4-3-72	5-4-72	[28] Accepted			
	do		8	do	1,250	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	
	do	51	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do		6	do	(4)	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	57	[1] 4	do		4-3-72	5-4-72	[28] Accepted			
	do		5	do	3,800	4-3-72		10-4-72	14.2729	[2] 22.0	RI69-465.
					(4)				14.2729	[3] 28.0	
	do	121	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do		6	do	40,500	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	124	[1] 6	do		4-3-72	5-4-72	[28] Accepted			
	do		7	do	38,000	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	126	[1] 4	do		4-3-72	5-4-72	[28] Accepted			
	do	126	5	do	16,000	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	144	[1] 7	do		4-3-72	5-4-72	[28] Accepted			
	do		8	do	3,400	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	
	do	151	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do		6	do	300	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	152	[1] 5	do		4-3-72	5-4-72	[28] Accepted			
	do	152	6	do	4,800	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	120	[1] 6	do		4-3-72	5-4-72	[28] Accepted			
	do	120	7	do	101,432	4-3-72		10-4-72	15.2924	[2] 22.0	RI69-466.
					(4)				15.2924	[3] 28.0	
	do	157	[1] 7	El Paso Natural Gas Co. (San Juan Basin Area of N. Mex.).		4-3-72	4-1-72	[28] Accepted			
RI72-75	do		8	do	(58)	4-3-72	4-1-72	[33] Accepted	29.23	[2] 22.0	RI72-75.
					(4)			[33] Accepted	29.23	[3] 28.0	
RI72-215	do	158	[1] 8	do		4-3-72	5-4-72	[28] Accepted			
	do		9	do	27	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	RI69-466.
	do	161	[1] 10	do		4-3-72	5-4-72	[28] Accepted	13.2486		RI71-945.
									15.2729		RI69-466.
	do		11	do	$7,261	4-3-72		10-4-72	13.2486	22.0	RI71-945.
									15.2729	[2] 22.0	RI69-466.
					(4)	4-3-72		10-4-72	13.2486	[3] 28.0	RI71-945.
									15.2729	[3] 28.0	RI69-466.
	do	162	[1] 7	do		4-3-72	5-4-72	[28] Accepted			
	do		8	do	150	4-3-72		10-4-72	13.2534	[2] 22.0	RI69-466.
					(4)				13.2534	[3] 28.0	RI69-466.
	do	163	[1] 6	do		4-3-72	5-4-72	[28] Accepted			
	do		7	do	(4)	4-3-72		10-4-72	13.2486	[2] 22.0	RI70-1691.
					(5)				13.2486	[3] 28.0	
	do	[8] 164	[1] 5	El Paso Natural Gas Co. (San Juan Basin Area).		4-3-72	5-4-72	[28] Accepted			
	do		6	do	1,470	4-3-72		10-4-72	15.0	[2] 22.0	RI69-468.
					(4)				15.0	[3] 28.0	RI69-468.
	do	[10] 172	[1] 2	do		4-3-72	5-4-72	[28] Accepted			
	do		3	do	2,360	4-3-72		10-4-72	14.0	[2] 22.0	RI69-466.
					(4)				14.0	[3] 28.0	RI69-466.
	do	[10] 176	[1] 20	do		4-3-72	5-4-72	[28] Accepted			
	do		21	do	249,600	4-3-72		10-4-72	14.0	[2] 22.0	RI69-467.
					249,600	4-3-72		[7] 6-4-72	14.0	[2] 22.0	RI69-467.
					(5)			10-4-72	14.0	[3] 28.0	RI69-467.
	do	[10] 180	[1] 3	do		4-3-72	5-4-72	[28] Accepted	[6] 13.0		
									14.0		RI69-465.
	do		4	do	12,680	4-3-72		10-4-72	[6] 13.0	[2] 22.0	RI69-465.
									14.0	[2] 22.0	RI69-465.
					(4)				[6] 13.0	[3] 28.0	
					(4)				14.0	[3] 28.0	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
	do	[9] 196	[11] 5	do		4-3-72	4-1-72	[35] Accepted			
RI69-466	do		6	do	(54)	4-3-72	4-1-72	[33] Accepted	29.23	[2] 22.0	RI69-466.
					(4)	4-3-72	4-1-72	[33] Accepted	29.23	[3] 28.0	RI69-466.
RI72-215	do	198	[1] 2	El Paso Natural Gas Co. (San Juan Basin of New Mexico).		4-3-72	5-4-72	[35] Accepted			
RI72-75	do		3	do	85,880	4-3-72		10-4-72	14.0	[2] 22.0	RI72-75.
					(4)				14.0	[3] 28.0	RI72-75.
RI72-215	do	203	[12] 3	do		4-3-72	5-4-72	[35] Accepted			
			4	do	(4)	4-3-72		10-4-72	13.0	22.0	
	do	223	[1] 7	do		4-3-72	5-4-72	[35] Accepted			
	do		8	do	149,310	4-3-72		10-4-72	13.0	[2] 22.0	
						4-3-72		[12] 6-4-72	13.0	[2] 22.0	
					(4)	4-3-72		10-4-72	13.0	[3] 28.0	
	do	225	[1] 2	do		4-3-72	5-4-72	[35] Accepted			
	do		3	do	8,856	4-3-72		10-4-72	13.0	[2] 22.0	
					(4)				13.0	[3] 28.0	
	do	228	[1] 2	do		4-3-72	5-4-72	[35] Accepted			
	do		3	do	17,800	4-3-72		10-4-72	14.0	[2] 22.0	RI70-1423.
					(4)				14.0	[3] 28.0	RI70-1423.
	do	230	[11] 4	do		4-3-72	4-1-72	[35] Accepted			
RI72-75	do		5	do	(2,530)	4-3-72	4-1-72	[33] Accepted	29.23	[2] 22.0	RI72-75.
					(4)	4-3-72	4-1-72	[33] Accepted	29.23	[3] 28.0	RI72-75.
RI72-215	do	257	[1 11] 5	do		4-3-72	5-4-72	[35] Accepted			
			6	do	(4)	4-3-72		10-4-72	13.2486	[2] 22.0	RI69-374.
					(4)				13.2486	[3] 28.0	RI69-374.
	do	260	[1] 2	do		4-3-72	5-4-72	[35] Accepted			
	do		3	do	19,800	4-3-72		[14] 6-4-72	14.0	[2] 22.0	RI71-365.
					(4)	4-3-72		10-4-72	14.0	[3] 28.0	RI71-365.
RI72-216	E. P. Campbell	1	[1] 3	do		4-4-72	5-5-72	[35] Accepted			
			4	do	1,920	4-4-72		10-5-72	14.0	[2] 22.0	RI69-517.
					(4)				14.0	[3] 28.0	RI69-517.
RI72-217	Kimbell, Inc	1	[1] 6	do		4-4-72	5-5-72	[35] Accepted			
	do		7	do	52,500	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	2	[1] 5	do		4-4-72	5-5-72	[35] Accepted			
	do		6	do	7,380	4-4-72		10-5-72	13.0	[2] 22.0	
					(4)				13.0	[3] 28.0	
	do	5	[1] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		6	do	19,950	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	6	[1] 5	do		4-4-72	5-5-72	[35] Accepted			
	do		6	do	2,940	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	7	[11] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		5	do	1,800	4-4-72		10-5-72	13.0	[2] 22.0	
	do	8	[1] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		5	do	12,600	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	9	[1] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		5	do	2,250	4-4-72		10-5-72	13.0	[2] 22.0	
					(4)				13.0	[3] 28.0	
	do	10	[1] 4	do		4-4-72	5-5-72	[34] Accepted			
	do		5	do	892	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI59-480.
	do	[8] 11	[1] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		5	do	1,610	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	12	[1] 5	do		4-4-72	5-5-72	[35] Accepted			
	do		6	do	10,920	4-4-72		10-5-72	15.0	[2] 22.0	RI69-480.
					(4)				15.0	[3] 28.0	RI69-480.
	do	13	[1] 4	do		4-4-72	5-5-72	[35] Accepted			
	do		5	do	3,690	4-4-72		10-5-72	13.0	[2] 22.0	
					(4)				13.0	[3] 28.0	
RI72-218	Skelly Oil Co	140	[1] 11	El Paso Natural Gas Co. (Ignacio-Blanco Field; La Plata County, Colo.) (San Juan Basin).		3-30-72	4-1-72	[35] Accepted			
	do		[15] 12	do	5,863	3-30-72		5-31-72	15.0	20.075	RI69-362.
	do	141	[1] 20	El Paso Natural Gas Co. (San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).		3-30-72	4-4-72	[35] Accepted			
	do		[16] 21	do	60,667	3-30-72		5-31-72	15.0593	21.33	RI69-362.
	do	46	[1] 24	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin Area).		3-30-72	4-1-72	[35] Accepted			
	do		[18] 25	do	19,198	3-30-72		5-31-72	15.0593	21.33	RI69-362, RI71-20.
	do	156	[1] 3	El Paso Natural Gas Co. (Rio Arriba County, N. Mex.) (San Juan Basin Area).		3-30-72	4-30-72	[31] Accepted			
	do		4	do	(4)	3-30-72		5-31-72	12.0495	21.33	
	do	211	[1] 12	El Paso Natural Gas Co. (Ignacio-Blanco Field; La Plata County, Colo.) (San Juan Basin).		3-30-72	4-30-72	[35] Accepted			
	do		13	do	2,887	3-30-72		5-31-72	15.0	20.075	RI69-389.
	do	215	[1] 2	El Paso Natural Gas Co. (La Plata County, Colo.; and San Juan County, N. Mex.) (San Juan Basin).		3-30-72	4-30-72	[35] Accepted			
	do		3	do	[17] 1,749	3-30-72		5-31-72	14.0	[17] 21.33	RI69-389.
					[19] 2,690					[19] 20.075	
RI72-219	Humble Oil & Refining Co	336	[1] 9	El Paso Natural Gas Co. (Blanco Field, La Plata County, Colo.).		3-29-72	4-29-72	[35] Accepted			
	do		10	do	5,219	3-29-72		9-29-72	14.0	22.0	RI69-371.
RI72-220	Belco Petroleum Corp	12	[1] 3	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).		3-30-72	4-30-72	[35] Accepted			
	do		4	do	48,000	3-30-72		[20] 9-30-72	14.0	22.0	RI70-767.
RI72-221	Amoco Production Co	363	34	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).	2,845,596	4-3-72		10-4-72	14.0	[2] 22.0	RI69-375, RI69-743.
					521,136					[3] 28.0	RI70-1188, RI72-176.

See footnotes at end of table.

APPENDIX A—Continued

Docket	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI72-222	Mobil Oil Co	480	10	Phillips Petroleum Co. (McElroy and Dune Fields, Crane and Upton Counties, Tex., Permian Basin).	4,020	3-31-72		9-31 72	[36] 20.98	[21,35] 26.0	RI72-181.
RI72-223	Skelly Oil Co	47	[1] 26	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).		3-31-72	4- 4-72	[35] Accepted			
	do	90	[1] 20	do				[33] Accepted			
	do	116	[1] 7	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.).		3-31-72	4- 4-72	[33] Accepted			
RI72-224	Aztec Oil & Gas Co	10	[24] 19	El Paso Natural Gas Co. (Dakota Formation, San Juan County, N. Mex., San Juan Basin).	74,811	3-30-72		9-30-72	[23] 14.2678	29.23	RI69-379.
	do	14	7	do	22,443	3-30-72		9-30-72	[23] 14.2678	29.23	RI69-379.
	do	34	8	do	22,443	3-30-72		9-30-72	[23] 14.2678	29.23	RI71-771.
	do	33	5	do	45,607	3-30-72		9-30-72	[23] 14.2678	29.23	RI71-366.
	do	31	5	El Paso Natural Gas Co. (Mesa Verda Formation, San Juan County, N. Mex., San Juan Basin).	36,407	3-30-72		9-30-72	[23] 14.2678	29.23	RI69-665.
	do	4	[25] 37	El Paso Natural Gas Co. (Pictured Cliffs and Fruitland Formations, San Juan County, N. Mex., San Juan Basin).	79,900	3-30-72		9-30-72	13.2501	29.23	RI71-330.
	do	2	7	El Paso Natural Gas Co. (Pictured Cliffs Field, San Juan County, N. Mex., San Juan Basin).	15,980	3-30-72		9-30-72	13.2501	29.23	RI69-379.
RI72-225	Terra Resources, Inc	7	12	El Paso Natural Gas Co. (Bar X Field, Grand County, Utah, and Mesa County, Colo.).	3,000	3-30-72		6-28-72	14.0	15.0	RI68-702.
RI72-226	Beta Development Co	1	[1] 13	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).		4- 3-72	5- 4-72	[35] Accepted			
	do		[1] 14	do	885,225	4- 3-72		10- 4-72	15.0	[3] 22.0	RI69-835.
					94,523				15.0	[3] 28.0	
RI72-227	Sun Oil Co	319	[1] 7	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).		4- 3-72	5- 4-72	[34] Accepted			
	do		8	do	35,305	4- 3-72		10- 4-72	13.2501	[3] 22.0	
									13.2501	[3] 28.0	
	do	431	[1] 5	do		4- 3-72	5- 4-72	[34] Accepted			
	do		6	do	256,488	4- 3-72		10- 4-72	14.0	[3] 22.0	RI70-1315.
					1,919	4- 3-72		[26] 6- 4-72	14.0	[3] 28.0	
	do	353	[1] 12	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico and La Plata County Colo.).		4- 3-72	5- 4-72	[35] Accepted			
	do		13	do	10,364	4- 3-72		10- 4-72	[27] 14.2677	[3] 22.0	RI72-107.
									[28] 14.0	[3] 28.0	RI72-149.
RI72-228	John J. August	2	[1] 5	El Paso Natural Gas Co. (San Juan Basin Area of New Mexico).		4- 4-72	5- 5-72	[35] Accepted			
	do		6	do	21,600	4- 4-72		10- 5-72	13.0	22.0	
RI72-229	The Superior Oil Co	18	[30] 13	Kansas-Nebraska Natural Gas Co., Inc. (Big Springs Field, Deuel County, Nebr.).		4- 6-72	5- 7-72	[33] Accepted			
	do		14	do	3,604	3-27-72		5-28-72	[36] 12.1921	[36] 18.1980	
RI72-230	J. M. Huber Corp	84	[31] 1	Mountain Fuel Supply Co. (South Baggs Area, Carbon County, Wyo., and Moffat County, Colo.).		4- 5-72	5- 6-72	[35] Accepted			
	do		[32] 2	do	(4)	4- 5-72		6- 6-72	15.0	22.25	

*Unless otherwise stated, the pressure base is 15.025 p.s.i.a.
[1] Contract amendment.
[2] Applicable to gas from wells completed before June 1, 1970.
[3] Applicable to gas from wells completed on or after June 1, 1970.
[4] No production at present.
[5] For sale of low pressure gas under Supplement No. 5.
[6] Florance No. 22 well only.
[7] For sales under Supplement No. 17 which was dated after Oct. 1, 1968. (Applies to 22 cents per Mcf rate only.)
[8] All sales in Colorado.
[9] Sales in New Mexico and Colorado.
[10] All sales in New Mexico.
[11] Contract amendment but also eliminates Favored Nations clause.
[12] For sales under Supplements Nos. 3, 5, and 6 which were dated after Oct. 1, 1968, insofar as it applies to the 22 cents per Mcf rate.
[13] Extends term to 1992, establishes new price of 22 cents per Mcf, provides for 0.5 cent per Mcf escalations on Jan. 1, 1974, and every year thereafter.
[14] Contract dated after Oct. 1, 1968, and 22 cents rate does not exceed rate limit for 1-day suspension.
[15] Applicable only to gas produced from acreage added by Supplements Nos. 3, 4, 5, 6, and 8.
[16] Applicable only to gas produced from acreage added by Supplements Nos. 7, 8, 9, 10, 11, 12, 14, and 16.
[17] Applicable to gas produced in New Mexico.
[18] Applicable only to gas produced from acreaged added by Supplements Nos. 10, 11, 12, 14, and 15.
[19] Applicable to gas produced in Colorado.
[20] Waiver of notice requested.
[21] Unilateral rate increase.
[22] Not used.
[23] Exclusive of 1 cents per Mcf minimum guarantee for liquids.
[24] Not applicable to acreage added by Supplements Nos. 8–11, and 13–16.
[25] Not applicable to acreage added by Supplements Nos. 18, 20–23, 25–29, and 32–34.
[26] Applicable only to acreage covered by Supplement No. 3 dedicated after Oct. 1, 1968.
[27] Applicable to New Mexico sales.
[28] Applicable to Colorado sales.
[29] Not used.
[30] Provides a new pricing schedule beginning at 18 cents with 1 cent escalations every 5 years and changes the measurement pressure base from 16.4 p.s.i.a. to 14.65 p.s.i.a.
[31] Amendment providing for immediate increase to any rate determined by any governmental agency which is higher than the present contract rate and provides a rate of 22.25 cents for any well drilled between Feb. 1, 1972, and Oct. 1, 1973, plus a 1 cent per Mcf escalation every 5 years thereafter.
[32] Applicable to wells drilled after Feb. 1, 1972.
[33] Accepted for filing subject to the existing suspension proceedings to be effective on the dates shown in the "Effective Date" column.
[34] Not used.
[35] Accepted for filing to be effective on the dates shown in the "Effective Date" column.
[36] The pressure base is 14.65 p.s.i.a.

The proposed increase of Terra Resources, Inc., under Supplement No. 12 to its FPC Gas Rate Schedule No. 7 is for a sale in Grand County, Utah and Colorado. Superior's renegotiated increase under Supplement No. 14 to its FPC Gas Rate Schedule No. 18 is for a sale in Deuel County, Nebr. The Commission has previously used the 13 cents per Mcf increased ceiling rate of adjacent Colorado to determine the action to be taken on increases in these areas. The increases exceed the increased rate ceiling but do not exceed the 1-day suspension ceiling and they therefore are suspended for 1 day.

The proposed decreases filed by Tenneco Oil Co. relate to sales of gas to El Paso Natural Gas Co., in the San Juan Basin Area, and are accepted for filing effective April 1, 1972, with waiver of notice granted, subject to refund in the existing rate proceeding in Docket No. RI72-75.

The proposed increases of Tenneco under Supplements Nos. 21, 8, and 3 to its FPC Gas Rate Schedules Nos. 176, 223, and 260, respectively, and Sun Oil Co. under Supplement No. 6 to its FPC Gas Rate Schedule No. 431, insofar as they relate to sales from acreage dedicated under contracts dated on or after October 1, 1968, do not exceed the corresponding rate filing limitations imposed in Southern Louisiana for such vintage gas and therefore are suspended herein for 1 day.

The proposed increases of Skelly Oil Co. at or below 21.33 cents per Mcf, were fractured so as not to exceed the rate limit for a 1-day suspension. These increases are therefore suspended for 1 day.

Mobil's unilateral increase to 26 cents per Mcf is for a sale to Phillips Petroleum Co. under a terminated percentage type contract in the Permian Basin area. Mobil was previously issued a certificate to cover the sale and is currently collecting subject to refund a prior unilateral increase to 20 cents per Mcf. Since the proposed 26 cents per Mcf rate exceeds the rate limit for a 1-day suspension, it is suspended for 5 months.

The proposed favored-nations increases of Aztec Oil & Gas Co. to 29.23 cents per Mcf are for sales to El Paso in San Juan Basin and are based on a favored-nation clause which was allegedly activated by Aztec unilateral increase to 29.23 cents per Mcf which became effective subject to refund in Docket No. RI71-744 on August 1, 1971. El Paso Natural Gas Co. is expected to protest these favored-nation increases, as they have previous filings, on the basis that they are not contractually authorized. In view of the contractual problem presented, the hearing herein shall concern itself with the contractual basis for these favored-nation filings as well as the justness and reasonableness of the proposed increased rates. The proposed increases exceed the corresponding rate filing limitations imposed in Southern Louisiana and therefore are suspended for 5 months.

The other proposed increased rates involved here exceed the corresponding rate filing limitations imposed in Southern Louisiana and therefore are suspended for 5 months.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

CERTIFICATION OF ABBREVIATED SUSPENSION

Pursuant to § 300.16(1)(3) of the Price Commission rules and regulations, 6 CFR Part 300 (1972), the Federal Power Commission certifies as to the abbreviated suspension period in this order as follows:

(1) This proceeding involves producer rates which are established on an area rather than company basis. This practice was established by Area Rate Proceeding, Docket No. AR61-1 et al., Opinion No. 468, 34 FPC 159 (1965), and affirmed by the Supreme Court in Permian Basin Area Rate Case, 390 U.S. 747 (1968). In such cases as this, producer rates are approved by this Commission if such rates are contractually authorized and are at or below the area ceiling.

(2) In the instant case, the requested increases do not exceed the ceiling rate for a 1-day suspension.

(3) By order No. 423 (36 F.R. 3464) issued February 18, 1971, this Commission determined as a matter of general policy that it would suspend for only 1 day a change in rate filed by an independent producer under section 4(d) of the Natural Gas Act (15 U.S.C. 717c(d)), in a situation where the proposed rate exceeds the increased rate ceiling, but does not exceed the ceiling for a 1-day suspension.

(4) In the discharge of our responsibilities under the Natural Gas Act, this Commission has been confronted with conclusive evidence demonstrating a natural gas shortage. (See Opinions Nos. 595, 598, and 607, and Order No. 435.) In these circumstances and for the reasons set forth in Order No. 423 the Commission is of the opinion in this case that the abbreviated suspension authorized herein will be consistent with the letter and intent of the Economic Stabilization Act of 1970, as amended, as well as the rules and regulations of the Price Commission, 6 CFR Part 300 (1972). Specifically, this Commission is of the opinion that the authorized suspension is required to assure continued, adequate and safe service and will assist in providing for necessary expansion to meet present and future requirements of natural gas.

[FR Doc.72-6700 Filed 5-3-72;8:45 am]

FEDERAL RESERVE SYSTEM

CASCO-NORTHERN CORP.

Order Approving Formation of Bank Holding Company

Casco-Northern Corp., Portland, Maine, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of at least 80 percent of the voting shares of Casco Bank & Trust Company, Portland, Maine (Casco Bank), and Northern National Bank, Presque Isle, Maine (Northern Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

On the basis of the record, the application is approved for the reasons set forth in the Board's Statement[1] of this date. The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Boston pursuant to delegated authority.

By order of the Board of Governors,[2] April 26, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-6764 Filed 5-3-72;8:47 am]

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

CENTRAL BANCORP, INC.

Acquisition of Bank

Central Bancorp, Inc., Miami, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire not less than 80 percent of the voting shares of Central National Bank of Miami, Miami, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 22, 1972.

Board of Governors of the Federal Reserve System, April 26, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-6765 Filed 5-3-72;8:47 am]

CITIZENS BANCORP

Acquisition of Bank

Citizens Bancorp, Vineland, N.J., has filed two separate applications for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the following banks:

(1) The First National Bank of Marlton, Marlton, N.J.; and

(2) Citizens National Bank of South Jersey, Bridgeton, N.J.

The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Philadelphia. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 22, 1972.

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

Board of Governors of the Federal Reserve System, April 26, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-6766 Filed 5-3-72;8:47 am]

VIRGINIA NATIONAL BANKSHARES, INC.

Order Denying Application To Become Bank Holding Company

Virginia National Bankshares, Inc., Norfolk, Va., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successors by merger to (1) Virginia National Bank, Norfolk, Va. (Virginia National) and (2) The Colonial-American National Bank of Roanoke, Roanoke, Va. (Colonial-American). The banks into which Virginia National and Colonial-American are to be merged have significance only as a means of acquiring all of the shares of each bank. Accordingly, the proposed acquisitions of the successor organizations are treated herein as the proposed acquisitions of the shares of each bank.

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

On the basis of the record, the application is denied for the reasons set forth in the Board's statement [1] of this date.

By order of the Board of Governors,[2] April 6, 1972, released April 26, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-6767 Filed 5-3-72;8:47 am]

CHARTER BANKSHARES CORP.

Order Approving Acquisition of Bank

Charter Bankshares Corp., Jacksonville, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The First State Bank in St. Petersburg, St. Petersburg, Fla. (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant has eight banks controlling aggregate deposits of $263 million and is the 14th largest banking organization in Florida, controlling 1.8 percent of deposits in commercial banks in the State.[1] Acquisition of Bank ($9 million in deposits) by applicant would increase its percentage share of deposits by less than one-tenth of 1 percent, would not change applicant's ranking among banking organizations in Florida, and would not result in a significant increase in the concentration of banking resources in Florida.

Bank is located in St. Petersburg, as is applicant's lead bank, The First National Bank in St. Petersburg, St. Petersburg, Fla. (St. Petersburg Bank). The St. Petersburg Bank has deposits of $161 million and is the largest bank in the St. Petersburg area, while Bank has only 1 percent of area deposits and is the smallest bank in the area.

Though both St. Petersburgh Bank and Bank are located in St. Petersburg, there is little existing competition between them. Bank was chartered in 1967 as a successor to Southern Bank of St. Petersburg, which had been placed in receivership by the Federal Deposit Insurance Corporation. At the request of the FDIC, the St. Petersburg Bank sent personnel to assist in closing Southern Bank of St. Petersburg and these personnel became the management staff of Bank. While a previous affiliation was technically broken when applicant acquired St. Petersburg Bank, the close relationship engendered by this situation has continued to the present time and accounts in great measure for the lack of competition between the two institutions. Even in the absence of this relationship, due to the great disparity in size between the two banks, the presence of several intervening banks, and Florida's restrictive branching laws, there would be little probability of substantial competition developing in the future.

While the premium to be paid by Applicant is substantial, it does not appear that its payment will adversely affect applicant's financial condition nor that it is being paid to purchase monopoly power. The acquisition of Bank would not give Applicant a dominant position in the St. Petersburg area since Applicant would control only a little over 19 percent of area deposits, with the second ranking banking organization having more than 17 percent of the deposits and the third ranking banking organization having close to 13 percent of the market. Further, two medium-sized banks located in St. Petersburg are subsidiaries of the second and third largest banking organizations in the State of Florida.

Considerations relating to the financial condition, managerial resources, and prospects of applicant, its subsidiary banks, and Bank are consistent with approval of the application. Considerations relating to the convenience and needs of the community to be served lend some weight toward approval of the acquisition since applicant, through Bank, proposes to offer trust services, a charge-card plan and construction loans, which services Bank does not presently offer. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above.[2] The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[3] April 28, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-6800 Filed 5-3-72;8:50 am]

SECURITIES AND EXCHANGE COMMISSION

[811-1992]

ANVIL EQUITIES, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

APRIL 28, 1972.

Notice is hereby given that Anvil Equities, Inc., 245 Park Avenue, New York NY 10017 (Applicant), registered under the Investment Company Act of 1940 (Act) as a nondiversified open-end management investment company has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that the Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein which are summarized below.

Applicant was organized as a Delaware corporation on December 22, 1969. Applicant registered under the Act on

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Richmond. Dissenting statement of Governor Daane filed as part of the original document and available upon request.

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

[1] Banking data are as of June 30, 1971, and reflect holding company formations and acquisitions approved by the Board through February 29, 1972.

[2] Dissenting Statement of Governor Robertson 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.

[3] Voting for this action: Chairman Burns and Governors Mitchell, Daane, Maisel, Brimmer and Sheehan. Voting against this action: Governor Robertson.

December 31, 1969, by filing a Notification of Registration on Form N–8A. Applicant's Form S–5, Registration Statement under the Securities Act of 1933, filed on February 27, 1970, became effective on October 21, 1970, and a public offering of Applicant's shares was made.

Applicant represents, among other things, that on December 28, 1971, by unanimous written consent and in accordance with Delaware Corporation Law, its Board of Directors elected to dissolve the Applicant and to submit to its shareholders a proposal for dissolution. On December 28, 1971, the holders of all of the outstanding shares of Applicant unanimously consented in writing to the winding up and dissolution of Applicant.

Applicant represents that it has distributed to all of its shareholders a final liquidating distribution consisting of cash in cancellation of the issued and outstanding shares held by such shareholders.

Applicant further represents that it is in the process of preparing its Certificate of Dissolution, which, when filed with the Secretary of State of the State of Delaware, will terminate the existence of Applicant, except for limited purposes specified in the General Corporation Law of Delaware.

Section 8(f) of the Act provides, in pertinent part that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 22, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72–6779 Filed 5–3–72;8:48 am]

[File No. 500–1]

COGAR CORP.

Order Suspending Trading

APRIL 26, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.60 par value, of Cogar Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 27, 1972 through May 6, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72–6780 Filed 5–3–72;8:48 am]

[70–5185]

COLUMBIA GAS SYSTEM, INC., ET AL.

Notice of Proposed Payment of Dividend

APRIL 28, 1972.

Notice is hereby given that the Columbia Gas System, Inc. (Columbia), a registered holding company, and its wholly owned nonutility subsidiary companies, Columbia Gas Development Corp. and Columbia Gas Development of Canada Ltd., 20 Montchanin Road, Wilmington, DE 19807, have filed with this Commission an application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 (Act) designating sections 2(a)(16), 6, 7, 9, 10, and 12(c) thereof and Rule 46(a) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

In pursuance of Columbia's overall program for developing natural gas reserves in Canada, Columbia's nonutility subsidiary company, Columbia Gas Development Corp. (Development), in 1970 entered into contracts for a joint exploration project with Dome Petroleum, Ltd. (Dome), a nonaffiliated Canadian company, and with Dome Canada, a wholly owned subsidiary of Dome (Dome agreements). (See Holding Company Act Release No. 17290.) To comply with applicable Canadian oil and gas regulations, which require that working interests in Canadian oil and gas federal leases may be held only by Canadian corporations, Columbia in August, 1971, formed a wholly owned nonutility subsidiary, Columbia Gas Development of Canada Ltd. (Development-Canada), a Canadian federal corporation, to take over the Dome agreements and to serve generally as a vehicle for the System's exploration for and development of Canadian gas. Investment in the capital stock of Development-Canada by Columbia has heretofore been authorized by the Commission (Holding Company Act Release No. 17442).

Under the Dome agreements, Development agreed to contribute the first $30 million (Canadian) of exploration costs, at the rate of $10 million per year for 3 years. (See Holding Company Act Release No. 17290.) By December 31, 1971, Development had contributed $10,084,499, and its property accounts reflected that amount in respect of the Dome agreements. It is stated that Development has assigned the Dome agreements and all of its rights, title, and interest thereunder to Development-Canada, and that in consideration thereof the latter will issue to Columbia 403,376 shares of its common stock, par value Can. $25 per share.

This three-way exchange, which is stated to be nontaxable, would involve distribution of a dividend in the amount of $10,084,499 by Development to Columbia. Since Development's earned surplus account at December 31, 1971, showed a deficit of $6,537,223, and the laws of the State of Delaware (where Development is incorporated) prohibit the payment of dividends except out of surplus or earnings, Development proposes to create a capital surplus of $17.9 million by reducing the par value of its capital stock (all owned by Columbia) from $25 to $15 per share. This capital surplus will exceed the deficit by an amount which is more than the proposed dividend. Columbia will reduce its investment in Development by the amount of the dividend, and its investment in Development-Canada will be increased by a like amount, evidenced by the 403,376 shares of that company's capital stock proposed to be acquired. The earned surplus deficit on Development's books will remain undisturbed by the transaction and will continue to be reflected in the consolidated financial statements of the Columbia System.

Under one of the Dome agreements, Development obtained the right to acquire either 6 million shares of common stock of Dome Canada, subject to the fulfillment of certain prior conditions, or to obtain an equivalent equity interest in a successor corporation to Dome Canada, in the event that Dome or Dome Canada, within certain specified time periods, should make a public offering of such stock and if Development decided that it would convert its 7.5 percent working interest in the subject lands of the Dome agreements into Dome Canada stock. Development proposes to assign this right to Development-Canada.

A statement of the fees and expenses to be incurred in connection with the proposed transactions will be filed by amendment. It is stated that no State commis-

sion and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 18, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-6781 Filed 5-3-72;8:48 am]

SOUTHERN CO., ET AL.

Notice of Post-Effective Amendment Regarding Issue and Sale of Notes to Banks and to Dealer in Commercial Paper by Holding Company and Exception From Competitive Bidding; and Proposed Capital Contributions to Subsidiary Companies by Holding Company

APRIL 28, 1972.

Notice is hereby given that the Southern Co. (Southern), Post Office Box 720071, Atlanta, GA 30346, a registered holding company, and four of its electric utility subsidiary companies, Alabama Power Co. (Alabama), Georgia Power Co. (Georgia), Gulf Power Co. (Gulf), and Mississippi Power Co. (Mississippi), have filed with this Commission a third post-effective amendment to the application-declaration in this proceeding pursuant to sections 6(b) and 12(b) of the Public Utility Holding Company Act of 1935 (Act) and Rules 45 and 50 promulgated thereunder regarding the following proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By orders in this proceeding dated December 14, 1971, February 2, 1972, and April 12, 1972 (Holding Company Act Release Nos. 17399, 17444, and 17538), the Commission authorized Southern to issue and sell not later than December 31, 1972, short-term bank notes and commercial paper in the aggregate principal amount of $145 million, and to make capital contributions of $40 million, $84 million, $13 million, and $14 million, respectively, to Alabama, Georgia, Gulf, and Mississippi. Southern now proposes to increase the maximum principal amount of its bank and commercial paper borrowings to $175 million and to change the aggregate amount of capital contributions to be made to its electric utility subsidiary companies as follows: Alabama, $44,500,000; Georgia, $100 million; Gulf, $15 million; and Mississippi, $11 million. A revised list of lending banks has been filed. In all other respects the transactions as heretofore authorized remain unchanged.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 19, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said third post-effective amendment to the application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as now amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-6782 Filed 5-3-72;8:48 am]

[File No. 500-1]

TOPPER CORP.

Order Suspending Trading

APRIL 27, 1972.

The common stock, $1 par value, of Topper Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Topper Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 29, 1972 through May 8, 1972.

By the Commission.

RONALD F. HUNT,
Secretary.

[FR Doc.72-6784 Filed 5-3-72;8:48 am]

[812-3152]

WELLS FARGO INTERNATIONAL INVESTMENT CORP.

Notice of Filing of Application for Order

APRIL 27, 1972.

Notice is hereby given that Wells Fargo International Corp., 420 Montgomery Street, San Francisco, CA 94104 (Applicant), a California corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act) for an order exempting Applicant from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the material representations therein which are summarized below.

Applicant was incorporated on November 26, 1969, in the State of California. Applicant has paid-in capital of $6 million, represented by 6,000 shares of authorized and outstanding capital stock, no par value, all of which are held by Wells Fargo Bank International (International).

International is organized under the laws of the United States pursuant to section 25(a) (the Edge Act) of the Federal Reserve Act. International is a wholly owned subsidiary of Wells Fargo Bank, National Association (Bank) which in turn is, except for directors' qualifying shares, a wholly owned subsidiary of Wells Fargo & Co. (Company). Bank is a national banking association organized under the laws of the United States. Neither Bank nor International are investment companies as defined in the Act since they are banking institu-

tions organized under the laws of the United States, and are thereby exempt from the Act pursuant to sections 2(a)(5)(A) and 3(c)(3) thereof.

Applicant represents that Bank, its domestic subsidiaries, its controlled foreign subsidiaries and its foreign branches are under the supervision of, and subject to examination by, the Comptroller of the Currency of the United States and are subject to the rules and regulations of the Board of Governors of the Federal Reserve System (the "Board") and the Federal Deposit Insurance Corporation. Applicant further represents that Bank's Edge Act subsidiaries, such as International, and their controlled subsidiaries are under the supervision of, and subject to examination by the Board, as well as being subject to the rules and regulations of the Comptroller of the Currency of the United States. The Board regulates the activities of such Edge Act corporations, particularly their investments, through the provisions of its Regulation K. The Board's consent to International's investment in Applicant was conditioned upon divestiture of such investment by International if Applicant takes any action or undertakes any operation in any manner which at the time would not be permissible to International. Applicant contends, therefore, that it is subject to the same Board restrictions as International. In Regulation K, the Board has granted a general consent for investments which neither exceed $500,000 nor result in the holding of more than 25 percent of the voting shares of the corporation in which the investment is made. All other investments must receive specific Board approval. In no event may Applicant invest in any corporation, foreign or domestic, which is engaged in the general business of buying or selling goods, wares, merchandise or commodities in the United States or is otherwise engaged in any business in the United States except such as in the judgment of the Board may be incidental to Applicant's international or foreign business.

The Board is responsible for the balance of payments policy relative to domestic banks and other financial institutions, including Edge Act corporations and their domestic subsidiaries. The Voluntary Foreign Credit Restraint Program (the Program) implements the policy of limiting the amount of total "claims on Foreigners" (which include loans to, and investments in foreign branches, corporations, entities and individuals) which a domestic bank may carry on the books of its domestic offices or which an Edge Act corporation or its domestic subsidiaries may carry on their books. A foreign branch or foreign subsidiary of a domestic bank or Edge Act corporation is considered a foreigner within the context of the Program. Extensions of foreign credit by a foreign branch or foreign subsidiary of a domestic bank or Edge Act corporation are not subject to the Program, except as a result of the restraints on domestic banks and Edge Act corporations with respect to foreign credit to, or foreign investments in, such branches or subsidiaries. In 1970, the Board revised the Program to provide that a domestic subsidiary (such as Applicant) of an Edge Act corporation (such as International) may offset against the aggregate of its "claims on foreigners" and "other foreign assets" the face amount of its outstanding borrowings from foreigners if the borrowing have an original maturity of 3 years or more. This offset is not permitted to the bank directly or to any of its Edge Act subsidiaries. Applicant contends it was formed specifically to take advantage of this offsetting principle and plans to offer abroad its debt securities with maturities of 3 years or more.

Applicant states that it does not fall within the technical definition of "Bank" set forth in section 2(a)(5)(C) of the Act, which requires that a "bank" receive deposits or exercise fiduciary powers similar to those permitted to national banks. Applicant contends, however, that it clearly fits within the general intent of exemption from the definition of investment company set forth in section 3(c)(3) of the Act. Applicant states that it will serve as an integral element in the international banking operations of Bank, and its only long-term activity will be to hold investments which, absent the Program and the Board's offset policy, International might hold free of the operation of the Act. Applicant represents that it will make equity investments in foreign entities, primarily those engaged in banking and financially related activities abroad, so as to further the international activities of Bank. Any amounts not needed to fund Applicant's foreign equity investments will be used primarily, other than for domestic deposits placed with Bank, to make foreign loans and to acquire participations in Bank's foreign loans. Furthermore, Applicant represents that it is governed by bank regulations similar to those applied to banks exempt from the Act, and International may continue to hold Apapplicant's stock only if Applicant restricts its activities to those permissible to International. In addition, Applicant states that the Board must approve all of its major foreign equity investments. Accordingly, Applicant requests an exemption from all provisions of the Act pursuant to section 6(c), thereof, subject to the following conditions:

(1) At the time of their issuance, the securities issued by Applicant (except to Company or to a subsidiary of Company which is not an investment company) would, if purchased by nationals or residents of the United States, its territories or possessions, be subject to the Interest Equalization Tax or another tax providing a comparable deterrent to the purchase of Applicant's securities by United States nationals or residents in the event that the United States Interest Equalization Tax expires, is repealed or the rate thereof is reduced to zero, and such fact will be prominently indicated on such securities;

(2) Applicant will not issue, without an order of the Commission, any securities (except to Company or to a subsidiary of Company which is not an investment company) in the event the United States Interest Equalization Tax expires, is repealed or the rate thereof is reduced to zero and such tax is not replaced by another comparable tax;

(3) Applicant will forthwith register with the Commission pursuant to section 8 of the Act in the event that Applicant ceases to be regulated by a banking regulatory agency listed herein and in the application; and

(4) Applicant will register with the Commission pursuant to section 8 of the Act in the event that all securities of Applicant, with the exception of debt securities, cease to be held by Company or by a subsidiary of Company which is not an investment company.

Section 6(c) of the Act, as here pertinent, authorizes the Commission, by order upon application, conditionally or unconditionally to exempt any person or any class or classes of persons from any provision or provisions of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 17, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-6783 Filed 5-3-72;8:48 am]

TARIFF COMMISSION

[TEA-W-142]

GENERAL ELECTRIC CO.

Workers' Petition for Determination; Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers of the Utica, N.Y., plants of the General Electric Co., the U.S. Tariff Commission, on May 1, 1972, instituted an investigation under section 301(c)(2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with radio receivers (of the types provided for in items 685.23 and 685.25 of the Tariff Schedules of the United States), phonographs (of the types provided for in item 685.32) and tape recorders (of the types provided for in item 685.40), manufactured by said firm, or an appropriate subdivision thereof, are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such company, or an appropriate subdivision.

The petitioners have not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, DC, and at the New York City office of the Tariff Commission located in room 437 of the customhouse.

Issued: May 1, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-6808 Filed 5-3-72;8:50 am]

DEPARTMENT OF LABOR

Office of the Secretary

VERMONT MARBLE CO.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of March 17, 1972, a petition requesting certification of eligibility to apply for adjustment assistance was filed with the Director, Office of Foreign Economic Policy, Bureau of International Labor Affairs by the United Steelworkers of America, AFL-CIO, on behalf of workers of the Vermont Marble Co., Proctor, Vt. This request for certification was made under the President's decision of January 28, 1972. That decision provides pursuant to section 302(a)(3), with respect to the domestic marble and travertine industry, that its workers may request the Secretary of Labor for certifications of eligibility to apply for adjustment assistance under chapter 3, title III, of the Trade Expansion Act of 1962. (Weekly Compilation of Presidential Documents, January 31, 1972, p. 148; Congressional Record, issue January 31, 1972, S. 724, H. 447).

The Act, section 302(b)(2), provides that the Secretary of Labor shall certify as eligible to apply for adjustment assistance under Chapter 3 any group of workers in an industry with respect to which the President has acted under section 302(a)(3), upon a showing by such group of workers to the satisfaction of the Secretary of Labor that the increased imports (which the Tariff Commission has determined to result from concessions granted under trade agreements) have caused or threatened to cause unemployment or underemployment of a significant number or proportion of workers of such workers' firm or subdivision thereof. The same degree of causal connection is applicable here as under the tariff adjustment and other adjustment assistance provisions, that is, the increased imports have been the major factor.

The Director, Office of Foreign Economic Policy, upon receipt of the petition, instituted an investigation following which he made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of Investigation, 34 F.R. 18342 and 37 F.R. 2472, 6359; 29 CFR 90.11). In the recommendation, he noted that imports of products like or directly competitive with structural marble and travertine of the type produced by the Vermont Marble Co. had increased substantially over the past 25 years. Tariff concessions have been granted in 1948, 1950 and under the Kennedy round. Beginning in 1969, competitive pressures forced the company to import increasingly significant quantities of finished marble and travertine. Employment levels at the firm have declined over the past 5 years. The threat of labor force reductions and their occurrence attributable to increased imports began in July 1970 and continues. After due consideration I make the following certification:

All workers of the Danby Quarry, Danby, Vt., West Rutland Quarry and Mill 19 and 20, West Rutland, Vt., and the Proctor Finishing Shop and Home Office, Proctor, Vt., of the Vermont Marble Co., Proctor, Vt., who became unemployed or underemployed after July 12, 1970, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 24th day of April 1972.

EDWARD B. PERSONS,
Associate Deputy Under Secretary, for International Affairs.

[FR Doc.72-6773 Filed 5-3-72;8:48 am]

MICHIGAN

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that S. Martin Taylor, Director of the Michigan Employment Security Commission, has determined that there was a State "off" indicator in Michigan for the week ending January 8, 1972, and that an extended benefit period terminated in the State with the week ending January 29, 1972. This, however, does not terminate in Michigan the extended benefit period in effect in all States as a result of the national "on" indicator which became effective the week beginning January 2, 1972 (36 F.R. 25074).

Signed at Washington, D.C., this 21st day of April 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-6772 Filed 5-3-72;8:48 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

MAY 1, 1971.

Cases assigned for hearing, postponement, cancelation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancelation or postponements of hearings in which they are interested.

MC 28572 Sub-No. 2, Burlington Northern, Inc. Revocation of certificate, set for hearing at Scobey, Mont., on July 19, 1972, in a hearing room later to be designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-6835 Filed 5-3-72;8:52 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 1, 1972.

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. 42413—*Urea to Bainbridge, Ga.* Filed by Southwestern Freight Bu-

reau, agent (No. B–316), for interested rail carriers. Rates on urea, in bulk in covered hopper cars, as described in the application, from Donaldsonville, La., to Bainbridge, Ga.

Grounds for relief—Water competition.

Tariff—Supplement 60 to Southwestern Freight Bureau, Agent, tariff ICC 4941. Rates are published to become effective on May 29, 1972.

FSA No. 42414—*Chemicals from Baton Rouge and Geismar, La.* Filed by M. B. Hart, Jr., agent (No. A6304), for interested rail carriers. Rates on carbon tetrachloride, perchloroethylene, trichloroethylene, and trichloroethane, in tank carloads, as described in the application, from Baton Rouge and Geismar, La., to East St. Louis, Ill., and St. Louis, Mo.

Grounds for relief—Market competition.

Tariff—Supplement 174 to Southern Freight Association, Agent, tariff ICC S–800. Rates are published to become effective on May 31, 1972.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–6836 Filed 5–3–72;8:52 am]

[Ex Parte No. 271]

NET INVESTMENT—RAILROAD RATE BASE AND RATE OF RETURN

Extension of Time

APRIL 12, 1972.

At the request of Mr. James L. Tapley, general solicitor, Southern Railway System, on behalf of all the Nation's railroads—Eastern, Western, and Southern lines—the time for filing initial verified statements of fact and argument in support of the statements of position filed January 31, 1972, has been extended from May 1, 1972, to July 1, 1972; and the time for filing verified reply statements has been extended from July 1, 1972, to September 1, 1972.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–6831 Filed 5–3–72;8:52 am]

ASSIGNMENT OF HEARINGS

APRIL 28, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 61592 Sub 239, Jenkins Truck Line, Inc., now assigned May 1, 1972, at Chicago, Ill., hearing postponed indefinitely.

MC 4405 Sub 489, Dealers Transit, Inc., and MC 109397 Sub 264, Tri-State Motor Transit Co., now being assigned hearing June 13, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 18738 Sub 41, Sims Motor Transport Lines, Inc., now being assigned hearing June 12, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC–F–11406, Artim Transportation System, Inc.—Control and merger—The Glenn Cartage Co., now being assigned hearing July 10, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 19157 and 19157 Sub 9, McCormack's Highway Transportation, Inc., now being assigned hearing July 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 111812 Sub 453, Midwest Coast Transport, Inc., now being assigned hearing July 10, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 115841 Sub 413, Colonial Refrigerated Transportation, Inc., now being assigned hearing July 11, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 126373 Sub 3, James A. Bonham, doing business as Bonham's Special Delivery, now being assigned hearing July 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 136187, Contract Carrier Corp., now being assigned hearing July 11, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 60014 Sub 30, Aero Trucking, Inc., now assigned May 16, 1972, at Columbus, Ohio, hearing will be held in Room 255, 85 Marconi Boulevard, Columbus, OH.

MC 123407 Sub 79, Sawyer Transport, Inc., now assigned May 17, 1972, at Columbus, Ohio, continued hearing will be held in Room 4, State Office Building, 65 South Front Street, Columbus, OH.

FD 27031, International Transport, Inc.—Notes, now being assigned hearing June 5, 1972, in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL.

MC 128520 Sub 2, The Robinson Freight Lines, Inc., now assigned May 22, 1972, at Washington, D.C., hearing canceled and application dismissed.

MC 103993 Sub 619, Morgan Drive-Away, Inc., now being assigned for continued hearing July 12, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 47109 Sub 7, Sullivan Lines, Inc., now being assigned hearing July 17, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 129631 Pack Transport, Inc., now being assigned for hearing July 10, 1972, at Salt Lake City, Utah, in a hearing room to be later designated.

MC 25869 Sub 109, Nolte Bros. Truck Line, Inc., now being assigned hearing July 13, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 51146 Sub 225, Schneider Transport & Storage, Inc., now being assigned hearing July 14, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 51146 Sub 237, Schneider Transport & Storage, Inc., now being assigned hearing July 11, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 109397 Sub 260, Tri-State Motor Transit Co., now being assigned hearing July 10, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC–C–7692, Dodds Truck Line, Inc.—Investigation and Revocation of Certificates—now being assigned hearing July 26, 1972, at Jefferson City, Mo., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–6734 Filed 5–3–72;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 28, 1972.

Protests to the granting of an application must be prepared in accordance with § 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. 42410—*Coarse Grains and Related Articles to Points in New Mexico and Texas.* Filed by Southwestern Freight Bureau, Agent (No. B–317), for interested rail carriers. Rates on coarse grains and products thereof, in carloads, as described in the application, from points in Illinois, Iowa, Kansas, Missouri, and Nebraska, to points in New Mexico and Texas.

Grounds for relief—Rate relationship.

Tariff—Supplements 43 and 46 to Southwestern Freight Bureau, Agent, tariff ICC 4967. Rates are published to become effective on May 29, 1972.

FSA No. 42411—*General Commodities Between Ports in Japan, the United Kingdom, and Continental Europe and Specified Rail Terminals in the United States.* Filed by Seatrain International (No. 2), for itself and interested carriers. Rates on general commodities, between ports in Japan, the United Kingdom and Continental Europe, on the one hand, and Weehawken/Jersey City (Croxton Yard), N.J., on the other.

Grounds for relief—Water competition.

Tariffs—Seatrain International tariffs S. A. ICC Nos. 1, 2, and 3, also ICC Nos. 1 and 2 (Seatrain Pacific, S. A. Series), contain rates that are presently in effect.

FSA No. 42412—*General Commodities Between Specified Ports in Japan to Specified Destinations on the Eastern Seaboard of the United States, Also From Specified Ports in the United States to Specified Destinations in Japan.* Filed by American Mail Line Ltd. (No. 1), for itself and interested carriers. Rates on general commodities, between specified ports in Japan, on the one hand, and on the other, specified rail terminals on the Eastern Seaboard of the United States.

Grounds for relief—Water competition.

Tariffs—American Mail Line Ltd., Eastbound Intermodal Tariff No. 1, ICC No. 1, and American Mail Line Ltd.,

Westbound Intermodal Tariff No. 2, ICC No. 2. Rates are published to become effective on June 1, 1972.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-6735 Filed 5-3-72;8:45 am]

[Notice 12]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 28, 1972.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-33641 (Deviation No. 39), IML FREIGHT, INC., 2175 South 3270 West, Post Office Box 2277, Salt Lake City, UT 84110, filed April 10, 1972. Carrier proposes to operate as *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 50 and 150 near Shoals, Ind., over U.S. Highway 50 to junction Indiana Highway 60 near Huron, Ind., thence over Indiana Highway 60 to junction Interstate Highway 65 near Sellersburg, Ind., thence over Interstate Highway 65 to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 50 to Cincinnati, Ohio, and (2) from St. Louis, Mo., over U.S. Highway 50 to Shoals, Ind., thence over U.S. Highway 150 to Louisville, Ky., and return over the same routes.

No. MC-42487 (Deviation No. 94), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94015, filed April 18, 1972. Carrier's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, IL 60680. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chattanooga, Tenn., over Interstate Highway 24 to Nashville, Tenn., thence over Interstate Highway 40 to Memphis, Tenn., thence over Interstate Highway 55 to junction U.S. Highway 63 (near Gilmore, Ark.), thence over U.S. Highway 63 to junction U.S. Highway 60 (near Willow Springs, Mo.), thence over U.S. Highway 60 to junction U.S. Highway 160 (at Springfield, Mo.), thence over U.S. Highway 160 to junction Missouri Highway 13 (at Springfield, Mo.), thence over Missouri Highway 13 to junction Missouri Highway 7 (near Clinton, Mo.), thence over Missouri Highway 7 to junction U.S. Highway 71 (near Harrisonville, Mo.), thence over U.S. Highway 71 to Kansas City, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chattanooga, Tenn., over U.S. Highway 11 via Cleveland, Tenn., to Knoxville, Tenn., thence over U.S. Highway 25-W to Corbin, Ky., thence over U.S. Highway 25 to Lexington, Ky., thence over U.S. Highway 60 to Louisville, Ky., thence over U.S. Highway 150 to Shoals, Ind., thence over U.S. Highway 50 to St. Louis, Mo., thence over U.S. Highway 40 to Kansas City, Mo., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-6736 Filed 5-3-72;8:45 am]

[Notice 13]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 28, 1972.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC-1515 (Deviation No. 616), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed April 20, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) from junction new U.S. Highway 50 and old U.S. Highway 50 just west of Nutters Farm, W. Va., over new U.S. Highway 50 to junction unnumbered highway (formerly U.S. Highway 50) at Greenwood, W. Va., with the following access road: from Pennsboro, W. Va., over West Virginia Highway 74 to junction new U.S. Highway 50, (2) from junction unnumbered highway (formerly U.S. Highway 50) and new U.S. Highway 50, approximately 2 miles west of West Union, W. Va., over new U.S. Highway 50 to junction unnumbered highway (formerly U.S. Highway 50) immediately east of Smithburg, W. Va., and (3) from junction unnumbered highway (formerly U.S. Highway 50) and new U.S. Highway 50 2 miles west of Salem, W. Va., over new U.S. Highway 50 to junction unnumbered highway (formerly U.S. Highway 50) 2 miles east of Salem, W. Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: from Parkersburg, W. Va., over U.S. Higwhay 50 to junction unnumbered highway (formerly U.S. Highway 50) just west of Nutters Farm, W. Va., thence over unnumbered highway via Pennsboro, West Union, and Smithburg, W. Va., to junction U.S. Highway 50, thence over U.S. Highway 50 to junction unnumbered highway (formerly U.S. Highway 50) 2 miles west of Salem, W. Va., thence over unnumbered highway via Salem, W. Va., to junction U.S. Highway 50 2 miles east of Salem, W. Va., thence over U.S. Highway 50 to Clarksburg, W. Va., and return over the same route.

No. MC-2186 (Deviation No. 1), CONTINENTAL ATLANTIC LINES, INC., 448 Pine Street, Macon, Ga. 31201, filed March 31, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From Savannah, Ga., over Interstate Highway 16 to junction U.S. Highway 280 (near Blichton, Ga.), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: from Savannah, Ga.,

over U.S. Highway 80 to Blichton, Ga., thence over U.S. Highway 280 to Americus, Ga., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-6737 Filed 5-3-72;8:46 am]

[Notice 33]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 28, 1972.

The following publication[1] are governed by the new § 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

MOTOR CARRIERS OF PROPERTY

No. MC 134779 (Sub-No. 1) (Republication), filed May 3, 1971, published in the FEDERAL REGISTER issues of July 22, 1971, and September 16, 1971, and republished this issue. Applicant: JANESVILLE AUTO TRANSPORT COMPANY, a corporation, 1263 South Cherry Street, Janesville, WI 53545. Applicant's representative: Walter N. Bieneman, 1 Woodward Avenue, Detroit, MI 48226. An order of the Commission, Operating Rights Board, dated February 1, 1972, and served March 15, 1972, finds; That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of automobiles, trucks, and buses as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial movements, in truckaway service, (1) from the plantsites of the General Motors Corp. at Jackson County, Mo., to Janesville, Wis., and (2) from the plantsites of the General Motors Corp. at Jackson County, Mo., to points in Minnesota, Wisconsin, Illinois, Iowa, and the Upper Peninsula of Michigan, restricted in (2) above to the transportation of traffic moving through Janesville, Wis.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder and that an appropriate certificate should be issued; subject (1) that the grant of authority in this order and applicant's existing authority that it duplicates shall be construed as conferring only a single operating right; and (2) that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

[1] Except as otherwise specifically noted, each applicant (on applications filed March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

NOTICE OF FILING OF PETITION

No. MC 3460 (Sub-No. 4) (Notice of filing of Petition of Applicant for Reconsideration of the Report and Order of the Operating Rights Board No. 1, dated December 23, 1966, and served January 10, 1967), filed April 18, 1972. Petitioner: MORAN TRUCKING CO., INCORPORATED, Westernport, Md. Petitioner's representative: Frank B. Hand, Jr., Post Office Box 81, Winchester, VA 22601. Petitioner holds a certificate authorizing the following service: "Irregular routes: Paper products, and materials and supplies used in the manufacture and distribution of paper products, except commodities in bulk, between Luke, Md., on the one hand, and, on the other, points in that part of New York east of U.S. Highway 9 and north of U.S. Highway 20, and those in that part of Ohio west of U.S. Highway 25, and north of U.S. Highway 20." The question involved is whether or not this certificate authorizes service in New York State to and from all points which are east of U.S. Highway 9 and also north of U.S. Highway 20. By the instant petition, petitioner requests the Commission reconsider its decision in this case and issue a new decision in which it is recognized that the territory sought is as specified above, and that the evidence supports the grant of authority to serve points in New York State which are north of U.S. Highway 20 and west of U.S. Highway 9, as well as points south of U.S. Highway 20 and east of U.S. Highway 9. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 49387 (Sub-No. 40), filed March 31, 1972. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Highway 24 East, Post Office Box 658, Moberly, MO 65270. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. 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, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake LaSalle, Lee, McHenry, and Will Counties, Ill., and those points in Ogle County, Ill., on and east of the Rock River. NOTE: Applicant states it can tack at points in the Illinois portion of the Chicago commercial zone. Service would be to applicant's presently authorized points in Illinois and Missouri. This is a matter directly related to MC-F-11506. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111077 (Sub-No. 4), filed April 14, 1972. Applicant: EDW. H. SHOLLENBERGER SONS, INC., Penn Street, Schuylkill Haven, Pa. 17972. Applicant's representative: Robert H. Griswold, Post Office Box 1166, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carrier of Household Goods*, 17 I.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Schuylkill Haven, Pa., on the one hand, and, on the other, points in that part of Schuylkill County, Pa., bounded by Interstate Highway 81 on and west, Pennsylvania Highway 54 between its junction with Interstate Highway 81 and U.S. Highway 309 on the north, and U.S. Highway 309 on the east, and points in that part of Berks County, Pa., north on Interstate Highway 78 and west of Pennsylvania Highway 61. NOTE: Applicant states that the requested authority can be tacked with existing authority under MC 71536 and Subs thereunder. This application is a matter directly related to MC-F-11522, published in the FEDERAL REGISTER issue of May 3, 1972. Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 135732 (Sub-No. 1), filed March 29, 1972. Applicant: AUBREY FREIGHT LINES, INC., 625 Grove Street, Elizabeth, NJ 07202. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, and meat byproducts*, as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, skins, or pieces thereof, and commodities in bulk), from the plantsite and warehouse facilities of Whitehall Packing Co., at Whitehall and Eau Claire,

Wis., and St. Paul and Minneapolis, Minn., to points in Kentucky, Pennsylvania, New York, New Jersey, Virginia, West Virginia, Maryland, Delaware, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia; (2) *meats, meat products, and meat byproducts* as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except canned goods, animal and poultry feed ingredients and commodities in bulk), from the plantsite and storage facilities of Whitehall Packing Co., at Whitehall and Eau Claire, Wis., to points in Illinois, Indiana, Iowa, Michigan, Nebraska and Ohio; (3) *meats, meat products, and meat byproducts*, as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except canned goods and commodities in bulk), from the plantsite and storage facilities of Whitehall Packing Co., Inc., at Whitehall and Eau Claire, Wis., to points in Minnesota;

(4) *Groceries and dairy products*, (except in bulk), from the facilities of Sanne Division, Beatrice Food Co., at Menomonie, Cameron, Beloit, and Vesoer, Wis., to points in New York, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, Maine, and the District of Columbia; (5) *meat, meat products, and meat byproducts*, as described in section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except canned and preserved meats, canned meat products and commodities in bulk), from the facilities of Northern Packing Co., Inc., at Milwaukee, Wis., to points in Maryland, Michigan, New Jersey, Ohio, Pennsylvania, and the District of Columbia; (6) *animal feed, whey and powdered milk and dried milk solids*, from ports and storage facilities in New Jersey, New York, N.Y., and Charleston, S.C., to the facilities and customers of Ralston Purina Company; M. C. Franks, Inc.; and Provini, Inc., at points in Minnesota and Wisconsin; (7) *steel junction boxes*, with or without interior fittings, including *electrical switches and rejected shipments*, (a) between Hartford, Conn., Long Island City, N.Y., and Newark, N.J.; and (b) from Hartford, Conn.; Long Island City, N.Y., and Newark, N.J., to Philadelphia and Pittsburgh, Pa.; Cincinnati, Ohio; Chicago, Ill.; and Detroit, Mich.; (8) *materials* used in the manufacture of steel junction boxes, with or without interior fittings, including *electrical switches*, from Pittsburgh, Pa., to Hartford, Conn., Long Island City, N.Y., and Newark, N.J.; and rejected shipments of the above-described materials, from Hartford, Conn., Long Island City, N.Y., and Newark, N.J., to Pittsburgh, Pa.; (9) *cheese*, in vehicles equipped with mechanical refrigeration, (a) from N. Dorman & Co., at Smithfield, Utah to New York, N.Y.; and (b) between the facilities of N. Dorman & Co., at Monroe, Wis., on the one hand, and, on the other, points in New York, Pennsylvania, New Jersey, Delaware, Maryland, and the District of Columbia;

(10) *Steel junction boxes, electrical switches, electrical wiring plugs, receptacles, rosettes, sockets and parts thereof, and electrical cord sets and fuse plugs*, from the plant or storage facilities of Leviton Manufacturing Co. and Electrical Fittings Corp., at New York and Farmingdale, N.Y., to Chicago, Ill.; Cincinnati and Cleveland, Ohio; Detroit, Mich.; and Pittsburgh and Philadelphia, Pa.; (11) *meats, meat products and meat byproducts, dairy products and articles distributed by meat packinghouses*, as classified in paragraphs (a), (b), and (c) in appendix to the report in *Modification of Permits of Motor Contract Carriers of Packing House Products*, 46 M.C.C. 23, and *cookies*, from Random Lake and Milwaukee, Wis., to Rochelle Park and Hillside, N.J., empty egg cases, on return; (12) *meat, meat products, maple syrup, cheese, flour, and advertising materials*, from the facilities of Jones Dairy Farm, at Atkinson, Wis., to points in Pennsylvania, New York, New Hampshire, Vermont, Maine, Massachusetts, New Jersey, Connecticut, Rhode Island, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia; (13) *cleaning compounds, soap, and soap products*, from the facilities of Paulco Products, Inc., at Turbotville, Pa., to Auburn, Wash.; Albuquerque, N. Mex.; Bell, Calif.; Clearfield, Utah; Denver, Colo.; Duluth, Ga.; Chicago, Ill.; Fort Worth, Tex.; Hingham, Mass.; Kansas City, Mo.; Norfolk, Va.; Shelby, Ohio; Stockton, Calif.; and Government installations at or near the above; (14) *meat, 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, and *equipment, materials, and supplies*, used in the conduct of such business, except commodities in bulk and hides, from the facilities used or utilized by Patrick Cudahy Inc., at Milwaukee, Wis., to points in Pennsylvania, New York, New Jersey, Maine, Massachusetts, Vermont, New Hampshire, Connecticut, Rhode Island, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia;

(15) *Electric fittings and supplies* used or useful in the sale and installation of electric fiittings and supplies, from the facilities of Thomas & Betts Co. located at or near Elizabeth and Piscataway, N.J.; Doylestown and Montgomeryville, Pa., to Chicago and Elk Grove, Ill.; Atlanta, Ga.; Memphis, Tenn.; Reno, Nev.; and Los Angeles, Calif.; and (16) *steel junction boxes, electrical switches, electrical wiring plugs, receptacles, rosettes, sockets, and parts thereof, and electrical cord sets and fuse plugs*, from New York, N.Y., to Chicago, Ill., Cincinnati and Cleveland, Ohio; Detroit, Mich.; Pittsburgh and Philadelphia, Pa. NOTE: Applicant holds contract carrier authority under MC 110884 and Subs thereunder, therefore, dual operations and common control may be involved. The instant application is a matter directly related to MC-F-11501, published in the FEDERAL REGISTER issue of April 5, 1972. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Newark, N.J., or Chicago, Ill.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11510. (Correction (BOSS-LINCO LINES, INC.—PURCHASE—BITER FREIGHT SYSTEM, INC.), published in April 19, 1972 issue of the FEDERAL REGISTER on page 7743. Prior notice should be modified to include Attorney Harold G. Hernly, Jr., 510 The Circle Building, 2030 North Adams Street, Arlington, VA 22201.

No. MC-F-11515. (Correction) (BOWMAN TRANSPORTATION, INC.—PURCHASE (PORTION)—SUPERIOR MOTOR EXPRESS, INC.), published in April 26, 1972 issue of the FEDERAL REGISTER on page 8420. Prior notice should be modified to include, "and classes A and B explosives", after the word cement.

No. MC-F-11522. Authority sought for control by ARROW CARRIER CORPORATION, 160 U.S. Route 17, Rochelle Park, N.J. 07662, of RICHARD L. SHOLLENBERGER AND NELSON E. SHOLLENBERGER, a partnership, doing business as EDW. H. SHOLLENBERGER SONS, Schuylkill Haven, Pa. 17972, and for acquisition by SHIRLEY A. DOHERTY, PAUL S. DOHERTY, SR., both of 39 North Hillside Place, Ridgewood, NJ 07451, and JAMES J. BUCKLEY III, 3350 Highland Street, Allentown, PA 18104, of control of RICH L. SHOLLENBERGER AND NELSON E. SHOLLENBERGER, a partnership, doing business as EDW. H. SHOLLENBERGER SONS, through the acquisition by ARROW CARRIER CORPORATION. Applicants' attorney: S. Bernie Smith, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108. Operating rights sought to be controlled: *General commodities*, excepting among others, dangerous explosives, household goods, and commodities in bulk, as a *common carrier*, over irregular routes, between points and places in North Manheim, South Manheim, East Brunswick, West Brunswick, and Wayne Townships, Schuylkill County, Pa., on the one hand, and, on the other, Schuylkill Haven, Orwigsburg, and Cressona, Pa.; and between Schuylkill Haven, Orwigsburg, and Cressona, Pa.; and under certificate of registration in Docket No. MC-111077 Sub 3, covering the transportation of property, as a common carrier, in interstate commerce, within the State of Pennsylvania. AR-

ROW CARRIER CORPORATION, is authorized to operate as a *common carrier* in New York, New Jersey, Maryland, Massachusetts, Pennsylvania, Delaware, Vermont, Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: MC–111077 Sub 4, is a matter directly related.

No. MC–F–11523. Authority sought for purchase by DAILY EXPRESS, INC., Post Office Box 39, Carlisle, PA 17013, of the operating rights of HI–LO TRANSPORTATION CORP., 2500 Huntingdon Avenue, Baltimore, MD 21211, and for acquisition by DAILY INDUSTRIES, INC., also of Carlisle, Pa. 17013, and in turn by D. E. LUTZ, 330 Washington Lane, Carlisle, PA 17013, of control of such rights through the purchase. Applicants' attorneys: James W. Hagar, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108 and S. R. Kallins, 900 Garrett Building, Baltimore, Md. 21202. Operating rights sought to be transferred: *Heavy machinery, building and contractor's equipment, supplies, and materials*, as a *common carrier* over irregular routes, between Baltimore, Md., and points and places within 25 miles thereof, on the one hand, and, on the other, Martinsburg, W. Va., New York, N.Y., and points and places in Virginia, Maryland, Pennsylvania, Delaware, New Jersey, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in all of the States in the United States. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–11524. Authority sought for purchase by TEXAS TEX-PACK EXPRESS, INC., 150 East Zavalla Street, San Antonio, TX 78204, of the operating rights and property of REED FILM SERVICE, INC., 2828 South Laredo Street, San Antonio, TX 78207, and for acquisition by ALFRED W. NEGLEY, also of San Antonio, Tex. 78204, of control of such rights and property through the purchase. Applicants' attorney: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Uvalde and McAllen, Tex., serving all intermediate points, with restriction, between San Antonio, and Del Rio, Tex., between Del Rio, and Carrizo Springs, Tex., between Carrizo Springs and Dilley, Tex., between Eagle Pass, and Moore, Tex., between San Antonio and Laredo, Tex., between San Antonio, and Benavides, Tex., between Laredo and San Diego, Tex., between Freer and Alice, Tex., between San Antonio, and Alice, Tex., serving all intermediate points and serving Alice, Tex., for purpose of joinder only, with restriction, and under certificates of registration in Docket No. MC–120777 Sub–1 and Sub–4, covering the transportation of general commodities and property, as a common carrier in interstate commerce, within the State of Texas. Vendee is authorized to operate as a *common carrier* in Texas. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11525. Authority sought for purchase by IDEAL TRUCK LINES, INC., 912 North State Street. Norton, KS, of the operating rights and property of BEST-WAY TRUCK LINE, INC., 2000 East 40th Avenue, Denver, CO 80205, and for acquisition by R. E. BLICKENSTAFF and C. D. BLICKENSTAFF, also of Norton, Kans., of control of such rights and property through the purchase. Applicants' attorney: John E. Jandera, 641 Harrison, Topeka, KS 66603. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, and household goods as a *common carrier*, over regular routes, between Denver and Kirk, Colo., serving all intermediate and off-route points within 15 miles of Kirk (except Cope and Idalia. Colo.), between Denver, Colo., and Beloit, Kans., serving all intermediate points between Last Chance, Colo., and Beloit, Kans. (restricted against service to or from Jewell, Kans.), and the off-route point of Kirk, Colo., between Oberlin, and Beloit, Kans., serving all intermediate points between Oberlin and Speed, Kans., between Edmond, and Norton, Kans., serving no intermediate points, between Phillipsburg and Downs, Kans., serving no intermediate points and serving Downs, Kans., for joinder purposes only, between Smith Center, Kans., and junction U.S. Highway 281 and Kansas Highway 9, serving no intermediate points, with restriction. Vendee is authorized to operate as a common carrier in Kansas, Missouri, Nebraska, and Colorado. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–11526. Authority sought for purchase by PRINCL TRANSFER LINES, INC., Mishicot, Wis. 54228, of a portion of the operating rights of C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, WI 54494, and for acquisition by ARNQLD PRINCL, also of Mishicot, Wis. 54228, of control of such rights through the purchase. Applicants' attorneys: David Axelrod, 39 South LaSalle Street, Chicago, IL 60603 and Frank M. Coyne, 1 West Main Street, Madison, WI 53703. Operating rights sought to be transferred: *Petroleum and petroleum products*, in bulk, in tank vehicles, as a *common carrier*, over irregular routes, from points in Marathon, Portage, and Wood Counties, Wis. (except asphalt and residual fuel oils from Wausau (Marathon County), Wis., and points in the commercial zone thereof, as defined by the Commission), to points in the Upper Peninsula of Michigan. Vendee is authorized to operate as a *common carrier* in Wisconsin, Michigan, and Minnesota. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–11527. Authority sought for purchase by MAWSON & MAWSON, INC., Post Office Box 125, Old Lincoln Highway, Langhorne, PA, of a portion of the operating rights of MIKE KRASILOUSKY TRUCKING & MILLWRIGHT CO., INC., New York, N.Y., and for acquisition by ROBERT J. DURBIN, also of Langhorne, Pa., of control of such rights through the purchase. Applicants' attorney: V. Baker Smith, 2107 the Fidelity Building, Philadelphia, Pa. 19109. Operating rights sought to be transferred: *Heavy machinery*, as a *common carrier* over irregular routes, between New York, N.Y., and points and places in Connecticut, Massachusetts, and Rhode Island. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Delaware, Maryland, and the District of Columbia. Application has not been filed for temporary authority under Section 110a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–6738 Filed 5–3–72;8:46 am]

[Notice 61]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 27, 1972.

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 26396 (Sub-No. 49 TA), filed April 12, 1972. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, Post Office Box 990, Livingston, MT 59047. Applicant's representative: Dave Kemp (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, and building materials*, from points in Oregon, Washington, and

[1] Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

points in Nez Perce, Lewis, Clearwater, Latah, Idaho, Shoshone, Benewah, Kootenai, Bonner, and Boundary Counties, Idaho, into Montana, with pickups and drops within the State to deliver to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Iowa, Illinois, Indiana, Missouri, Minnesota, Wisconsin, Ohio, Louisiana, Arkansas, and Michigan, for 180 days. NOTE: Applicant states it intends to tack the authority here applied for with its lead MC 26396. Supporting shipper: North Pacific Lumber Co., Portland, Oreg. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 30844 (Sub-No. 400 TA), filed April 17, 1972. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Post Office Box 5000, Waterloo, IA 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass rods and glass tubing*, from Corning, N.Y., to Br ken Bow, Columbus, and Holdrege, Nebr., restricted to shipments destined to the facilities of Becton, Dickinson & Co. located at the above destinations, for 180 days. Supporting shipper: Becton, Dickinson & Co., Rutherford, N.J. 07070. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 51146 (Sub-No. 267 TA), filed April 12, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, WI 54304, Post Office Box 2298, 54306. Applicant's representative: Neil DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Empty metal containers and metal container ends*, from La Porte, Ind., to Milwaukee, Wis., and (2) *empty pallets, paper shrouds, and paper separators*, from Milwaukee, Wis., to La Porte, Ind., for 180 days. Supporting shipper: National Can Corp., 5959 South Cicero Avenue, Chicago, IL 60638 (Joseph L. Rich—Eastern Region Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 56679 (Sub-No. 65 TA), filed April 7, 1972. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE., Post Office Box 698, Atlanta, GA 30315. Applicant's representative: B. K. McClain (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight), between Atlanta, and Tennga, Ga., over U.S. Highway 41 to Cartersville, Ga., thence U.S. Highway 411 to Tennga, Ga., and return over the same route, serving all intermediate points on U.S. Highway 411 between Cartersville and Tennga, Ga., for 180 days. NOTE: Application proposes to join the above routes with its present authority held in MC 56679 and effective subs thereunder, using Atlanta and Tennga, Ga., as points of joinder. Applicant also proposes to combine and join all of the above routes in order to provide through service to, from and between the abovenamed points and routes on the one hand, and, on the other, Atlanta, Ga., and Knoxville, Tenn., for the purpose of interchanging with connecting carriers at Atlanta, Ga., and Knoxville, Tenn. Supporting shippers: Diamond Mill, Post Office Box 46, Eton, GA 30724; Ten-Tex Co., 119 Cherokee Street, Chatsworth, GA 30705; Chatsworth Carpet & Rug Co., Inc., Chatsworth, Ga. 30705; Johns-Manville Carpet, Chatsworth, Ga. 30705; Lehigh Portland Cement Co., Carpet Department, Chatsworth, Ga. 30705; Chatsworth Cabinet & Supply Co., Inc., Post Office Drawer 670, Chatsworth, GA 30705; Lay's Department Store, Fairmont, Ga. 30139; and Ranger Rugs, Inc., Ranger, Ga. 30734. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 95876 (Sub-No. 124 TA), filed April 13, 1972. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, Post Office Box 1377, St. Cloud, MN 56301. Applicant's representative: A. A. Budde (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass burial containers*, from St. Paul, Minn., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Pyramid Vault Corp., 4410 West Roosevelt Road, Hillside, IL. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 98952 (Sub-No. 26 TA), filed April 13, 1972. Applicant: GENERAL TRANSFER COMPANY, 2880 North Woodford Street, Post Office Box 2203, Decatur, IL 62526. Applicant's representative: Ralph B. Lorenz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectioneries, potatoes* (cooked and shredded), *dessert preparations and advertising matter, premiums and display materials* when shipped with such commodities, from Chicago, Ill., to points in Indiana and Paducah, Henderson, Owensboro, and Louisville, Ky., for 180 days. Supporting shippers: Curtiss Candy Co., 3401 Mount Prospect Road, Franklin Park, IL 60131; Leaf Brands, Division W. R. Grace Co., 1155 North Cicero Avenue, Chicago, IL 60651; M & M Mars, High Street, Hackettstown, N.J. 07840; National Biscuit Co., Candy Division, 4925 South California Avenue, Chicago, IL 60632; Peanut Specialty Co., 400 West Superior Street, Chicago, IL 60610; Tootsie Roll Industries, Inc., 7401 South Cicero Avenue, Chicago, IL 60619, and Schrafft Candy Co., 529 Main Street, Boston, MA 02129. Send protest to: Harold C. Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 325 West Adams Street, Room 476, Springfield, IL 62704.

No. MC 106398 (Sub-No. 597 TA), filed April 14, 1972. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 51096, Tulsa, OK 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from the plantsite of Plywood Panels, Inc., New Orleans, La., to points in Alabama, Florida, Georgia, Indiana, Mississippi, Missouri, North Carolina, Pennsylvania, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: J. D. Prince, Plywood Panels, Inc., Building 17, Napoleon and River, New Orleans, La. 70115. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 106398 (Sub-No. 598 TA), filed April 14, 1972. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 51096, Tulsa, OK 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain dryers*, from the plantsite of Farm Fans, Inc., Indianapolis, Ind., to points in Iowa, Nebraska, Michigan, Illinois, Ohio, Minnesota, Kansas, Missouri, Kentucky, Tennessee, Alabama, Mississippi, Oklahoma, Texas, and Wisconsin, for 180 days. Supporting shipper: Howard K. Johnson, Farm Fans, Inc., 5900 Elmwood Avenue, Indianapolis, IN 46203. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 107496 (Sub-No. 842 TA), filed April 12, 1972. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, IA 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed*, in bulk, in tank vehicles, from Rushford, Minn., to points in Wisconsin, for 150 days. Supporting shipper: Supersweet Feeds, 1401 South Stoughton Road, Madison, WI

53716. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 112184 (Sub-No. 34 TA), filed April 14, 1972. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, Route 87, Newbury, OH 44065. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint products*, in bulk, in tank vehicles, from Cleveland, Ohio, to Indianapolis, Ind., and Detroit, Mich., for 180 days. Supporting shipper: PPG Industries, Inc., 1 Gateway Center, Pittsburgh, PA 15222. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 Ninth Street, Cleveland, OH 44199.

No. MC 114533 (Sub-No. 252 TA), filed April 13, 1972. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, IL 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Proofs, cuts, copy, and other graphic arts material*, between Kansas City, Mo., on the one hand, and, on the other, points in Nebraska; (b) *exposed and processed film and prints, complimentary replacement film, and incidental dealer handling supplies* (except motion picture films and materials and supplies used in connection with commercial and television motion pictures), between Springfield, Mo., on the one hand, and, on the other, points in Oklahoma; and (c) *restorative dentistry products*, between Mission, Kans., on the one hand, and, on the other, points in Oklahoma, for 180 days. Supporting shippers: Heisler Engraving Co., 3303 Gillham Road, Kansas City, MO 64109; Sharp Color-Press, 405 East Eighth Street, Kansas City, MO 64106; Mellers Photo Labs, Inc., 1929 East Bennett, Springfield, MO 65804; Hansen Dental Lab, Inc., 5755 Foxridge Drive, Mission, KS. Send protests to: District Supervisor Robert G. Anderson, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 115523 (Sub-No. 168 TA), filed April 12, 1972. Applicant: CLARK TANK LINES, COMPANY, 1450 Beck Street, Post Office Box 1895 (84110), Salt Lake City, UT 84116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, from plantsites of Chevron Chemical Co., within 10 miles of Kennewick, Wash., to points in Oregon, Montana, and that part of Idaho north of the southern boundary of Idaho County, Idaho, for 180 days. Supporting shipper: Chevron Chemical Co., 200 Bush Street, San Francisco, CA 94104 (L. N. Hunter, Traffic Representative). Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, Salt Lake City, Utah 84111.

No. MC 116077 (Sub-No. 326 TA), filed April 12, 1972. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, TX 77027. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Melamine*, in bulk, in tank vehicles, from plantsite of American Cyanamid Co., Avondale, La., to Wallingford, Conn., Coshocton, Ohio, and Odenton, Md., for 180 days. Supporting shipper: American Cyanamid Co., J. C. Bolles, Traffic Manager, Post Office Box 10008, New Orleans, LA 70121. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, TX 77061.

No. MC 117304 (Sub-No. 31 TA), filed April 12, 1972. Applicant: DON PAFFILE, doing business as PAFFILE TRUCK LINES, 2906 29th Street North, Lewiston, ID 83501. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated or precut buildings or houses* complete, knocked-down or in parts, *and materials and supplies* incidental to, and part of, or necessary to the construction, erection, or completion of such buildings when moving with prefabricated or precut buildings, from Spokane County, Wash., on the one hand, to points in Idaho, Oregon, Montana, Utah, California, and Arizona and Nevada, on the other. Supporting shipper: Capp Homes, A Division of Evans Products Co., 3355 Hiawatha Avenue, Minneapolis, MN 55406. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 118989 (Sub-No. 71 TA), filed April 12, 1972. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, WI 53221. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated fibreboard or pulpboard boxes* from the plantsite of Hoerner Waldorf Corp. at Milwaukee, Wis., to Chicago, West Chicago and Chicago Heights, Ill., for 180 days. Supporting shipper: Hoerner Waldorf Corp., Container Division, 2250 Wabash Avenue, Post Office Box 3260, St. Paul, MN 55101. (R. C. Nelson.) Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 119399 (Sub-No. 34 TA), filed April 10, 1972. Applicant: CONTRACT FREIGHTERS, INC., 2900 Davis Boulevard, Post Office Box 1375, Joplin, MO 64801. Applicant's representative: David L. Sitton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Fort Worth, Tex., to Fayetteville, Ark., and (2) from Memphis, Tenn., to Bartlesville, Blackwell, Clinton, Durant, Enid, Krebs, Miami, Muskogee, Oklahoma City, Ponca City, Stillwater, and Tulsa, Okla., for 180 days. Supporting shippers: There are approximately 11 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington D.C., or copies thereof which may be examined at the field office named below. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 125162 (Sub-No. 2 TA), filed April 11, 1972. Applicant: CROWN TRUCK LINES, INC., 3811 Broadway, Macon, GA 31206. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga. 31201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and concrete blocks*, from points in Bibb County, Ga., to points in Florida as follows: Auburndale, Bartow, Clairmont, Daytona Beach, Eustis, Gainesville, Groveland, Haines City, Kissime, Lakeland, Lake Wales, Leesburg, Mount Dora, Mulberry, Ocala, Orlando, Sanford, St. Cloud, Taveres, Winter Garden, Winter Haven, and Winter Park, for 180 days. Supporting shippers: Burns Brick Co. and Best Block Co., Macon, Ga. 31206. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 125522 (Sub-No. 3 TA), filed April 4, 1972. Applicant: SUNBURY TRANSPORT, LIMITED, Hoyt, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Holly Hill, S.C., to ports of entry on the United States/Canada boundary line at or near Houlton, Vanceboro, and Calais, Maine, for 180 days. Supporting shipper: Swedane Co., Limited, Oromocto, New Brunswick, Canada. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Post Office Box 167, PSS, Portland ME 04112.

No. MC 126555 (Sub-No. 16 TA), filed April 12, 1972. Applicant: UNIVERSAL TRANSPORT, INC., Post Office Box 100, Rapid City, SD 57701; Deadwood Avenue, New Castle, WY 82701. Applicant's representative: Stockton and Lew-

is, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite*, from Colony, Wyo., to Defiance, Ohio, for 180 days. Supporting shipper: Foundries Materials Co., Coldwater, Mich. 49036. Douglas J. Strong, President. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 126555 (Sub-No. 17 TA), filed April 4, 1972. Applicant: UNIVERSAL TRANSPORT, INC., Post Office Box 100, Rapid City, SD 57701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime and limestone products* (except cement) (a) from points in Larimer County, Colo., to Fall River County, S. Dak., and (b) from Rapid City, S. Dak. and points within 5 miles thereof to points in Dawson, Powder River, Carter, Prairie, Rosebud, Big Horn, and Custer Counties, Mont.; (2) *cement*, in bags, from Rapid City, S. Dak., to points in Montana; and (3) *cement* (a) from Minnehaha County, S. Dak., to points in Minnesota, Nebraska, and Iowa, and (b) from points in Codington County, S. Dak., to points in Minnesota and North Dakota, for 180 days. Supporting shippers: Pete Lien & Sons, Inc., Post Office Box 3124, Rapid City, SD 57701, Pete Birrenkott, Sales Agent, Kenneth C. Marsden, Lime Plant Manager, the South Dakota Cement Plant, Rapid City, S. Dak. 57701, John E. Doane, Director of Transportation and Terminals. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 134105 (Sub-No. 4 TA), filed April 14, 1972. Applicant: CELERY-VALE TRANSPORT, INC., Route 1, Post Office Box 96, Fort Lupton, CO 80621. Applicant's representative: Ray E. Labertew (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, plantains, pineapples, coconuts, and agricultural commodities*, otherwise exempt from economic regulation under section 203(b)(6) of the Act when transported in mixed shipments with bananas, plantains, pineapples, and coconuts, from Galveston, Tex., to Denver and Grand Junction, Colo., for 180 days. Supporting shippers: Pacific Gamble Robinson Co., 611 Fifth Avenue North, Minneapolis, MN 55405, and West Indies Fruit Co., 1201 Brickell, Miami, FL. Send protests to: District Supervisor Herbert C. Ruoff, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC 136069 (Sub-No. 5 TA), filed April 11, 1972. Applicant: COIN DEVICES CORP., 68 Broad Street, Elizabeth, NJ 07201. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coins, currency, and checks*, for the account of Bambergers, a division of R. H. Macy & Co., Inc., between Elizabeth, N.J., and Nanuet, N.Y., for 180 days. Supporting shipper: Bambergers, a division of R. H. Macy & Co., Inc., Newark, N.J. 07101, Jack Gottdenker, Vice President and Assistant Controller. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 136524 (Sub-No. 1 TA), filed April 6, 1972. Applicant: DOWNTOWN STORAGE COMPANY, 812 Live Oak, Houston, TX 77003. Applicant's representative: S. J. Wald (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools* used in the construction and maintenance of telephone system and communication between points in Harris County, Tex., on the one hand, and, on the other, points in Harris, Robertson, Leon, Jasper, Houston, Madison, Lee, Burleson, Brazos, Grimes, Walker, Montgomery, Fayette, Washington, Waller, Austin, Colorado, Fort Bend, Wharton, Hardin, Polk, San Jacinto, Liberty, and Newton Counties, Tex., for 180 days. Supporting shipper: Western Electric, D. L. Hansen, Resident Transportation Manager, 1111 Woods Mill Road, Ballwin, MO 63011. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, TX 77061.

No. MC 136526 (Sub-No. 1 TA), filed April 6, 1972. Applicant: BURRIS TRANSFER & STORAGE CO., INC., 660 Fannin Street, Beaumont, TX 77702. Applicant's representative: John P. Westcott (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools* used in the construction and maintenance of telephone system and communication between points in Jefferson County, Tex., on the one hand, and, on the other, points in Angelina, Chambers, Hardin, Jefferson, Jasper, Liberty, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, and Tyler Counties, Tex., for 180 days. Supporting shipper: Western Electric, D. L. Hansen, Resident Transportation Manager, 1111 Woods Mill Road, Ballwin, CO 63011. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, TX 77061.

No. MC 136556 (Sub-No. 1 TA), filed April 10, 1972. Applicant: J. A. HARALSON, doing business as HARALSON TRANSFER COMPANY, 430 East Front Street, Tyler, TX 75701. Applicant's representative: J. A. Haralson (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools* used in the construction and maintenance of telephone system and communication, between points in Smith County, Tex., and points in Smith, Van Zandt, Henderson, Anderson, Cherokee, and Wood Counties, Tex., and those points in Freestone County, Tex., east of I–45, for 180 days. NOTE: Carrier does not intend to tack. Supporting shipper: Western Electric Co., 1111 Woods Mill Road, Ballwin, MO 63011. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, TX 75202.

No. MC 136560 (Sub-No. 1 TA), filed April 13, 1972. Applicant: KEITH PADDOCK & SONS, INC., Route 17 and Route 36, Jasper, N.Y. 14855. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, in bags or in bulk, from Erwins, N.Y., to points in Bradford, Potter, and Tioga Counties, Pa., for 180 days. Supporting shipper: William F. Bolt, Traffic Manager, Agway, Inc.—Feed Division, 560 Delaware Avenue, Buffalo, NY 14240. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Building, 301 Erie Boulevard West, Syracuse, NY 13202.

No. MC 136580 (Sub-No. 1 TA), filed April 11, 1972. Applicant: AAAA LUTHER MOVING & STORAGE COMPANY, INC., 520 23rd Street, Lubbock, TX 79408. Applicant's representative: Gary Pass (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, materials, and supplies, including tools* used in the construction and maintenance of telephone systems and communications, between points in Lubbock County, Tex., and points in Lubbock, Bailey, Lamb, Hale, Floyd, Motley, Cochran, Hockley, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Dawson, and Borden Counties, Tex., for 180 days. Supporting shipper: D. L. Hansen, Resident Transportation Manager, Western Electric, 1111 Woods Mill Road, Ballwin, MO 63011. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H–4395, Harring Plaza, Amarillo, TX 79101.

No. MC 136599 (Sub-No. 1 TA), filed April 13, 1972. Applicant: CORPUS CHRISTI TRANSFER COMPANY, 1120 Buffalo Street, Post Office Box 123, Corpus Christi, TX 78403. Applicant's representative: Phil Dudley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and*

supplies, including tools used in the construction and maintenance of telephone systems and communications between points in Nueces County, Tex., and points in the Counties of Nueces, Jim Wells, Kleberg, Duval, San Patricio, and Aransas, Tex., for 180 days. Supporting shipper: Western Electric, 1111 Woods Mill Road, Ballwin, MO 63011. Send protests to: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 301 Broadway, Room 206, San Antonio, TX 78205.

No. MC 136615 TA, filed April 12, 1972. Applicant: WILLIAM C. STETZEN, INC., Post Office Box 435, Stanley, NY 14561. Applicant's representative: William R. Stevens, 300 First Trust Building, Syracuse, N.Y. 13201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coils of flexible drainage pipe* to be utilized both as drainage pipe as well as for regular transmission of water from one location to another, from Geneva, N.Y., to points in Pennsylvania, Ohio, Virginia, Maine, Maryland, Delaware, Vermont, Massachusetts, New Hampshire, Connecticut, Rhode Island, and New York, New Jersey, Illinois, Indiana, Iowa, and West Virginia; and on return trips *materials, equipment, and supplies* used in manufacture, distribution, and installation of corrugated plastic drainage tubing (except in bulk) from destination States to Geneva, N.Y., for 90 days. Supporting shipper: H. Michael C. Day, General Manager CertainTeed/Daymond Co., Valley Forge, Pa. 19481. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Building, 301 Erie Boulevard West, Syracuse, NY 13202.

No. MC 136617 TA, filed April 13, 1972. Applicant: ARMSTRONG MOVING & STORAGE, INC., 500 East 50th Street, Lubbock, TX 79408. Applicant's representative: Gene Anderson (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools* used in the construction and maintenance of telephone system and communications, between points in Wichita and Archer Counties, and points in Wichita, Archer, Hall, Childress, Cottle, Hardemann, Foard, Baylor, Clay, Montague, Young, and Wilbarger Counties, Tex., for 180 days. Supporting shipper: D. L. Hansen, Resident Transportation Manager, Southwestern Region, Western Electric Co., 1111 Woods Mill Road, Ballwin, MO 63011. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395, Herring Plaza, Amarillo, TX 79101.

No. MC 136618 TA, filed April 12, 1972. Applicant: BILL & DON, INC., Collins Avenue at Refinery Road, Post Office Box 401, Mandan, ND 58554. Applicant's representative: R. W. Wheeler, Post Office Box 1, Bismarck, ND 58501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete culverts, bridge beams, precast manholes, and other concrete products*, from points in Jamestown, Bismarck, Minot, and Williston, N. Dak., to points within the counties of Sheridan, Roosevelt, Richland, Wibaux, Fallon, and Carter, Mont., for 180 days. Supporting shipper: North Dakota Concrete Products Co., Post Office Box 815, Bismarck, ND 58501. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Fargo, N. Dak. 58102.

No. MC 136619 TA, filed April 17, 1972. Applicant: P. PEERLESS TRUCKING, INC., 1231 Crease Street, Philadelphia, PA 19125. Applicant's representative: Alan Kahn, Suite 1920, 2 Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, PA 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fluorescent lighting fixtures, parts and accessories thereof and plastic articles*, from the facilities of Perkasie Industries Corp., Perkasie, Pa., to Chicago, Ill., Columbus, Ohio, Charlotte, N.C., Dallas and Houston, Tex., Birmingham, Ala., Detroit and Grand Rapids, Mich., Denver, Colo., and Monroe, La., materials used or useful in the manufacture or distribution of fluorescent lighting fixtures, parts and accessories thereof and plastic articles, from the above-described destination territory to the named facilities of Perkasie Industries Corp. Restriction: The service authorized is limited to that performed under a continuing contract or contracts with Perkasie Industries Corp. Supporting shipper: Perkasie Industries Corp., 50 East Spruce Street, Perkasie, PA 18944. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1600, 1518 Walnut Street, Philadelphia, PA 19102.

No. MC 136620 TA, filed April 13, 1972. Applicant: HUSKY TRUCKING CO., INC., 20 South River Street, Plains, PA 18705. Applicant's representative: Wilbur H. Green (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Quilted materials and linings*, from Plains, Pa., to Orange, Conn., Alma, Ga., Hialeah, Fla., Danville and Chicago, Ill., Winamac, Ind., Boston, Mass., Detroit, Mich., Chisholm and Staples, Minn., Ruleville, Miss., Chaffee, Mo., Omaha, Nebr., Pittsfield, N.H., Bradley Beach, Kenport, and Paterson, N.J., Warren, R.I., Heath Springs and Prosperity, S.C., and Athens and Ridgely, Tenn.; and (2) *lining material and batting*, from Brooklyn and Cohoes, N.Y., Secaucus, Milltown, Carlstadt, Haledon, Rutherford and Paterson, N.J., Rockville, Conn., and Boston, Mass., to Plains, Pa., for 180 days. Supporting shipper: Active Quilting, division of Rockville Fabrics Corp., South River Street, Plains, Pa. 18705. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 136621 TA, filed April 13, 1972. Applicant: CIRCLE A TRANSPORTATION CORPORATION, 1101 El Sur Avenue, Arcadia, CA 91006. Applicant's representative: Richard A. Anderson (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Modular housing components* on shipper-owned trailers, from Apple Valley, Calif., to Las Vegas, Nev., with the *return of empty shipper-owned trailers*, for 180 days. Supporting shipper: General Electric Co., Re-Entry and Environmental Systems Division, Industrialized Housing Plant, 13584 Central Road, Post Office Box 380, Apple Valley, CA 92307. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 136616 TA, filed April 10, 1972. Applicant: DUTRA TRUCKING COMPANY, 5210 Boyd Road, Post Office Box 277, Arcata, CA 95521. Applicant's representative: Francis A. Dutra (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Acetylene and oxygen cylinders*, in interstate or foreign commerce, from Eureka, Calif., to Medford, Oreg., from Eureka to Medford and return, via U.S. Highway 101, Eureka to Crescent City, via U.S. Highway 199, Crescent City to Grants Pass, via Interstate Highway 5, Grants Pass to Medford, and return over the same route, for 180 days. Supporting shipper: Pacific Oxygen & Welders Supply, 2810 Jacobs Avenue, Eureka, CA 95501. Send protests to: District Supervisor Wm. E. Murphy, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102.

Motor Carriers of Passengers

No. MC 136612 TA, filed April 11, 1972. Applicant: SUNRUNNERS, INC., 16 Patton Street, High Bridge, NJ 08829. Applicant's representative: J. Douglas Orr, 10 West Main Street, Clinton, NJ 08809. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, baggage, and camping equipment*, in special operations, in round-trip camping, sightseeing and pleasure tours, beginning and ending at points in Hunterdon County, N.J., and extending to points in Pennsylvania, Ohio, Indiana, Illinois, Iowa, South Dakota, Wyoming, Idaho, Utah, Nevada, California, Arizona, Colorado, Kansas, and Missouri, for 180 days. Supported by: There are seven statements from various individuals attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof

which may be examined at the field office named below. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 136614 TA, filed April 10, 1972. Applicant: DIVERSIFIED TRANSPORTATION LTD., 9755 51st Avenue, Edmonton, AB, Canada. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at ports of entry on the international boundary between the United States and Canada in the States of Alaska, Idaho, Montana, and Washington, and extending to points in Alaska, Arizona, California, Colorado, Idaho, Montana, Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shippers: Midnight Sun Tours, Box 894, Chatham, ON, Canada; Fun Tours, 207 Kresge Building, Edmonton, Alberta, Canada; Trans-Ocean Travel, Ste. 3, 9430 118 Avenue, Edmonton, AB, Canada; All Fun Travel, Kingsway and Willingdon, Burnaby, British Columbia, Canada; Travel Centre, 921 Seventh Avenue SW., Calgary 2, AB, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251 U.S. Post Office Building, Billings, Mont. 59101.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-6739 Filed 5-3-72;8:46 am]

[Notice 34]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

APRIL 28, 1972.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER, issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 730 (Sub-No. 336), filed April 3, 1972. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Post Office Box 958, Oakland, CA 94604. Applicant's representative: Earl J. Brooks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of The General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing authority. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 730 (Sub-No. 337), filed April 6, 1972. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, Post Office Box 638, Oakland, CA 94604. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Whitman, Garfield, Columbia, and Asotin Counties, Wash., to points in Idaho, Montana, and Oregon. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or San Francisco, Calif.

No. MC 4963 (Sub-No. 34), filed April 3, 1972. Applicant: ALLEGHANY CORPORATION, doing business as JONES MOTOR, Bridge Street and Schuylkill Road, Spring City, Pa. 19475. Applicant's representative: Roland Rice, 1111 E Street NW., Suite 618 Perpetual Building, Washington, DC 19475. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel joists and accessories*, from the plantsites of John W. Hancock, Jr., near Salem, Va., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. 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 4963 (Sub-No. 35), filed April 3, 1972. Applicant: ALLEGHANY CORPORATION, doing business as JONES MOTOR, Bridge Street and Schuylkill Road, Spring City, Pa. 19475. Applicant's representative: Roland Rice, Suite 618, Perpetual Building, 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Winchester, Va., and Breezewood, Pa., (a) from Winchester, Va., over U.S. Highway 522 to junction Interstate 70, thence over Interstate Highway 70 to junction Interstate 76 at Breezewood, Pa., and return over the same route, as an alternate route for operating convenience only, in connection with applicant's regular route authority, serving no intermediate points, with the right of joinder at junction Interstate Highway 70 and Interstate Highway 76; and (b) from Winchester, Va., over Interstate Highway 81 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Interstate Highway 76 at

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Breezewood, Pa., and return over the same route, as an alternate route for operating convenience only, in connection with applicant's regular route authority, serving no intermediate points, with the right of joinder at the junction of Interstate Highway 70 and Interstate Highway 76. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13123 (Sub-No. 65), filed April 3, 1972. Applicant: WILSON FREIGHT COMPANY, a corporation, 3636 Follett Avenue, Cincinnati, OH 45223. Applicant's representative: Milton H. Bortz (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, household goods, as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of The General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing regular-route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30887 (Sub-No. 176), filed April 5, 1972. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Post Office Box 55, Reisterstown, MD 21136. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, in bulk, in pneumatic tank vehicles, from Baltimore, Md., to Franklin, Va., restricted to traffic having a prior movement by rail. 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 35628 (Sub-No. 331), filed April 11, 1972. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, MI 49502. Applicant's representative: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, MI 49502. 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, serving the plantsite and warehouse facilities of The General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's operations to and from Evansville, Ind., as authorized at Sheet 10 of certificate No. MC-35628, and operations between St. Louis, Mo., and Vincennes, Ind., over U.S. Highway 50, as authorized at Sheet 7 of certificate No. MC-35628. NOTE: Applicant states that the requested authority could be tacked with its existing authority at Evansville, Ind., and nearest joinder point on U.S. Highway 50. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Akron, Ohio.

No. MC 41432 (Sub-No. 122), filed April 11, 1972. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, Post Office Box 10125, Dallas, TX 75205. Applicant's representative: Roland Rice and John C. Bradley, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in cargo vans and/or containers, and *empty cargo vans and containers*, between port facilities, port cities, and airports serving such cities located in California, Oregon, Texas, and Washington, on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Georgia, Illinois, Indiana, Iowa, Kansas, Lousiana, Michigan, Mississippi, Missouri, New Mexico, Ohio, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, and Wisconsin, restricted to traffic having a prior or subsequent movement by water or air. 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., and Dallas, Tex., or San Francisco, Calif., or Chicago, Ill.

No. MC 42487 (Sub-No. 788), filed March 31, 1972. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Applicant's representative: E. T. Liipfert, Suite 1100, 1660 L Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, green hides, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of The General Tire and Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing authority under MC 42487 Sub-No. 578. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 43867 (Sub-No. 23), filed April 17, 1972. Applicant: ALTON LEANDER McALLISTER (The First-Wichita National Bank Independent, Executor), Post Office Box 2214, Wichita Falls, TX 76303. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and plastic tubing*, from the plantsite of Tex-Tube Division, Detroit Steel Corp., Houston, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant holds "Mercer," Sulphur, water well pipeline, and earth drilling authority in several States. To the extent that the requested commodities could be transported under such authority, applicant could tack at Houston to serve points in the United States, however, tacking is not forseen. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 51146 (Sub-No. 266), filed April 3, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Post Office Box 2298, Green Bay, WI 54304. Applicant's representative: D. F. Martin, Post Office Box 2298, Green Bay, WI 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese and cheese products*, from Alpha, Arpin, Cadott, Ellsworth, Grantsburg, Greenwood, Loomis, Marathon, Monroe, Milwaukee, Marinette, and Waukesha, Wis., to points in Pennsylvania, New Jersey, New York, Michigan, Maryland, Virginia, North Carolina, South Carolina, Massachusetts, Connecticut, and Rhode Island, and (2) *equipment, materials and supplies* (except commodities in bulk) used in the manufacture and distribution of cheese and cheese products, from the destination States listed above, to the origin point listed above. NOTE: Applicant states it could tack with various subs of MC 51146 and it will tack with its MC 51146 where feasible. It also states it has various duplicative items of authority under various subs but does not seek duplicative authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59680 (Sub-No. 199), filed March 29, 1972. Applicant: STRICKLAND TRANSPORTATION CO., INC., 3011 Gulden Avenue, Post Office Box 5689, Dallas, TX 75222. Applicant's representative: Oscar P. Peck (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, household goods as defined by the Commission, classes A and B explosives, commodities in bulk and those requiring special equipment), serving the plantsite and warehouse facilities of The General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing regular-route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 59728 (Sub-No. 24), filed March 30, 1972. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 East Jenkins Boulevard, Akron, OH 44306. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. 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, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, serving

the plantsite and warehouse facilities of the General Tire & Rubber Co. at or near Mount Vernon, Ill., as an off-route point in connection with applicant's present routes. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 60196 (Sub-No. 7) (Correction), filed February 17, 1972, published in the FEDERAL REGISTER, issue of March 30, 1972, and republished in part as corrected this issue. Applicant: AUTO EXPRESS, INC., Elm and Remington Avenues, Scranton, Pa. 18505. Applicant's representative: L. Agnew Meyers, Jr., Suite 1122, Warner Building, 13th and E Streets NW., Washington, DC 20004. NOTE: The sole purpose of this partial republication is to reflect "regular route" authority, in lieu of irregular route authority which was erroneously shown in the previous publication. The rest of the application remains as previously published.

No. MC 61231 (Sub-No. 65), filed April 7, 1972. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Des Moines, Iowa, to points in Kansas and Missouri. NOTE: Applicant states that the requested authority can be tacked at Des Moines with building materials authority from points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 67361 (Sub-No. 8), filed March 31, 1972. Applicant: GENERAL ROAD TRUCKING CORPORATION, 99 Mauran Avenue, East Providence, RI 02914. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles, from Woburn, Mass., to Woonsocket, North Smithfield, and East Providence, R.I. NOTE: Applicant states that the requested authority can be tacked with its existing authority under MC 67361 but indicates that it has no present intention to tack. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Providence, R.I.

No. MC 72140 (Sub-No. 58), filed April 3, 1972. Applicant: SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, IN 46624. Applicant's representative: Richard L. Andrysiak (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of the General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76177 (Sub-No. 324), filed April 5, 1972. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, AL 35233. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except explosives, commodities in bulk which because of size or weight require the use of special equipment thereof, and household goods), serving Autaugaville, Ala., as an off-route point in connection with carrier's regular route operations between Birmingham and Montgomery, Ala. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 85465 (Sub-No. 47), filed April 7, 1972. Applicant: WEST NEBRASKA EXPRESS, INC., Post Office Box 952, Scottsbluff, NE 69361. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80203. 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* 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), from the plantsite and storage facilities of Gibbon Packing Co. at Gibbon, Nebr., to points in Illinois, Iowa, Minnesota, and Wisconsin, restricted to traffic originating at Gibbon Packing Co. and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC 85811 (Sub-No. 6), filed April 5, 1972. Applicant: AMSCO TRANSPORTATION, INC., Post Office Box 14147, Houston, TX 77021. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe*, between points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 87720 (Sub-No. 129), filed April 12, 1972. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Post Office Box 391, Flemington, NJ 03822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), *advertising matter, display racks, and premiums*, when moving in the same vehicle at the same time, from the plantsite of American Home Foods Division of American Home Products Corp., Milton, Pa., to points in Massachusetts, Connecticut, Rhode Island, New Hampshire, Vermont, and Maine, restricted to a service to be performed under contract with American Home Foods Division of American Home Products Corp. NOTE: Applicant has common carrier authority pending under MC 135684 and subs. Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 93701 (Sub-No. 3), filed April 12, 1972. Applicant: CLEVELAND EXPRESS, INC., 414 South Lee Highway, Cleveland, TN 37311. Applicant's representative: A. O. Buck, 500 Court Square Building, Nashville, TN 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Cleveland and Knoxville, Tenn., over U.S. Highway 11 and/or Interstate Highway 75 to Knoxville, and return over the same routes, serving all intermediate points between Cleveland, Tenn., and Sweetwater, Tenn., including Sweetwater, Tenn., and (2) between Athens, Tenn., and Athens, Tenn., over a loop route as follows: From Athens over Tennessee Highway 30 to junction U.S. Highway 411, thence over U.S. Highway 411 to junction Tennessee Highway 39, thence over Tennessee Highway 39 to junction Tennessee Highway 30, thence over Tennessee Highway 30 to Athens, Tenn., serving all intermediate points on said loop route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chattanooga or Knoxville, Tenn.

No. MC 99776 (Sub-No. 10), filed March 30, 1972. Applicant: BUCKNER TRUCKING, INC., 8802 Liberty Road, Houston, TX 77028. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition lumber* (particleboard or flakeboard), from the plantsite of Georgia-Pacific Corp., at or near Corrigan, Tex., to points in Arkansas, Louisiana, Mississippi, Missouri, New Mexico, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 100300 (Sub-No. 7), filed March 31, 1972. Applicant: H. B. NELSON & SONS, INC., Post Office Box 241, 2510 Broadway, Alexandria, MN 56308. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, bev-

erages and water, and empty beverage containers, on return, (a) from Minneapolis-St. Paul, Minn., to points in North Dakota; (b) from Milwaukee, Wis., and Belleville, Ill., to points in Minnesota and North Dakota; and (c) from St. Louis, Mo., to points in Minnesota on or north of U.S. Highway 12 except Minneapolis-St. Paul and its commercial zone, and points in North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 134469, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 100666 (Sub-No. 214), filed March 31, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th Street, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, valves, fittings, compound joint sealer, bonding cement and accessories and tools* used in the installation of such products, from Columbia, Miss., 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 Shreveport, La., or Jackson, Miss.

No. MC 102223 (Sub-No. 14), filed March 31, 1972. Applicant: FRETTE-NICHOLSON TRUCK LINES, INC., Post Office Box 206, Ankeny, IA 50021. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of Farmland Foods, Inc., at or near Carroll, Iowa, to points in Arizona, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming, 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 Kansas City, Mo., or Chicago, Ill.

No. MC 106603 (Sub-No. 121), filed March 29, 1972. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, MI 49508. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products and building materials* (except commodities in bulk), from the plantsite of the National Gypsum Co., near Shoals, Martin County, Ind., to points in Kentucky (except Louisville, Ky.), and to points in Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant now holds contract carrier authority under its permit No. MC 46240 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 106603 (Sub-No. 123), filed March 29, 1972. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, MI 49508. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from Kokomo, Ind., to points in Alabama, Kentucky (except Louisville), Michigan, Mississippi, and Tennessee; and (2) *equipment, materials, and supplies* used in the manufacture and processing of iron and steel and iron and steel articles, from points in Alabama, Illinois, Kentucky, Michigan, Mississippi, Missouri, Ohio, and Tennessee to Kokoma, Ind. NOTE: Pursuant to pending finance application in MC-F-11037, the applicant seeks to acquire authority of Bell Diamond Express, Inc., to transport building contractors equipment, materials, and supplies between points in Indiana and Illinois. Included would be some commodities within the classification iron and steel articles, and, therefore, this authority could be tacked, in respect to movements between points in Illinois and Alabama, Mississippi, and Tennessee. Applicant has contract authority under MC 46240 and subs, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 106644 (Sub-No. 137), filed April 7, 1972. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, GA 30318. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue, NW., Suite 600, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, ducts and tubes and related fittings, attachments, materials, and accessories*, from High Springs, Fla., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, and Virginia and Clarksburg, W. Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. A motion to dismiss has been filed concurrently with this application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107515 (Sub-No. 799), filed April 10, 1972. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and food ingredients*, in vehicles equipped with mechanical refrigeration (except (a) commodities in bulk, and (b) sugar), from points in New York, Connecticut, Massachusetts, Rhode Island, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, and the District of Columbia to points in Kentucky, Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Florida, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas, traversing the States of Ohio, Illinois, Indiana, Missouri, and Kansas, for operating convenience only. NOTE: Applicant holds contract carrier authority pursuant to MC-F-11214, therefore, dual operations 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 New York City, N.Y.—2 weeks; Atlanta, Ga.—2 weeks; and Dallas, Tex.—2 weeks.

No. MC 108382 (Sub-No. 15), filed March 29, 1972. Applicant: SHORT FREIGHT LINES, INC., 459 South River Road, Bay City, MI 48706. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *doors*, (b) *door frames*, and (c) *parts and accessories* of doors and door frames, from West Branch, Mich., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies* used in the manufacture of the items in (1) (a), (b), and (c) above, from points in the United States (except Alaska and Hawaii), to West Branch, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 110098 (Sub-No. 125), filed April 6, 1972. Applicant: ZERO REFRIGERATED LINES, a corporation, 1400 Ackerman Road, Post Office Box 20380, San Antonio, TX 78220. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in sections A, B, and

C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Wilson Certified Foods, Inc., at Marshall, Mo., to points in Arizona, Arkansas, California, Colorado, Idaho, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington (restricted to traffic originating at Marshall, Mo., and destined to points in the named States). NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or San Antonio, Tex.

No. MC 110567 (Sub-No. 5), filed April 5, 1972. Applicant: SOONER TRANSPORT CORPORATION, Post Office Box 335, Wynnewood, OK 73098. Applicant's representative: H. L. Fabritz, Post Office Box 855, Des Moines, IA 50304. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry lime, ground and pulverized limestone, and limestone products*, from Marble City and Sallisaw, Okla., to points in Arkansas, Kansas, Missouri, Texas, and Louisiana. 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., or Omaha, Nebr.

No. MC 110789 (Sub-No. 6), filed April 7, 1972. Applicant: JOHN MARSHALL PHILLIPS, doing business as J. MARSHALL PHILLIPS, Rural Delivery 3, Laurel, Del. 19956. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, dry, from points in Sussex County, Del., located on and west of U.S. Highway 113, to points in Northampton and Accomack Counties, Va.; Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, Somerset, St. Marys, Prince Georges, Charles, Calvert, and Anne Arundel Counties, Md., and points in New Jersey on and south of U.S. Highway 1. 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 111170 (Sub-No. 189), filed March 27, 1972. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, also 2811 North West Avenue, El Dorado, AR 71730. Applicant's representative: Don A. Smith, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from points in Columbia County, Ark., to points in Louisiana, Mississippi, Oklahoma, Tennessee, and Texas (except Houston, Tex., and points within a 50-mile radius thereof). NOTE: No duplicate authority is sought. 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 Little Rock, Ark., or Memphis, Tenn.

No. MC 111545 (Sub-No. 169), filed March 30, 1972. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Post Office Box 6426, Station A, 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: *Plastic conduit, pipe, and tubing and fittings for plastic conduit, pipe, and tubing*, between Sparta, Tenn., on the one hand, and, on the other, points in the United States (excluding Hawaii and Alaska). NOTE: Applicant states it has no affirmative intentions to tack the proposed authority, however, applicant would oppose imposition of a tacking restriction unless shown to be warranted. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 112713 (Sub-No. 142), filed April 7, 1972. Applicant: YELLOW FREIGHT SYSTEM, INC., Box 8462, 92d at State Line, Kansas City, MO 64114. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by Wilson Certified Foods, Inc., at Marshall, Mo., to points in Arizona, California, Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Michigan (Lower Peninsula), Minnesota, Nebraska, Nevada, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, and Utah (restricted to traffic originating at Marshall, Mo., and destined to points in the named States). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 113024 (Sub-No. 120), filed March 29, 1972. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber hose, and materials and supplies* used in the manufacture thereof, except commodities in bulk, between Wilmington, Del., on the one hand, and,on the other, points in Allen, Huntington, and Kosciusko Counties, Ind.; Jefferson County, Ky.; and Franklin, Lake, Paulding, and Van Wert Counties, Ohio, under contract with Electric Hose & Rubber Co., Wilmington, Del. NOTE: Applicant holds common carrier authority under MC 135046 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113024 (Sub-No. 121), filed March 29, 1972. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, in bags, from Berger, Tex., to Wilmington, Del., under contract with Electric Hose & Rubber Co., Wilmington, Del. NOTE: Applicant holds common carrier authority under MC 135046 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 234), filed April 3, 1972. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, IL 60629. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products and dried shortening*, from Stanford, Ky., to points in Illinois, Indiana, Ohio, Lower Peninsula of Michigan, Pennsylvania, New York, New Jersey, Virginia, West Virginia, Maryland, Delaware, Maine, New Hampshire, Massachusetts Connecticut, Rhode Island, and the District of Columbia; and (2) *dried shortening*, from Springfield, Ky., to points in Illinois, Indiana, Ohio, Lower Peninsula of Michigan, Pennsylvania, New York, New Jersey, Virginia, West Virginia, Maryland, Delaware, Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, 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.

No. MC 114045 (Sub-No. 359), filed March 28, 1972. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, in vehicles equipped with mechanical refrigeration, (1) from Holland, Mich., to Dallas, Tex., San Jose, Calif., and Port-

land, Oreg.; (2) from Port Chester, N.Y., to Dallas, Tex., San Jose, Calif., and Portland, Oreg.; and (3) from Canajoharie, N.Y., to San Jose, Calif., and Portland, Oreg. 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 115531 (Sub-No. 328), filed April 3, 1972. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonalcoholic beverages, syrups and flavoring compounds*, in containers, and *related items* used in the manufacture, sale, and distribution of nonalcoholic beverages, between Warrenton, Mo., on the one hand, and, on the other, points in Iowa, Indiana, Kentucky, Arkansas, Missouri, Kansas, Illinois, Tennessee, Oklahoma, and Nebraska. 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 116077 (Sub-No. 323), filed March 28, 1972. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, TX 77027. Applicant's representative: Pat H. Robertson, 401 First National Life Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antifreeze preparations, glycols, glycol ethers, jet fuel anti-icing agents, and motor fuel antiknock compounds*, from the plantsite of Houston Chemical Co. near Beaumont, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the plantsite of Houston Chemical Co. and destined to the States named herein. NOTE: Applicant states that the requested authority can be tacked with its existing authority under MC 116077, but indicates that it has no present intention to tack and, therefore, does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 117119 (Sub-No. 451), filed April 3, 1972. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned chicken*, in vehicles equipped with mechanical refrigeration (except in bulk), from the plantsite and storage facilities utilized by Hope Foods Corp. at or near Hope, Ark., to points in Washington, Oregon, Idaho, Montana, Wyoming, Nevada, Utah, Arizona, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin, Iowa, Illinois, Missouri, Indiana, Ohio, and Michigan. 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 Little Rock, Ark., or Washington, D.C.

No. MC 117119 (Sub-No. 452), filed April 5, 1972. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Logan, Utah, to points in Washington, Oregon, California, Arizona, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, and New Mexico. 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 Salt Lake City, Utah, or Washington, D.C.

No. MC 118159 (Sub-No. 122), filed April 7, 1972. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, LA 70121. Applicant's representative: Jack R. Anderson, 1925 National Plaza, Tulsa, OK 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products* (except in bulk), *advertising materials and premium merchandise*, moving in mixed loads with candy and confectionery products (except commodities in bulk), and *materials and supplies* used in the manufacture, sale, and/or distribution of candy and confectionery products (except commodities in bulk), (1) from Thibodaux, La., to points in California, Georgia, Illinois, Nebraska, Texas, and Wisconsin; and (2) from Pewaukee, Wis., to points in Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant did not specify a location.

No. MC 118292 (Sub-No. 29), filed April 4, 1972. Applicant: BALLENTINE PRODUCE, INC., Box 312, Alma, AR 72921. Applicant's representative: Nancy Pyeatt, 1030 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsites and storage facilities of Stilwell, Okla., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, South Carolina, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Washington, D.C.

No. MC 119226 (Sub-No. 84), filed March 31, 1972. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, IN 46227. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Inedible soybean solubles*, in bulk, in tank vehicles, from the plantsite and storage facilities of Central Soya Co., Inc., Gibson City, Ill., to Delphos, Bellevue, and Marion, Ohio; Indianapolis and Decatur, Ind.; and Belmond, Iowa; and (2) *flour*, in bulk, from Gibson City, Ill., to points in Indiana, Iowa, and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill., or Washington, D.C.

No. MC 119777 (Sub-No. 239), filed March 30, 1972. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, KY 42431. Applicant's representative: Louis J. Amato (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Corn and corn products* (except liquid corn products, in bulk, in tank vehicles), from the plant and warehouse facilities of Illinois Cereal Mills, Inc., at Paris, Ill., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it presently holds contract carrier permits MC 126970, Subs 1 and 3 authorizing all of the above operations except the District of Columbia, which is being sought as new authority, and that this application is filed for the purpose of converting that contract carrier authority to common carrier authority and seeking the additional destination of the District of Columbia. Common control may be involved. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 119897 (Sub-No. 14), filed March 30, 1972. Applicant: A–1 TRANSPORTATION COMPANY, a corporation, 8826 Mississippi Street, Houston, TX 77029. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and plastic tubing*, from Houston, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that to the extent the requested commodities could be trans-

ported under Mercer-type authority, it could be tacked at Houston to serve points in the United States, however, tacking is not foreseen. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 119991 (Sub-No. 5), filed March 31, 1972. Applicant: YOUNG TRANSPORT, INC., Post Office Box 3, 1915 East Broadway, Logansport, IN 46947. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hides, skins, and pelts, and pieces thereof, including chromes and chrome splits*, from points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Massachusetts, Minnesota, Missouri, New York, Ohio, Pennsylvania, Tennessee, and Wisconsin, to points in New Hampshire; (2) *tanning oils and leather paints*, in barrels and containers, except in bulk, in tank vehicles, from points in Massachusetts, to points in Illinois, Indiana, Missouri, and Wisconsin; and (3) *cattle hair*, dried, in bales, from points in New Hampshire and Massachusetts, to points in Pennsylvania (including for export) and Illinois. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 120430 (Sub-No. 6), filed March 27, 1972. Applicant: COASTAL TRANSPORT CO., INC., 3009 South Post Oak Road, Post Office Box 22592, Houston, TX 77027. Applicant's representative: Archie H. Hutto (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured fertilizer compounds*, dry, in bulk and bagged, from Texas City, Tex., to points in Louisiana. NOTE: Applicant holds contract authority under MC 134957 and sub, 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 Houston, Tex., or New Orleans, La.

No. MC 123255 (Sub-No. 19), filed April 3, 1972. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, OH 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Frankenmuth, Mich., to points in Ohio. NOTE: Applicant also holds contract carrier authority under MC 81968 and subs, therefore dual operations and common control may be involved. Applicant states that the requested authority could be joined to other operating authority under MC 123255 and subs thereto, 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. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123674 (Sub-No. 5), filed March 13, 1972. Applicant: ARCTIC STORAGE OF UTICA, INC., Truck Route 5–A, Yorkville, N.Y. 13495. Applicant's representative: Murray J. S. Kirshtein, 118 Bleecker Street, Utica, NY 13501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packaged frozen foods*, from Whitestown (Oneida County), N.Y., to Stroudsburg and Weatherly, Pa., under contract with Victory Markets, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Utica, Syracuse, Albany, or New York, N.Y.

No. MC 124652 (Sub-No. 8), filed March 8, 1972. Applicant: JULIAN F. DUNCAN, doing business as DUNCAN TRANSFER, Post Office Box 1, Riverton, VA 22651. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Masonry cement and mortar cement*, from Riverton, Va., to points in Michigan, Indiana, Kentucky, Georgia, Florida, Massachusetts, and Rhode Island; and (2) *materials, equipment, and supplies* used in the manufacture of masonry cement and mortar cement, from points in New York, Ohio, South Carolina, Tennessee, Connecticut, Rhode Island, Michigan, Indiana, Kentucky, Georgia, Florida, and Massachusetts, to Riverton, Va., restricted to service to be performed under a continuing contract, or contracts with Riverton Corp., Riverton, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125522 (Sub-No. 2) (Amendment), filed March 6, 1972, published in the FEDERAL REGISTER, issue of April 27, 1972, and republished as amended this issue. Applicant: SUNBURY TRANSPORT, LIMITED, Hoyt, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and hardwood flooring*, (a) from ports of entry on the international boundary line between the United States and Canada located at or near Houlton, Vanceboro, Calais, Madawaska, Fort Kent, and Jackman, Maine; Beecher Falls, N.H.; Norton, Derby Line, Richford, and Swanton, Vt.; and Rouses Point, N.Y., to points in Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Michigan, Indiana, Ohio, and the District of Columbia; and (b) from ports of entry on the international boundary line between the United States and Canada located at or near Beecher Falls, N.H.; Norton, Derby Line, Richford, and Swanton, Vt.; and Rouses Point, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Michigan, Indiana, Ohio, and the District of Columbia, restricted to traffic originating at Estcourt (Temiscouata County), Quebec, Canada; and (2) *lumber*, from Holly Hill, S.C., to ports of entry on the international boundary line between the United States and Canada located at or near Houlton, Vanceboro, and Calais, Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to redescribe the authority sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 125648 (Sub-No. 2), filed March 31, 1972. Applicant: C. WHITE & SONS, INC., Evans Road, Rocky Hill, Conn. 06067. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, CT 06117. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* in tank vehicles as described in appendix XIII of *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 294 (except liquefied petroleum gas and automobile accessories), between points in Massachusetts, Connecticut, and Rhode Island, under contract with Lehigh, Inc., Lehigh Petroleum Co., Inc., the Callahan Oil Co., the Mercury Oil Co., the A–1 Oil Corp., and Tenneco Oil Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford or New Haven, Conn.

No. MC 125785 (Sub-No. 14), filed April 6, 1972. Applicant: SATURN EXPRESS, INC., 8716 L Street, Omaha, NE 68127. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sisal products*, from St. Louis, Mo., Fayette, Mo., and Louisville, Ky., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, and Wyoming, under continuing contracts with Dan H. Shield Cordage Co. and Midwest Cordage Co., Inc. NOTE: If a hearing is deemed necessary, applican requests it be held at Kansas City, Mo.

No. MC 126243 (Sub-No. 8), filed March 28, 1972. Applicant: ROBERTS TRUCKING CO., INC., 111 North McKenna, Poteau, OK 74953. Applicant's representative: Wilburn Williamson, 280 National Foundation Life Building, 3535 Northwest 58th, Oklahoma City, OK 73112. Authority sought to operate as

a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet and materials and supplies* used in the manufacture of carpet (except commodities in bulk, in tank vehicles), between Poteau, Okla., on the one hand, and, on the other, 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 no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 126255 (Sub-No. 4), filed April 4, 1972. Applicant: BUTLER-JONES AIR FREIGHT, INC., 605 East College Avenue, Salisbury, MD 21801. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, DC 20006. 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 Washington National Airport, Gravelly Point, Va., Dulles International Airport, Fairfax-Loudoun Counties, Va., Friendship International Aiport, Anne Arundel County, Md., on the one hand, and, on the other, points in Accomack County, Va., points in Sussex County, Del., and points in Dorchester, Talbot, and Caroline Counties, Md., restricted to traffic having an immediate prior or subsequent movement by air, and (2) between Salisbury-Wicomico Airport, Salisbury, Md., on the one hand, and, on the other, points in Somerset County, Md., beyond a radius of 25 miles from Salisbury-Wicomico Airport, Salisbury, Md., points in Accomack County, Va., points in Sussex County, Del., and points in Dorchester, Talbot, and Caroline Counties, Md. 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 Salisbury, Md.

No. MC 126539 (Sub-No. 11), filed April 5, 1972. Applicant: KATUIN BROS., INC., 102 Terminal Street, Dubuque, IA 52001. Applicant's representative: Carl E. Munson, 469 Fischer Building, Dubuque, Iowa 52001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy products*, from Gladbrook and Marshalltown, Iowa, to points in Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Madison, Wis.

No. MC 125905 (Sub-No. 1), filed March 29, 1972. Applicant: TRANS JERSEY AIRCRAFT SERVICE, INC., First and Baltimore Streets, Phillipsburg, N.J. 08865. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, DC 20006. 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, livestock, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require special equipment), between Allentown-Bethlehem-Easton Airport, Northampton and Lehigh Counties, Pa., on the one hand, and, on the other, points in Warren and Hunterdon Counties, N.J., and Lehigh, Northampton, Berks, and Monroe Counties, Pa. 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 Philadelphia, Pa.

No. MC 128273 (Sub-No. 126), filed March 27, 1972. Applicant: MIDWESTERN EXPRESS, INC., 121 Humboldt, Post Office Box 189, Fort Scott, KS 66701. Applicant's representative: Danny Ellis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), in boxes, in straight shipments, and/or mixed shipments of *foodstuffs and canned foods*, from the plantsites of Hunt-Wesson Foods, Inc., at Fullerton, Hayward, Davis, and Oakdale, Calif., to points in the United States in and east of South Dakota, North Dakota, Wyoming, Colorado, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 128285 (Sub-No. 12), filed March 30, 1972. Applicant: MELLOW TRUCK EXPRESS, INC., Post Office Box 17063, Portland, OR 97217. Applicant's representative: David C. White, 2400 Southwest Fourth Avenue, Portland, OR 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Western red cedar panels and shakes*, from points in Washington and Independence, Oreg., to points in Oregon, California, and Nevada, under a continuing contract with Shakertown Corp. NOTE: No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 129484 (Sub-No. 3), filed April 3, 1972. Applicant: MELVIN WANG, doing business as MELVIN WANG TRUCKING, Fertile, Minn. 56540. Applicant's representative: Gene P. Johnson, 514 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, in tank vehicles, from Grand Forks, N. Dak., to points in Minnesota and North Dakota, under contract with Fert-L-Flow, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 129870 (Sub-No. 7), filed April 7, 1972. Applicant: GAS INCORPORATED, 95 East Merrimack Street, Lowell, MA 01853. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid methane*, in bulk, from ports of entry on the Canadian-United States border in Vermont to Tewksbury and Buzzards Bay, Mass., under contract with Lowell Gas Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133655 (Sub-No. 54), filed March 13, 1972. Applicant: TRANSNATIONAL TRUCK, INC., Post Office Box 4168, Amarillo, TX 79105. Applicant's representative: Charles Singer, 33 North Dearborn, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Carthage, Mo., to points in Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia; *materials, equipment, and supplies* used in the manufacture and distribution of the above-described commodities, on return. NOTE: Applicant states that the requested authority could be tacked with various subs of MC 133655 and applicant will tack with its MC 133655 where feasible. Applicant further states that it has various duplicative items of authority under various subs but does not seek duplicative authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133884 (Sub-No. 3), filed March 29, 1972. Applicant: BRUCE FULLER, 1710 Main Street, Buhl, ID 83316. Applicant's representative: Charles J. Kimball, Post Office Box 82028, 605 South 14th Street, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite*, from points in Crook County, Wyo., to points in California, Nevada, Oregon, Washington, Idaho, Montana, Utah, and Colorado, for the account of International Mineral and Chemical Co., Libertyville, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134094 (Sub-No. 2), filed April 11, 1972. Applicant: HEIGHTS SERVICE, INC., 521 East Nevada Street, St. Paul, MN 55101. Applicant's representative: F. H. Kroeger, 2288 University Avenue, St. Paul, MN 5514. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* used in the manufacture of industrial and com-

mercial detergents, soaps, and cleaning and washing compounds, in drums, bags, or boxes, from points in the Chicago, Ill., commercial zone as defined by the Commission, Utica, Ill. and Joliet, Ill., to Minneapolis, Minn., for the account of Stewart Chemicals, Inc. and Chaska Chemical Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Paul or Minneapolis, Minn.

No. MC 134254 (Sub-No. 3), filed March 29, 1972. Applicant: NANC CORPORATION, 2610 North Dort Highway, Flint, MI 48506. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment* used or useful in the manufacture of guardrail, guardrail posts, and accessories and support structures, from points in the United States (except Alaska, Arizona, California, Hawaii, Idaho, Michigan, Montana, Nevada, Oregon, Utah, Washington, and Wyoming), to Flint Mich., under a continuing contract with Anderson "Safeway" Guard Rail Corp. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 134496 (Sub-No. 3), filed April 5, 1972. Applicant: A & B EXPRESS COMPANY, a corporation, 6314 Dewey Avenue, West New York, NJ 07093. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wines and liquors* (except in bulk) between New York, N.Y., and West New York, N.J., on the one hand, and, on the other, points in New York, under contract with Monsieur Henri Wines, Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 134946 (Sub-No. 2), filed March 20, 1972. Applicant: ANTHONY SILVIDIO, doing business as ZIP'S EXPRESS, Box 127, Newfield, NJ 08344. Applicant's representative: Wallace L. Schubert, 301 Executive Building, Springfield, Va. 22150. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Advertising circulars*, from Vineland, N.J., to Cleveland, Ohio, Albany, Syracuse, and Hicksville, Long Island, 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., or Philadelphia, Pa.

No. MC 135680 (Sub-No. 2), filed March 28, 1972. Applicant: FRED C. WILLIAMS, 411 South Third Avenue, Yakima, WA 98902. Applicant's representative: Robert Felthous, Post Office, Box 156, Selah, WA 98942. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wine, beer, and malt beverages*, from Van Nuys, San Francisco, Calif., and Portland, Oreg., to Wenatchee, Ephrata, Yakima, and Spokane, Wash., under contract with Columbia Distributing Co., Crown Distributing Co., and B & B Distributing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 136159 (Sub-No. 3) (Correction), filed February 4, 1972, published in the FEDERAL REGISTER, issue of March 9, 1972, and republished as corrected this issue. Applicant: AVIS HIGGINS, doing business as A. B. S. MOVING, 824 Valley View Drive, Richland Center, WI 53581. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Signs, sign parts, sign poles, sign pole parts, and accessories*, from Pardeeville, Wis., to points in the United States (including Alaska but except Hawaii); (2) *used signs, used sign parts, used sign poles, used sign pole parts, and materials, equipment, and supplies*, which are used or useful in the manufacture, sale, production or distribution of the commodities named in Part (1) above, from points in the United States (including Alaska but except Hawaii), to Pardeeville, Wis.; (3) *fiberglass reinforced panels and accessories*, from Gainesville, Fla., to points in the United States (including Alaska but except Hawaii); and (4) *materials, equipment, and supplies* which are used or useful in the manufacture, sale, production or distribution of the commodities named in Part (3) of this application, from points in the United States (including Alaska but except Hawaii), to Gainesville, Fla. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is (1) to show the correct address of the applicant's representative, and (2) to redescribe the authority sought in item (4) above. If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 136344 (Correction), filed January 7, 1972, published in the FEDERAL REGISTER, issue of February 3, 1972, corrected and republished as corrected, this issue. Applicant: A. L. JOHNSON & A. R. JOHNSON, a partnership, doing business as A. L. & A. R. JOHNSON, Route 2, Adairville, KY 42202. Applicant's representative: Robert L. Baker, 300 James Robertson Parkway, Nashville, TN 37201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer and fertilizer, materials*, dry, in bulk or in bags; and (2) *agricultural chemicals* in containers when shipped in mixed loads with fertilizer or fertilizer materials, (a) from Nashville, Tenn., to points within Simpson and Logan Counties, Ky.; (b) from Clarksville, Tenn., to points in Simpson and Logan Counties, Ky.; and (c) from Cherokee, Ala., to points in Simpson and Logan Counties, Ky., under contract with United States Steel Corp. U.S.S. Agri-Chemical Division. NOTE: The purpose of this republication is to correctly set forth the authority sought. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 136371 (Sub-No. 2), filed April 3, 1972. Applicant: CONCORD TRUCKING CO., INC., 30 Pulaski Street, 33 West 11th Street, Bayonne, NJ 07002. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are dealt in or used by discount or department stores, between the facilities of Unishops, Inc., their divisions and subsidiaries located in Jersey City and Bayonne, N.J., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under contract with Unishops, Inc., their divisions and subsidiaries. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 136488, filed March 1, 1972. Applicant: BERNARD R. MATTINGLEY, doing business as KEY MOBILE HOME SALES, 3320 Mountain View Drive, Anchorage, AK 99504. Applicant's representative: Andrew E. Hoge, 921 West Sixth Avenue, Anchorage, AK 99501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, trailers, or prefabricated houses or buildings*, completed or in sections, moving on wheeled undercarriages equipped with hall hitch, pintle hitch, or drop pin connectors, between points in Alaska, excepting therefrom the area east of the United States-Canada boundary beginning at the Demarcation Point and ending at the Malispena Glacier, and areas west of the 154° longitude, and Kodiak Island, under contract with Capitol Corp., doing business as: Fairbanks Mobile Home Sales. NOTE: If a hearing is deemed necessary, applicant requests it be held at Anchorage or Fairbanks, Alaska.

No. MC 136519, filed March 7, 1972. Applicant: JOHN RICHARDS, BETH RICHARDS, AND DAVID JONES a partnership, doing business as TRANSWAY CO., Moscow, Pa. 18444. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and products* used in or produced by the food processing industry, between Erie and North East, Pa.; Westfield, Dunkirk, and Buffalo, N.Y., on the one hand, and, on the other, points in Connecticut, Maryland, Rhode Island, Massachusetts, and the District of Columbia, under contract with Welch's Foods, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 136521 (Sub-No. 1), filed April 3, 1972. Applicant: EXECUTIVE COURIER SERVICE, INC., 305 Cravens Building, Oklahoma City, Okla. 73102. Applicant's representative: John C. Buckingham, Suite 1213, 100 Park Avenue Building, Oklahoma City, OK 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Documents, papers, abstracts, disclosure statements, negotiable and nonnegotiable instruments, securities, stocks and bonds, accountants financial sheets, bank deposits, bookkeeping and business records, other business and legal documents and data processing material*, transported in passenger cars only, between Tulsa, Okla., and points in Cherokee, Crawford, Labette, Montgomery, Neosho, and Wilson Counties, Kans.; points in Barry, Barton, Dade, Jasper, Lawrence, McDonald, and Newton Counties, Mo., and points in Crawford, Franklin, and Sebastian Counties, Ark. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Tulsa, Okla.

No. MC 136538, filed March 29, 1972. Applicant: JOSEPH BARRETT, doing business as BARRETT GENERAL TRUCKING, 276 Alpine Drive, Paramus, NJ 07652. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed gases*, in steel cylinders, from East Rutherford, N.J., to points in Rockland, Orange, Ulster, Westchester, Putnam, and Dutchess Counties, N.Y., and Fairfield County, Conn.; empty cylinders, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 136572, filed March 29, 1972. Applicant: READY-ROLL EXPRESS, INC., 80 Stonehedge Drive, Buford, GA 30518. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise, materials, and supplies* used and/or marketed by Chicopee Manufacturing Co. and its affiliates, between Atlanta, Ga., and points in Gwinnett, Hall, Habersham, Clarke, and Hart Counties, Ga., on the one hand, and, on the other, points in Florida, under contract with Chicopee Manufacturing Co. and its affiliates. NOTE: Applicant states authority is also sought pursuant to Ex Parte MC 43 § 1057.6(a) to rent equipment with drivers to Chicopee Manufacturing Co. and its affiliates. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 136573, filed March 29, 1972. Applicant: CORNBELT TRANSPORT SERVICE, INC., West Highway 20, Webster City, Iowa 50595. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household laundry washers and dryers, attachments and parts, and materials, equipment, and supplies* used in the manufacture, distribution and sale of washers and dryers, between Webster City, Iowa, on the one hand, and, on the other, points in Illinois, Minnesota, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 136586, filed March 20, 1972. Applicant: NIEL C. YOUNG, doing business as YOUNG'S DELIVERY AND PICKUP SERVICE, 19 Tyler Street, Laconia, NH 03246. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machined parts, aluminum doors and frames, electrical components, power supplies, and plastic parts* (except in bulk and/or tank vehicles), between Laconia, Tilton, and Franklin, N.H., on the one hand, and, on the other, points in Massachusetts. Applicant states no authority is sought for explosives or chemicals. NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 136590 (Sub-No. 1), filed March 31, 1972. Applicant: MOUNTAINEER TRUCK LINE, INC., Post Office Box 727, Darien, GA. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials and supplies*, used in the manufacture of shoes and component parts of shoes and boots, from points in the United States (except Alaska and Hawaii), to Darien, Ga.; and (2) *shoes and boots*, from Darien, Ga., to points in the United States (except Alaska and Hawaii), under contract with Altama Delta Corp. 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 136601, filed March 27, 1972. Applicant: WILLIAM F. MAYS AND RAYMOND F. MAYS, a partnership, doing business as RAYMOND F. MAYS & SON, Box 237, Blue Ridge, VA 24064. Applicant's representative: R. Cameron Rollins, 321 East Center Street, Kingsport, TN 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, cinder blocks, concrete blocks, clay products, shale and shale products, concrete and concrete products, and motar mixes*, between Glasgow, Groseclose, Richlands, and Richmond, Va., on the one hand, and, on the other, points in Maryland, North Carolina, Tennessee, Kentucky, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Nashville, Tenn.

No. MC 136609, filed April 10, 1972. Applicant: ALL ROADS TRUCKING CORP., 804 71st Street, Brooklyn, NY 11228. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Auto accessories and parts*, between New York, N.Y., on the one hand, and, on the other, points in Orange and Rockland Counties, N.Y., Bergen, Passaic, Essex, Hudson, Union, Middlesex, Somerset, and Monmouth Counties, N.J., restricted to service to be performed under contract with Long Island Automotive & Wheel Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIER OF PASSENGERS

No. MC 172 (Sub-No. 8), filed March 31, 1972. Applicant: ROBERT E. WADE, 1312 Helderberg Avenue, Schenectady, NY 12306. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage* in round-trip, sightseeing and pleasure tours, in special operations, from points in that part of New York bounded by a line beginning at Windham, N.Y., and extending through Gilboa to Cooperstown, thence through Sharon Springs to Amsterdam, thence through Hoffmans, to Schenectady, and thence through South Berne to point of beginning, to all points and places in the United States, except points and places in New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and the District of Columbia, and (2) *Passengers and their baggage* in the same vehicle with passengers, in round-trip charter operations, from points in that part of New York bounded by a line beginning at Windham, N.Y., and extending through Gilboa to Cooperstown, thence through Sharon Springs to Amsterdam, thence through Hoffmans to Schenectady, and thence through South Berne to point of beginning, to all points and places in the United States, except points and places in New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, the District of Columbia, North Carolina, South Carolina, Georgia, Florida, and Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Schenectady or Albany, N.Y.

No. MC 675 (Sub-No. 4), filed March 31, 1972. Applicant: A AND M TRANSIT LINES, INC., 1652 South Morgan Avenue, Alliance, OH 44601. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations, beginning and ending at points in Stark, Summit, Portage, and Wayne Counties, Ohio, and extending to points in the United States, including

Alaska (but excluding Hawaii). NOTE: Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Canton, Ohio.

No. MC 108136 (Sub-No. 15), filed March 22, 1972. Applicant: VALLEY CAB COMPANY, INCORPORATED, R.F.D. No. 2, Killingworth, Conn. 06417. Applicant's representative: Robert S. Palmer, 173 South Main Street, Post Office Box 173, Middletown, CT 06457. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and/or charter operations, in nonscheduled door-to-door service, limited to the transportation of not more than 8 passengers in not more than one vehicle, not including the driver thereof, and not including children 10 years of age who do not occupy a seat or seats; (1) between points in Middlesex County, Conn., on the one hand, and, on the other, points in New York, N.Y., commercial zone, as defined by the Commission; (2) between points in Middlesex County, Conn., on the one hand, and, on the other, points in Middlesex, Suffolk, Norfolk, and Worcester Counties, Mass.; (3) between points in Middlesex County, Conn., on the one hand, and, on the other, points in the Newark Airport and Newark, N.J., and (4) between points in Middlesex County, Conn., on the one hand, and, on the other, points in Vermont and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 136382, filed January 31, 1972. Applicant: SOUTHPOINT, INC., a corporation, doing business as DAVIS DAM CASINO ASS'N., Post Office Box 523, Laughlin, NV 89046. Applicant's representative: Delbert H. Newman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, from points in Southpoint (Clark County), Nev., to points in Mohave and Maricopa Counties, Ariz., and San Bernardino County, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev., or Phoenix, Ariz.

APPLICATION FOR WATER CARRIERS

No. W-12 (Sub-No. 6) (MORAN TOWING & TRANSPORTATION CO., INC.,—Extension — INTERCOASTAL), filed April 20, 1972. Applicant: MORAN TOWING & TRANSPORTATION CO., INC., 17 Battery Place, New York, NY 10004. Applicant's representative: Donald Macleay, 1625 K Street NW., Washington, DC 20006. By application filed April 20, 1972, applicant seeks to operate as a common carrier by water in interstate or foreign commerce by towing vessels in the performance of towage in the transportation of *articles* exceeding 19 feet in height, 12 feet in width, 90 feet in length or 100 tons in weight, *component parts thereof, and related equipment*, between ports and points along the Pacific coast and tributary waterways, on the one hand, and, on the other, ports and points within the present towage authority of applicant.

No. W-16 (Sub-No. 9) (S. C. LOVELAND CO., INC.—Extension—MISSISSIPPI RIVER SYSTEM), filed April 20, 1972. Applicant: S. C. LOVELAND CO., INC., 320 Walnut Street, Philadelphia, PA 19106. Applicant's representative: Donald Macleay, 1625 K Street NW., Washington, DC 20006. By application filed April 20, 1972, applicant seeks operation as a common carrier by water in interstate or foreign commerce by non-self-propelled vessels with the use of separate towing vessels in the transportation of *articles* exceeding 19 feet in height, 12 feet in width, 90 feet in length, or 100 tons in weight, *component parts thereof, and related equipment*, between ports and points along the Gulf of Mexico coast and tributary waterways, including the Mississippi River system and all other river systems flowing into the Gulf of Mexico on the one hand, and, on the other, Key West and Tampa, Fla., and New Orleans, La. NOTE: Applicant intends to tack such authority with its existing authorities at the ports of New Orleans, La., Tampa and Key West, Fla., in through service to and from ports and points along the Atlantic and Pacific coasts which it now is authorized to serve.

No. W-104 (Sub-No. 25) UNION BARGE LINE CORPORATION—Extension—ATLANTIC/GULF, filed April 20, 1972. Applicant: UNION BARGE LINE CORPORATION, 1 Oliver Plaza, Pittsburgh, PA 15222. Applicant's representative: Donald Macleay, 1625 K Street NW., Washington, DC 20006. By application filed April 20, 1972, applicant seeks operation as a common carrier by water in interstate or foreign commerce by non-self-propelled vessels with the use of separate towing vessels in the transportation of *articles* exceeding 19 feet in height, 12 feet in width, 90 feet in length, or 100 tons in weight, *component parts thereof, and related equipment*, between ports and points along the Atlantic coast and tributary waterways, on the one hand, and, on the other, ports and points along the Gulf of Mexico and tributary waterways, except that no authority is sought on the Mississippi River system beyond that which it presently holds and which it will serve by tacking at Tampa, Fla., and/or New Orleans, La.

No. W-654 (Sub-No. 8) (WARRIOR & GULF NAVIGATION COMPANY—Extension—TUG & BARGE), filed April 10, 1972. Applicant: WARRIOR AND GULF NAVIGATION COMPANY, a corporation, Post Office Box 11397, Chickasaw, AL 36611. Applicant's representative: M. Spalding Toon, Suite 4470, 600 Grant Street, Pittsburgh, PA 15230. By application filed April 10, 1972, applicant seeks authority to operate as a common carrier by self-propelled vessels and by non-self-propelled vessels with the use of separate towing vessels in interstate or foreign commerce, in the transportation of *General commodities* between the Pacific coast ports, on the one hand, and, on the other, the Gulf of Mexico and Atlantic coast ports through the Panama Canal as follows: Between *Pacific coast ports:* Aberdeen, Wash.; Alameda, Calif.; Anacortes, Wash.; Arcata Wharf, Calif.; Astoria, Oreg.; Bellingham and Blaine, Wash.; Bradwood, Oreg.; California City and Crockett, Calif.; DuPont, Wash.; Empire, Oreg.; Eureka, Calif.; Everett, Wash.; Fairhaven and Fields Landing, Calif.; Hoquiam, Kalama, and Knappton, Wash.; Linnton, Oreg.; Long Beach, Calif.; Longview, Wash.; Marshfield, Oreg.; Mukiltoo, Wash.; North Bend, Oreg.; Oakland, Calif.; Olympia, Wash.; Pittsburg, Calif.; Port Angeles, Wash.; Port Costa, Calif.; Port Gamble, Wash.; Portland, Oreg.; Port Townsend, Wash.; Prescott and Rainier, Oreg.; Raymond, Wash.; Richmond, Sacramento, San Diego, and San Francisco, Calif.; St. Helens, Oreg.; Samoa, Calif.; Seattle, Wash.; Selby and Stockton, Calif.; South Bend, Wash.; South Vallejo, Calif.; Tacoma and Vancouver, Wash.; Warrenton, Wauna, and Westport, Oreg.; Wilmington, Calif. (Los Angeles Harbor); Yaquina Bay and Youngs Bay, Oreg., on the one hand, and, on the other; *Atlantic coast ports:* Albany, N.Y.; Baltimore, Md.; Bridgeport, Conn.; Boston, Mass.; Camden, N.J.; Chester, Pa.; Claremont, N.J.; Cornwall-on-Hudson, N.Y.; Edgewater and Hoboken, N.J.; Hopewell, Va.; Irvington, N.Y.; Jersey City and Kearny, N.J.; New Bedford, Mass.; Newburgh, N.Y.; New London, Conn.; Newport News, Va.; New York, N.Y.; Norfolk, Va.; Philadelphia, Pa.; Portland, Maine; Port Newark, N.J.; Portsmouth, R.I.; Portsmouth, Va.; Poughkeepsie, N.Y.; Providence, R.I.; Savannah, Ga.; Trenton, Warner, and Weehawken, N.J.; Wilmington, Del.; Yonkers, N.Y.; and *Gulf of Mexico coast ports:* Brownsville, Corpus Christi, and Houston, Tex.; Mobile, Ala.; New Orleans, La.; Pensacola, Fla.; Port Arthur, Tex.; and Port St. Joe, Fla.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 1515 (Sub-No. 175) (Amendment), filed March 15, 1972, published in the FEDERAL REGISTER issue of April 13, 1972, and republished in part, as amended this issue. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113. Applicant's

representative: Barrett Elkins (same address as applicant). Item II/Regular route: Route 2—Between the junction of U.S. Highway 22 and Ohio Highway 48 and the junction of unnumbered highway (Columbia Road) and U.S. Highway 22 serving all intermediate points: From the junction of U.S. Highway 22 and Ohio Highway 48 over Ohio Highway 48 to its junction with unnumbered highway (Mason-Morrow Road), thence over unnumbered highway (Mason-Morrow Road) to its junction with unnumbered highway (Columbia Road), thence over unnumbered highway (Columbia Road) to its junction with U.S. Highway 22 and return over the same route. NOTE: The sole purpose of this partial republication is to correctly set forth the authority sought under Item II, Route 2 above. The rest of the application remains as previously published.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-6726 Filed 5-3-72;8:45 am]

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