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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

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Rules and Regulations

Title 6—ECONOMIC STABILIZATION

Rulings—Internal Revenue Service, Department of the Treasury

[Cost of Living Council Ruling 1972–109; Pay Board Ruling 1972–65]

PRENOTIFICATION AND REPORTING REQUIREMENTS OF MULTI-EMPLOYER ASSOCIATIONS

Pay Board and Cost of Living Council Ruling

Facts. Association X represents approximately 300 employers who employ approximately 25,000 employees who are members of various locals of a large labor union. X on behalf of its employer members negotiated eight individual contracts with seven locals of the large labor union and one independent union. On January 21, 1972, Association X issued a bulletin to its members stating that they could make certain retroactive payments of increases which were scheduled to go into effect but had been prohibited from being paid due to Phase I of the President's Economic Stabilization Program. Numerous members of the association have made such payments. Economic Stabilization Regulations, 6 CFR 201.13(b) (1972) authorize such payments.

Issue. For purposes of the prenotification and reporting provisions of the Cost of Living Council Regulations, into what category or categories do the pay adjustments made by the various employers represented by Association X fall?

Ruling. The specific category into which a pay adjustment falls is determined by the greater of the number of employees which are affected by the pay adjustment or the number of employees to which it applies. Economic Stabilization Regulations, 6 CFR 101.21(a), 101.23(a), and 101.25(a) (1972). In the instant case, there are eight individual contracts which apply to or affect various numbers of employees. Each such contract brings about a pay adjustment for the number of employees covered by the contract. Therefore, the specific category into which each employer's pay adjustment under a particular contract falls is determined by the total number of employees to which the contract applies. If prenotification or reporting is required, Association X should prenotify or report for all employees covered by the given contract; separate reports should not be filed by each employer.

This ruling has been approved by the General Counsels of the Pay Board and Cost of Living Council.

Dated: August 30, 1972.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: August 30, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-15077 Filed 9-5-72;8:47 am]

[Cost of Living Council Ruling 1972–110]

COST OF LIVING COUNCIL RULING UPDATE AS OF JUNE 30, 1972

Cost of Living Council Ruling

Cost of Living Council Ruling 1972–101 published at page 16207 in the FEDERAL REGISTER issue dated August 11, 1972, is corrected by changing the "Comments" under ruling 1972–11 from L, M (PC–72–20) to L, M (PC–72–206).

Dated: August 25, 1972.

LEE H. HENKEL, Jr.,
Chief Counsel,
Internal Revenue Service.

Approved: August 25, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-15078 Filed 9-5-72;8:47 am]

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 4]

PART 1446—PEANUTS

Subpart—General Regulations Governing 1967 and Subsequent Crop Peanut Warehouse Storage Loans and Sheller Purchases

MISCELLANEOUS AMENDMENTS

On page 2844 of the FEDERAL REGISTER of February 8, 1972, there was published a notice of proposed rule making relating to a Loan and Purchase Program for 1972 crop peanuts.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections, regarding the proposed regulations. Only one suggestion was received regarding the General Regulations Governing 1967 and Subsequent Crop Peanut Warehouse Storage Loans and Sheller Purchases. That suggestion concerned the definition of "Lot" appearing in § 1446.3(j) as it related to farmers stock peanuts and was adopted.

The general regulations issued by Commodity Credit Corporation, published in 32 F.R. 9950, as amended, 33 F.R. 10503, 34 F.R. 15640, 36 F.R. 16571, which contain the terms and conditions governing 1967 and subsequent crop peanut warehouse storage loans and sheller purchases, are hereby further amended for 1972 and subsequent crops as follows:

1. Paragraph (j) of § 1446.3 is amended by changing the limit on the quantity of farmers stock peanuts covered by one inspection certificate to not more than the content of one vehicle or approximately 20,000 pounds when delivered by more than one vehicle and as amended reads as follows:

§ 1446.3 Definitions.

* * * * *

(j) *Lot.* That quantity of farmers stock or shelled peanuts for which one Form MQ–94 or other inspection certificate is issued. In the case of farmers stock peanuts delivered to the association for a price support advance, a lot shall consist of not more than the content of one vehicle or approximately 20,000 pounds when delivered by more than one vehicle.

* * * * *

2. Paragraph (a) of § 1446.16 is amended by changing the fourth sentence to provide that CCC may require all peanuts delivered to CCC be fumigated. As amended, the paragraph reads as follows:

§ 1446.16 Delivery.

(a) *Place of delivery.* The sheller shall arrange with the association in his area for the delivery of lots of peanuts accepted by CCC. The sheller shall deliver all peanuts sold to CCC either f.o.b. cars or trucks (CCC's option) at sheller's mill or storage facility as CCC may direct, or the sheller may deliver such peanuts in store at a cold storage warehouse if such delivery is approved by CCC. The sheller shall deliver a quantity of peanuts which is not less than 95 percent or more than 105 percent of the quantity specified in the sheller's offer which is accepted by CCC. It shall be the sheller's responsibility to deliver peanuts which are free of insects. Unless otherwise approved by CCC, all peanuts delivered to CCC shall be fumigated at or shortly prior to the time of delivery at the sheller's expense and in accordance with instructions issued by CCC. All deliveries of peanuts to

CCC shall be made in accordance with shipping instructions issued by the association.

* * * * *

§ 1446.17 [Amended]

3. Section 1446.17 is amended by changing the reference appearing therein from §§ 1446.11 to 1446.13.

4. Section 1446.18 is amended by deleting paragraph (b) and adding new paragraphs (b) and (c) to read as follows:

§ 1446.18 Payment for peanuts.

* * * * *

(b) *Storage payment for shelled peanuts.* If CCC has not taken delivery of the peanuts within 15 days after the date the peanuts are sold by CCC or date the peanuts are inspected, whichever is later, CCC shall pay the sheller a storage payment beginning with the 16th day after such later date through the date the peanuts are delivered to CCC, at the rate of 5 cents per cwt. for the first day and ½ cent per cwt. for each additional day: *Provided,* That no storage payment will be made with respect to any peanuts which (1) CCC rejects to the sheller or refuses to accept delivery of under § 1446.13(a), or (2) are purchased by the sheller who offered the peanuts to CCC.

(c) *Invoice.* Payment for the peanuts delivered to CCC by the sheller and for any storage payment due under paragraph (b) of this section shall be made after presentation to the association of an invoice accompanied by a copy of the offer form and the inspection certificate applicable to the peanuts.

§ 1446.25 [Amended]

5. Section 1446.25(a) is amended by changing the reference to "Director, or Acting Director, Producers Association Division, ASCS" and reference to "Contract Disputes Board, CCC", to "Director, or Acting Director, Oilseeds and Special Crops Division, ASCS," and "Board of Contract Appeals, U.S. Department of Agriculture", respectively.

Effective date: Upon publication in the FEDERAL REGISTER (9–6–72).

Signed at Washington, D.C., on August 30, 1972.

GLENN A. WEIR,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.72–15084 Filed 9–5–72;8:48 am]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 72–1029]

PART 531—STATEMENTS OF POLICY

Bank Advances

AUGUST 29, 1972.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend § 531.3 of the regulations for the Federal Home Loan Bank System (12 CFR 531.3) for the purpose of removing the maximum limits on Federal Home Loan Bank advances which are based solely on the scheduled items ratio of member institutions. Accordingly, on the basis of such consideration and for such purpose, the Federal Home Loan Bank Board hereby amends said § 531.3 by rescinding paragraph (d) thereof.

§ 531.3 Supplemental statement of policy on advances.

* * * * *

(d) [Rescinded]

* * * * *

(Secs. 10, 17, 47 Stat. 731, 736, as amended; 12 U.S.C. 1430, 1437. Reorg. Plan. No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[FR Doc.72–15113 Filed 9–5–72;8:50 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72–CE–27–AD, Amdt. 39–1512]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Queen Air Series Airplanes

There have been reports of powerplant fires which caused outer wing panel separations in Beech Queen Air series airplanes. These reports indicated that the pilots involved may have failed to take timely emergency action to shut off the oil and fuel to the engine. Additional investigation has revealed that the Airplane Flight Manual needs to be revised to inform pilots of more specific procedures necessary to minimize damage resulting from engine fires.

Since other operators of these series airplanes may be faced with similar emergency situations an airworthiness directive is being issued requiring on all Beech Queen Air series airplanes the inclusion of a supplement to the Airplane Flight Manual setting forth imperative emergency procedures in case of nacelle or engine compartment fires and the installation of a placard on the instrument or overhead panel which delineates these procedures.

Since a situation exists which requires immediate adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to Models 65 (Serial Nos. L–1, L–2, L–6, LF–7, LF–8, and LC–1 thru LC–239); A65 and A65–8200 (Serial Nos. LC–240 thru LC–335); 70 (Serial Nos. LB–1 thru LB–35); 65–80, 65–A80, 65–A80–8800 and 65–B80 (Serial Nos. LD–1 thru LD–456); and 65–88 (Serial Nos. LP–1 thru LP–47) airplanes.

Compliance: Required within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

To advise pilots of emergency shutdown procedures to minimize fire hazards related to engine failure or nacelle and engine compartment fires, accomplish the following:

A. Install Beech Part No. 131072 Flight Manual Supplement in the Airplane Flight

B. Install Beech Part No. 50–910615–3 decal on the overhead or instrument panel which reads as follows:

EMERGENCY ENGINE SHUTDOWN PROCEDURES

1. Mixture Cont-Idle Cutoff.
2. Fuel Selector-Off.
3. Oil Shutoff HDL-Up and Lkd.
4. Prop Control-Feathered.
5. Throttle-Fully Open.
6. Both Boost Pumps-Off.
7. Magneto Switch-Off.
8. Altntr/Gen Switch-Off.

NOTE: Owners may manufacture and install the above placard with 3/32-inch letters.

C. If emergency engine shutdown is necessary, the procedures set forth on the placard required by paragraph B must be followed.

D. Any equivalent alternate method of compliance must be submitted to and approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Beechcraft Service Instructions No. 0509–016 or later revisions cover this subject matter.

This amendment becomes effective September 12, 1972.

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

Issued in Kansas City, Mo., on August 28, 1972.

CHESTER W. WELLS,
Acting Director, Central Region.

[FR Doc.72–15080 Filed 9–5–72;8:47 am]

[Docket No. 72–CE–28–AD, Amdt. 39–1513]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Queen Air Series Airplanes

There have been numerous reports of fires caused by fuel system leaks in Beech Queen Air series airplanes. The manufacturer has published service bulletins recommending replacement of certain fuel return lines with improved lines. The manufacturer has also issued additional service bulletins recommending inspections to ascertain if other fuel lines are chafed and instructions for repair or replacement as necessary to prevent this condition. Recent reports of fuel leaks and fires in Beech Queen Air series airplanes indicate that owners/operators are not complying with the manufacturer's recommendations. Our reports also indicate that other fuel system lines and components not covered by these bulletins need to be inspected repeatedly and replaced if necessary.

Since the agency believes that compliance with the manufacturer's service bulletins and the repetitive inspections of the fuel and oil systems will eliminate the type of fire hazard mentioned herein, in the interest of safety an airworthiness directive is being issued making compliance with the Beech service bulletin mandatory and requiring the above referred to repetitive inspections on applicable Beech Queen Air series airplanes.

Since a situation exists which requires expeditious adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to Models 65, A65, A65-8200, 70, 65-80, 65-A80, 65-A80-8800, 65-88, and 65-B80 airplanes.

Compliance: Required within 25 hours' time in service after the effective date of this AD, unless already accomplished. Inspections required in paragraph E must be repeated at intervals not to exceed 100 hours' time in service after the initial inspection.

To prevent engine compartment and nacelle fires, accomplish the following:

A. On Model 65 (Serial Nos. LC-163 through LC-193) airplanes install a new fuel return hose, Part No. MS28741-4-0096 or 130F001-4S0103 on each engine in accordance with Beechcraft Service Bulletin No. 65-28 or later revision.

B. On Models 65-80 (Serial Nos. prior to LD-335) and 65-88 (Serial Nos. prior to LP-42) airplanes install a new fuel return hose Part No. MS28741-4-200 or 130F001-4S0103 on each engine in accordance with Beechcraft Service Bulletin No. 67-2 or later revision.

NOTE: The Part No. 130F001-4S0103 hose listed in A and B above called out in Beechcraft Service Instruction No. 0349-282, Rev. 1, or alternate Part No. 330995-F-4-0103 are eligible for replacement of the hoses listed in Service Bulletins Nos. 65-28 and 67-2.

C. On Models 65 series (Serial Nos. LC-230 thru LC-239), 65-B80 series (Serial Nos. LD-280 thru LD-317) and 65-88 series (Serial Nos. LP-1 thru LP-42), inspect for chafing of throttle and mixture control cables against fuel lines and other components in the wheel wells in accordance with Beechcraft Service Bulletin No. 67-8 or later revision.

D. On Model 65 (Serial Nos. LC-163 thru LC-214), Model 65-80 (Serial Nos. LD-1 thru LD-150) and Model 65-A80 (Serial Nos. LD-151 thru LD-269, except LD-263), inspect fuel flow indicator hoses for chafing against wire bundle in the engine nacelles in accordance with Beechcraft Service Bulletin No. 66-24 or later revision.

E. On all model airplanes within 25 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 100 hours' time in service:

(1) Examine carefully all flexible fuel and oil lines in the engine compartment and wheel wells and in so doing:

(a) Inspect for evidence of deterioration such as stiffness, discoloration, cracks, and leaks.

(b) Inspect for damage such as cuts, bulges, chafing, and excessive wear, and

(2) Examine all metal lines, fittings, strainers, selector valves, and primer solenoids for leaks.

During the above fuel line inspections required under paragraphs E(1) and E(2) pressurize the fuel lines upstream of the fuel control unit with the boost pump. When accomplishing this inspection, place the mixture control in the idle cutoff position. Also operate the prime system momentarily while examining primer solenoids, lines, and fittings.

NOTE: After pressure testing fuel lines, allow sufficient time for possible excess fuel to drain overboard from the engine manifolds before attempting an engine start.

Upon completion of these inspections operate each engine up to 1,500 r.p.m., shut down each engine, open cowling, and inspect fuel lines downstream of the engine fuel control unit for leaks.

(3) Visually inspect the lower surface of the wings in the areas of the fuel cells for fuel stains and wetness.

F. If, as a result of the inspections required by paragraphs C, D, or E, chafing, leakage, or other evidence of an unairworthy condition is found, replace with a serviceable part prior to further flight.

G. Equivalent methods of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective September 12, 1972.

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

Issued in Kansas City, Mo., on August 28, 1972.

CHESTER W. WELLS,
Acting Director, Central Region.

[FR Doc.72-15079 Filed 9-5-72;8:47 am]

[Airspace Docket No. 72-WA-45]

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

Alteration of Federal Airway and Reporting Point

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to redescribe Green Federal Airway 11 between Shemya, Alaska, and Adak, Alaska, via the Amchitka, Alaska, RBN in lieu of the Kirilof, Alaska, RBN and alter the Anvil INT by defining it in relation to the Amchitka RBN. This action is necessary in view of the planned decommissioning of the Kirilof wharf RBN effective October 12, 1972.

Since these amendments are minor in nature and no substantive change in the regulation is effected, notice and public procedure hereon are unnecessary. However, since it is necessary to allow sufficient time to make the appropriate changes to aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 12, 1972, as hereinafter set forth.

1. Section 71.103 (37 F.R. 2007) is amended as follows:

a. In G-11 "Kirilof wharf" is deleted and "Amchitka" is substituted therefor.

2. Section 71.211 (37 F.R. 2323) is amended as follows:

a. In Anvil INT: "Kirilof wharf" is deleted and "Amchitka" is substituted therefor.

b. "Kirilof wharf, Alaska, RBN" is deleted and "Amchitka, Alaska, RBN" is substituted therefor.

3. Section 71.213 (37 F.R. 2325) is amended as follows:

a. In Anvil INT: "Kirilof wharf" is deleted and "Amchitka" is substituted therefor.

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

Issued in Washington, D.C., on August 30, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-15082 Filed 9-5-72;8:48 am]

[Airspace Docket No. 72-GL-28]

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

Designation of Transition Area

On page 10673 of the FEDERAL REGISTER dated May 26, 1972, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Monroe, Wis.

Interested persons were given 45 days to submit written comments, suggestions, or objections, regarding the proposed amendment. No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., November 9, 1972.

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

Issued in Des Plaines, Ill., on August 10, 1972.

R. O. ZIEGLER,
Director, Great Lakes Region.

In § 71.181 (37 F.R. 2143), the following transition area is added:

MONROE, WIS.

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Monroe Municipal Airport (latitude 42°36'57" N.; longitude 89°35'26" W.).

[FR Doc.72-15081 Filed 9-5-72;8:47 am]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-437; Order 454]

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Investment Tax Credit; Accounting Treatment and Related Reporting; Correction

AUGUST 22, 1972.

Investment Tax Credit Under Revenue Act of 1971 amending the Internal Revenue Code of 1954; Accounting Treatment for Public Utilities and Licensees and Related Reporting for Natural Gas Companies and Public Utilities and Licensees.

In the order amending Uniform Systems of Accounts for Public Utilities and Licensees for Classes A, B, C, and D and Annual Report Forms No. 1, 1-F, 2, and 2-A, Issued July 6, 1972, and published in the FEDERAL REGISTER July 18, 1972 (37 F.R. 14225): At ordering paragraphs D, E, F, and G, change "Effective for the reporting year 1971 * * *." to read "Effective for the reporting year 1972 * * *."
* * *."

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-15061 Filed 9-5-72;8:45 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 12—SPECIAL CLASSES OF MERCHANDISE

PART 25—BONDS

Conditional Release of Merchandise Involving Unfair Competition

Sections 12.39(b) and 25.4(a)(29) of the Customs Regulations provide that the bond to be taken in connection with the release of merchandise pursuant to section 337(f) of the Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), shall be in an amount equal to the domestic value of the merchandise. Section 12.39(b) further states that the domestic value shall be as defined in section 340, Tariff Act of 1930. However, section 340 of the Tariff Act is no longer contained in the United States Code because it is considered executed. Therefore, this amendment changes § 12.39(b) of the Customs Regulations to explicitly state the definition of the term "domestic value" identical to the definition of this term in section 340 of the Tariff Act, and add to § 25.4(a)(29) a cross-reference to this definition in § 12.39(b). The citation of authority for § 12.39 is amended to include a statutory citation of authority omitted from the present Customs Regulations.

Accordingly, Parts 12 and 25 of the Customs Regulations are amended as follows:

Paragraph (b) of § 12.39 is amended to read:

§ 12.39 Exclusion from entry; entry under bond.

* * * * *

(b) The bond to be used in connection with the release of merchandise pursuant to such section 337(f) of the Tariff Act of 1930, as amended, shall be in an amount equal to the domestic value, as ascertained by the appraising officer, and shall be conditioned upon the exportation of the merchandise if it is finally determined that such merchandise shall be excluded from entry into the United States. As used herein, the term "domestic value" means the price at which such or similar imported merchandise is freely offered for sale, at the time of exportation of the imported merchandise, packed ready for delivery, in the principal market of the United States to all purchasers, in the usual wholesale quantities and in the ordinary course of trade, or, if such or similar imported merchandise is not so offered for sale in the United States, then an estimated value, based on the price at which merchandise, whether imported or domestic, comparable in construction or use with the imported merchandise, is so offered for sale, with such adjustments as may be necessary owing to differences in size, material, construction, texture, and other differences.

* * * * *

The citation of authority for § 12.39 is amended to read:

(Secs. 337, 623, 46 Stat. 703, as amended, 759, as amended; 19 U.S.C. 1337, 1623)

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

Subparagraph (29) of paragraph (a) of § 25.4 is amended to read:

§ 25.4 Bond approved by collectors; form and execution.

(a) * * *

(29) Special bond, taken under the provisions of section 337(f), Tariff Act of 1930, in the form prescribed in T.D. 45474. This bond shall be in an amount equal to the domestic value of the merchandise, as defined in § 12.39(b) of this chapter.

* * * * *

(R.S. 251, as amended, secs. 623, 624, 46 Stat. 759, as amended; 19 U.S.C. 66, 1623, 1624)

Because this amendment merely involves a substitution of the definition of the term "domestic value" as used in the regulations for a cross-reference to section 340 of the Tariff Act, where the term is defined, notice and public procedure thereon is found to be unnecessary under 5 U.S.C. 553(b), and good cause exists for dispensing with a delayed effective date, under the provisions of 5 U.S.C. 553(d).

Effective date. This amendment shall be effective upon publication in the FEDERAL REGISTER (9-6-72).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: August 28, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-15107 Filed 9-5-72;8:50 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter II—Office of Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner (Federal Housing Administration), Department of Housing and Urban Development

SUBCHAPTER B—HOUSING RENOVATION AND MOBILE HOME FINANCING

[Docket No. R-72-213]

PART 201—PROPERTY IMPROVEMENT AND MOBILE HOME LOANS

Insurance Charges

The following amendments, issued in accordance with section 2(a) of the National Housing Act, 12 U.S.C. 1701, would provide for unified billing of insurance charges. Previously a separate billing for renewal insurance charges was made on a different date than the initial billing. Reference to loans reported prior to May 1, 1970, is also deleted. These changes are necessary as a result of adopting a computerized system and will result in savings to the Government and insured lending institutions. The amendments relieve restriction and must be made effective on a day certain to insure adoption of the new billing system.

Accordingly, it is found upon good cause that notice and public procedure with respect to said amendments are unnecessary under the provisions of 5 U.S.C. 553(b).

Accordingly Part 201 is amended as follows:

1. Section 201.13(b) is amended to read:

§ 201.13 Insurance charge.

* * * * *

(b) *When payable.* The insurance charge for the entire term shall be paid on loans having a maturity of 25 months or less within 25 days after the Commissioner's acknowledgement of the loan report. If the loan has a maturity of more than 25 months, the insurance charge shall be payable in installments. The first installment shall be equal to the charge for 1 year and shall be paid within 25 days of the acknowledgement of the loan report. The second and succeeding installments each equal to the charge for 1 year shall be paid within

25 days after billing by the Commissioner on an annual basis.

* * * * *

2. Section 201.630(b) is amended to read:

§ 201.630 When insurance charge payable.

* * * * *

(b) *Installment payments.* On loans having a maturity in excess of 25 months the insurance charge shall be payable in installments. The first installment shall be equal to the charge for 1 year and be paid within 25 days of the Commissioner's acknowledgement of the loan report. The second and succeeding installments each equal to the charge for 1 year, shall be paid within 25 days after billing by the Commissioner on an annual basis.

* * * * *

Effective date. The foregoing amendments shall become effective on October 1, 1972.

(Sec. 7(d), 79 Stat. 670, 42 U.S.C. 3535(d); sec. 2, 48 Stat. 1246, 12 U.S.C. 1703)

Issued at Washington, D.C., August 29, 1972.

EUGENE A. GULLEDGE,
Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.72-15088 Filed 9-5-72;8:48 am]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5246]

[Oregon 8564, 9159]

OREGON

Partial Revocation of Public Land Order No. 1789

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

1. Public Land Order No. 1789 of February 10, 1959, which withdrew public lands for use of the Department of the Army is hereby revoked so far as it affects the following described land:

WILLAMETTE MERIDIAN

T. 4 N., R. 27 E.,
Sec. 12, N½NE¼, SW¼NE¼;
Sec. 24, NE¼NE¼.

The area described contains 160 acres in Umatilla County.

2. At 10 a.m. on October 4, 1972, the land will be open to operation of the public land laws generally, including location under the mining laws, and leasing under the mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 4, 1972, shall be considered simultaneously filed at that time, those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Portland, Oreg.

HARRISON LOESCH,
Assistant Secretary of the Interior.

AUGUST 29, 1972.

[FR Doc.72-15065 Filed 9-5-72;8:46 am]

[Public Land Order 5247]

[Oregon 8517 (Wash.)]

WASHINGTON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the Act of June 17, 1902, 32 Stat. 388, as amended and supplemented, 43 U.S.C. section 416 (1970), it is ordered as follows:

1. The departmental order of December 22, 1905, withdrawing lands for the Yakima project, is hereby revoked so far as it affects the following described land:

WILLAMETTE MERIDIAN

T. 9 N., R. 27 E.,
Sec. 20, S½SE¼.

The area described contains 80 acres in Benton County.

2. At 10 a.m. on October 4, 1972, the land will be open to operation of the public land laws generally, and to location under the U.S. mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. The land has been and continues to be open to applications and offers under the mineral leasing laws. All valid applications received at or prior to 10 a.m. on October 4, 1972, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Portland, Oreg. 97208.

HARRISON LOESCH,
Assistant Secretary of the Interior.

AUGUST 29, 1972.

[FR Doc.72-15066 Filed 9-5-72;8:46 am]

[Public Land Order 5248]

[Idaho 4453]

IDAHO

Reservation for Constructed Forest Service Road

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

1. Subject to valid existing rights and to the provisions of existing withdrawals, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, nor the disposal of materials under the Act of July 31, 1947, as amended, 30 U.S.C. sections 601–604 (1970), and reserved for the use of the Department of Agriculture for the granting of easements for road rights-of-way as authorized by section 2 of the Act of October 13, 1964, 16 U.S.C. sections 532, 533 (1970):

BOISE MERIDIAN

A strip of land 66 feet in width, being 33 feet in width on each side of the centerline of the Little Weiser Road No. 50206, over and across the legal subdivision, as described in Parcels 1 through 6, as follows, and as shown on plats filed in the Idaho State Office, Bureau of Land Management, Boise, Idaho.

PARCEL NO. 1

T. 13 N., R. 1 W.,
Sec. 1, SE¼SE¼.

Beginning at a point on the north boundary of the SE¼SE¼ of sec. 1, said point bears N. 25°55′ W., 2,350.0 feet from the southwest corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian, thence S. 69°03′ E., 558.9 feet, thence on a curve to the left having a radius of 300.0 feet an arc distance of 547.2 feet to a point on the north boundary of said SE¼SE¼, sec. 1. Said point bears N. 0°20′ W., 2,128.0 feet from the southwest corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 1,106.1 feet, containing approximately 1.68 acres.

PARCEL NO. 2

T. 13 N., R. 1 E.,
Sec. 6, SW¼NE¼.

Beginning at a point on the south boundary of SW¼NE¼ of sec. 6, said point is N. 48°05′ E., approximately 3,940.0 feet from the southwest corner of said sec. 6, thence N. 54°36′ E., 339.2 feet, thence on a curve to the left with a radius of 2,000.0 feet for 187.9 feet, thence N. 49°13′ E., 245.5 feet to a point on the east boundary of SW¼NE¼, sec. 6, T. 13 N., R. 1 E., said point bears S. 24° W., approximately 3,240.0 feet from the northeast corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 772.6 feet containing approximately 1.17 acres.

PARCEL NO. 3

T. 13 N., R. 1 E.,
Sec. 5, lot 5.

Beginning at a point on the south boundary of lot 5, sec. 5, said point bears S. 13°40′ E., approximately 2,150.0 feet from the north corner common to secs. 5 and 6, T. 13 N., R. 1 E., Boise Meridian; thence along the following courses and distances:

N. 65°06′ E., 319.8 feet, thence on a curve to the left with a radius of 210.0 feet, an arc distance of 149.7 feet; thence N. 24°16′ E., 184.6 feet, thence on a curve to the right with a radius of 150.0 feet, an arc distance of 126.1 feet, thence N. 72°23′ E., 302.6 feet.

Ending at a point on the east boundary of lot 5, sec. 5, T. 13 N., R. 1 E., Boise Meridian, said point bears S. 40°45′ E., approximately 2,010.0 feet from the north corner common to secs. 5 and 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 1,082.8 feet containing approximately 1.64 acres.

PARCEL NO. 4

T. 14 N., R. 1 E.,
Sec. 32, SW¼SE¼.
Beginning at a point on the south boundary of the SW¼SE¼ of sec. 32, said point bears N. 89°45′ W., approximately 1,640.0 feet from the south corner common to secs. 32 and 33, T. 14 N., R. 1 E., Boise Meridian, thence along the following courses and distances:
N. 57°35′ E., 21.6 feet; thence on a curve to the left with a radius of 500.0 feet, an arc distance of 62.8 feet; thence N. 50°23′ E., 330.8 feet.
Ending at a point on the east boundary of said SW¼SE¼, sec. 32. Said point bears N. 78°10′ W., 1,350.0 feet from the southeast corner of sec. 32, T. 14 N., R. 1 E., Boise Meridian.
A distance of 415.2 feet containing approximately 0.63 acres.

PARCEL NO. 5

T. 14 N., R. 1 E.,
Sec. 32, NE¼SE¼, SE¼NE¼.;
Sec. 33, NW¼.
Beginning at a point on the south boundary of NE¼SE¼, sec. 32, which is N. 22°25′ W., approximately 1,430.0 feet from the southeast corner of sec. 32, thence N. 52°21′ E., 22.8 feet; thence on a curve to the left with a radius of 200.0 feet for 71.1 feet; thence N. 35°18′ E., 62.6 feet; thence on a curve to the left with a radius of 200.0 feet for 71.1 feet; thence N. 14°56′ E., 31.9 feet; thence on a curve to the left with a radius of 200.0 feet for 34.2 feet; thence N. 5°08′ E., 310.0 feet; thence on a curve to the left with a radius of 500.0 feet for 87.4 feet; thence N. 4°53′ W., 264.1 feet; thence on a curve to the right with a radius of 300.0 feet for 194.9 feet; thence N. 32°20′ E., 219.0 feet; thence on a curve to the right with a radius of 200.0 feet for 109.8 feet; thence N. 63°39′ E., 222.5 feet; thence on a curve to the left with a radius of 1,000.0 feet for 67.7 feet; thence N. 59°46′ E., 35.3 feet; thence on a curve to the left with a radius of 1,000.0 feet for 77.4 feet; thence N. 55°20′ E., for 259.6 feet; thence on a curve to the left with a radius of 1,000.0 feet for 104.7 feet; thence N. 49°15′ E., 46.8 feet; thence on a curve to the left with a radius of 500.0 feet for 209.1 feet; thence N. 25°21′ E., 31.0 feet; thence on a curve to the left with a radius of 500.0 feet for 23.5 feet; thence N. 22°39′ E., 434.8 feet; thence on a curve to the left with a radius of 500.0 feet for 67.3 feet; thence N. 14°36′ E., 41.0 feet; thence on a curve to the right with a radius of 100.0 feet for 62.5 feet; thence N. 50°41′ E., 30.0 feet; thence on a curve to the right with a radius of 200.0 feet for 144.7 feet; thence S. 87°52′ E., 38.1 feet; thence on a curve to the left with a radius of 100.0 feet for 95.9 feet; thence N. 37°44′ E., 51.6 feet; thence on a curve to the right with a radius of 300.0 feet for 157.5 feet; thence N. 67°49′ E., 678.3 feet; thence on a curve to the left with a radius of 800.0 feet for 184.5 feet; thence N. 54°16′ E., 537.6 feet.
Ending at a point on the east boundary of NE¼NW¼, sec. 33, said point bears S. 0° W., 440.0 feet from the quarter corner between secs. 28 and 33, T. 14 N., R. 1 E.
A distance of 5,080.3 feet containing approximately 7.70 acres.

PARCEL NO. 6

T. 14 N., R. 1 E.,
Sec. 28, NE¼SE¼.
Beginning at a point on the south boundary of the NE¼SE¼ of sec. 28, said point bears N. 8°22′ W., 1,340.0 feet from the section corner common to secs. 27, 28, 33, and 34, T. 14 N., R. 1 E., Boise Meridian, thence N. 48°36′ E., 269.7 feet.
Ending at a point on the east line of NE¼SE¼, sec. 28, said point bears N. 0°02′ W., 1,495.0 feet from the corner common to secs. 27, 28, 33, and 34, T. 14 N., R. 1 E., Boise Meridian.
A distance of 269.7 feet containing approximately 0.41 acres.

The total of the areas described aggregates approximately 14 acres in Adams County.

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

HARRISON LOESCH,
Assistant Secretary of the Interior.

AUGUST 29, 1972.

[FR Doc.72-15067 Filed 9-5-72;8:46 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 72-760]

PART 0—COMMISSION ORGANIZATION

Office of Administrative Law Judges

Order. In the matter of amendment of §§ 0.5(a)(9), 0.5(b)(4), and the addition of a new § 0.150 in the Commission's rules and regulations.

1. The amendments set forth below authorize a change in the title of "Hearing Examiner" to "Administrative Law Judge".

2. Authority for the amendments below is set out in 5 CFR Part 930 (rules and regulations of the U.S. Civil Service Commission), sections 4(i), 5(d), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 155(d), and 303(r). As the amendments relate to matters of internal Commission organization and procedure, the prior notice and public procedure provisions of 5 U.S.C. 553 are inapplicable.

3. In view of the foregoing: *It is ordered*, Effective September 6, 1972, that Part 0 of the rules and regulations is amended as set forth below.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: August 29, 1972.

Released: August 30, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

Part 0 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 0.5 (a)(9) and (b)(4) are revised to read as follows:

§ 0.5 General description of Commission organization and operations.

(a) * * *
(9) Office of Administrative Law Judges.
* * * * *
(b) * * *
(4) *Staff units which exercise responsibility for the decision of hearing cases.* The Office of Administrative Law Judges, the Review Board, and the Office of Opinions and Review exercise responsibility for the decision of hearing cases. The Administrative Law Judges preside over hearing cases and issue initial decisions. In most cases, initial decisions are subject to review by the Review Board, which is a permanent body composed of three or more senior Commission employees. Initial decisions may also be reviewed by one or more Commissioners designated by the Commission. In such cases, the Board or designated Commissioner(s) issues a final decision, which is subject to possible review by the Commission. In other cases, the initial decision is reviewed directly by the Commission en banc. The Office of Opinions and Review assists and advises the Commission, and any Commissioner(s) designated to review an initial decision, in the decision of cases which come before them.
* * * * *

2. A new § 0.150 is added and the subheading above changed to "Office of Administrative Law Judges" to read as follows:

OFFICE OF ADMINISTRATIVE LAW JUDGES

§ 0.150 Presiding Officer.

For all purposes throughout these rules, the title "Hearing Examiner" shall be changed to "Administrative Law Judge"; "Chief Hearing Examiner" shall be changed to "Chief Administrative Law Judge"; and "Assistant Chief Hearing Examiner" shall be changed to "Assistant Chief Administrative Law Judge".

[FR Doc.72-15057 Filed 9-5-72;8:45 am]

[1] Commissioners H. Rex Lee and Reid absent; Commissioner Hooks not participating.

Title 49—TRANSPORTATION

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket 2-10; Notice 4]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Bus Window Retention and Release; Reconsideration

The purpose of this notice is to respond to petitions for reconsideration of Motor Vehicle Safety Standard No. 217, Bus Window Retention and Release, in § 571.217 of Title 49, Code of Federal Regulations. The standard was issued on May 10, 1972 (F.R. 9394).

International Harvester stated that it manufactures an 18-passenger airport limousine, the "Stageway Coach Con-

version", weighing 10,700 pounds GVWR and requested that it be exempted from the requirements of S5.2.1, "Buses with GVWR of more than 10,000 pounds." They emphasized that the 18-passenger model is equipped with 10 side doors, two more than is provided by a 15-passenger, 10,000-pound, version of a similar airport limousine vehicle which they manufacture. The NHTSA has concluded that vehicles which provide at least one door for each three passenger seating positions afford sufficient means of emergency egress regardless of their weight. Section 5.2.1 has accordingly been amended to provide that buses with a GVWR of more than 10,000 pounds may alternatively meet the unobstructed openings requirement of S5.2 by providing at least one door for each three passenger spaces in the vehicle. The "Stageway Coach Conversion" falls into the category of vehicles covered by this amendment and thus International Harvester's request is granted.

International Harvester, General Motors, and Chrysler, all requested a clarification of the S5.1 window retention requirements because they felt it was possible to interpret the paragraph as prohibiting the use of tempered glass for window glazing. Ford also submitted a request for exemption from the window retention requirements for buses under 10,000 pounds GVWR based on its interpretation of S5.1 as precluding the use of tempered glass. The petitioners stated that tempered glass would shatter under the application of pressure required, and were not certain whether S5.1(b), describing the development of cracks in the glazing, would cover this occurrence. The NHTSA did not intend to prohibit the use of tempered glass, and in order to correct this possible ambiguity, S5.1(b) has been amended to include shattering of the window glazing.

General Motors also requested an interpretation of the method of measuring whether 80 percent of the glazing thickness has developed cracks as described in S5.1(b). The paragraph refers to a measurement through the thickness of glass and not a measurement of the glazing surface area, as GM suggests it could mean. GM also doubted that the percentage of glazing thickness which develops cracks could be measured. The NHTSA has determined that the intent of the language is clear and that performance of this measurement is within the state of the art, so that no change in the language is necessary. The request is therefore denied.

General Motors requested a clarification of the term "minimum surface dimension" in paragraph S5.1(c). The NHTSA agrees that a clarification is necessary to prevent interpretations which may not meet the intent of this standard, and the paragraph has been accordingly amended to specify that the dimension is to be measured through the center of the area of the sheet of glazing.

General Motors stated that it interpreted the head form travel rate specified in S5.1.1 of 2 inches per minute as a "nominal value" requirement, since no tolerances are given in the standard. The test conditions in a safety standard represent the performance levels that the product must be capable of meeting. They are not instructions either to the manufacturers' or the Government's test laboratories, or a requirement that the product should be tested at "exactly" those levels. The manufacturers' tests in this case should be designed to demonstrate that the vehicle would meet the stated requirements if tested at 2 inches per minute. If that is what General Motors means by a "nominal value", its interpretation is correct.

In consideration of the foregoing, Motor Vehicle Safety Standard No. 217, Bus Window Retention and Release, 49 CFR 571.217, is amended as follows:

1. S5.1(b) is amended to read:

(b) At least 80 percent of the glazing thickness has developed cracks running from the load contact region to the periphery at two or more points, or shattering of the glazing occurs.

2. S5.1(c) is amended to read:

(c) The inner surface of the glazing at the center of force application has moved relative to the window frame, along a line perpendicular to the undisturbed inner surface, a distance equal to one-half of the square root of the minimum surface dimension measured through the center of the area of the entire sheet of window glazing.

3. S5.2.1 is amended to read:

S5.2.1 Buses with GVWR of more than 10,000 pounds. Except as provided in S5.2.1.1, buses with a GVWR of more than 10,000 pounds shall meet the unobstructed openings requirement by providing side exits and at least one rear exit that conform to S5.3 through S5.5. When the bus configuration precludes installation of an accessible rear exit, a roof exit, that meets the requirements of S5.3 through S5.5 when the bus is overturned on either side with the occupant standing facing the exit, shall be provided in the rear half of the bus.

S5.2.1.1 A bus with GVWR of more than 10,000 pounds may satisfy the unobstructed openings requirement by providing at least one side door for each three passenger seating positions in the vehicle.

Effective date: September 1, 1973.

(Secs. 103, 112, 119, National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1401, 1407, delegation of authority at 49 CFR 1.51)

Issued on August 30, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72-15108 Filed 9-5-72;8:50 am]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter X—Office of Foreign Direct Investments, Department of Commerce

PART 1000—FOREIGN DIRECT INVESTMENT REGULATIONS

Transfer of Capital

EDITORIAL NOTE: The Foreign Direct Investment Regulations appear in Title 15, Chapter X, Part 1000 of the Code of Federal Regulations (CFR). All sections of the Foreign Direct Investment Regulations contained in CFR are preceded by the designation "1000" (e.g. § 1000.312). The "1000" prefix has, for convenience, been eliminated from the section references contained in the explanatory material below. The abbreviations "DI" and "AFN" are used to refer to "direct investor" and "affiliated foreign national."

By publication in the FEDERAL REGISTER on July 4, 1972 (37 F.R. p. 13172), § 312(c) of the Foreign Direct Investment Regulations (the regulations) was amended to prevent DIs from circumventing the disallowance of credit under the regulations for U.S.-source transfers to the DI. As a result of recent revisions to the Federal Reserve Foreign Credit Restraint Program (FRFCRP) guidelines, DIs had been able to use the export credit exemption under such guidelines to gain the advantages of negative transfers of capital, even though there was no net inflow of capital to the United States and no coverage under FRFCRP ceilings for the underlying U.S.-source funds. Section 312(c) was amended to prevent the adverse balance of payments effect that would have resulted from the continuation of such circumvention in substantial amount.

The Office of Foreign Direct Investments (the Office) has received requests for clarification of the July 4 amendment, and has determined that a clarifying amendment to §§ 312(c)(4) and 312(c)(12) is appropriate. The central principle is that U.S.-source funds, derived from a domestic bank or other financial institution but exempt from restraint under the FRFCRP, cannot be used to generate a negative transfer of capital under § 312(b).

Thus, where an AFN obtains funds or other property from a domestic bank or financial institution free of the FRFCRP ceiling, as by borrowing or discounting the debt obligations of unaffiliated foreign nationals under the FRFCRP export credit exemption, a transaction described in § 312(b) that is accomplished by the use of such or equivalent funds will not constitute a negative transfer of capital as a result of § 312(c)(12).

The amendment makes clear that the principle applies in all cases where funds come from a U.S. financial institution under an FRFCRP exemption, even if they are flowed through a foreign bank or other foreign intermediary. Thus,

when a domestic bank or financial institution subject to the FRFCRP transfers funds or other property to a foreign bank (such as a foreign branch of a U.S. bank) in connection with the foreign bank's loan to an AFN or its purchase from an AFN of the debt obligations of other foreign nationals, § 312(c)(12) prevents the AFN's use of the proceeds of such transaction from generating a negative transfer of capital under § 312(b), such as by making payment to the DI in satisfaction of export-related debt, if the U.S.-source financing is exempt from restraint under the FRFCRP. Similarly, through the interplay of §§ 312(c)(4) and 312(c)(12), where the domestic financial institution makes such a transfer to the foreign bank in connection with the DI's transfer of a debt obligation of an AFN or other foreign national to the foreign bank, no negative transfer of capital will be recognized if the U.S.-source financing is not charged against the domestic financial institution's FRFCRP ceiling. These results will obtain whether the domestic bank, for example, lends the funds to the foreign bank or purchases the AFN's (or other foreign national's) debt obligations from the foreign bank; in each case the domestic bank transfers funds and acquires the debt obligation of a foreign national.

However, § 312(c)(12) will not affect established practices for financing the purchase of U.S. exports by unaffiliated foreign nationals. Thus, where an unaffiliated foreign national itself obtains funds from a domestic financial institution for the purchase of U.S. exports from an AFN of a DI, the AFN's use of such funds to pay down its own debt to the DI (or its use otherwise in a transaction described in § 312(b)) is not affected by the provisions of § 312(c)(12), to the extent that a FRFCRP-exempt export credit to the unaffiliated foreign national is involved and is arranged without the intervention of the DI or an AFN in a manner that departs from their previously established practices. This is the only exception to the general principle of § 312(c)(12). It does not permit DIs and their AFNs to circumvent the purposes of § 312(c)(12) by inducing unaffiliated foreign nationals to shift from established financing sources to United States financing exempt from restraint under the FRFCRP export credit exemption. Accordingly, if a DI or AFN intervenes with a U.S. or foreign financial institution to arrange such U.S.-source financing for an unaffiliated foreign customer of the AFN, § 312(c)(12) will block recognition of a negative transfer of capital unless such intervention is in accordance with previously established practices of the DI or AFN. DIs having questions about whether particular forms of intervention depart from previously established practices may apply to the Chief Counsel of OFDI for an interpretative opinion in the manner set forth in the Memorandum to DIs dated June 16, 1972.

In all cases in which a negative transfer of capital is blocked under § 312(c)(12), a negative transfer of capital is recognized at the later time of repayment of the debt obligation by a foreign national (including an AFN, a foreign bank or an unaffiliated foreign national, as the case may be) to a person within the United States (ordinarily the financial institution which initially acquired the debt obligation of a foreign national under the FRFCRP export credit exemption).

In all the examples below, it is assumed that the U.S. bank's acquisition of a foreign national's debt obligation and transfer of funds, in connection with the transaction in question, fall within the FRFCRP export-credit exemption, and that there is therefore no charge against the bank's FRFCRP ceiling.

Example 1. DI exports goods on credit to an AFN, thereby acquiring a debt obligation of the AFN. AFN borrows funds from a U.S. bank to repay its debt obligation held by the DI. The U.S. bank has acquired the AFN's debt obligation and transferred funds to it. By operation of § 312(c)(12), no transfer of capital is recognized under § 312(b)(3) until the AFN's debt obligation acquired by the U.S. bank is repaid.

Example 2. DI exports goods on open account to an AFN, which in turn sells the goods on credit to an unaffiliated foreign national. AFN sells the debt obligation of such unaffiliated foreign national, with or without recourse, to a U.S. bank. The bank has acquired the unaffiliated foreign national's debt obligation, and has transferred funds to the AFN. The AFN's repayment of its export debt to the DI is not a transfer of capital under § 312(b)(3) until the debt obligation acquired by the U.S. bank is repaid by a foreign national.

Example 3. DI exports goods on open account to an AFN, which in turn sells such goods on credit to an unaffiliated foreign national. A U.S. bank lends funds to a foreign financial institution, and the latter lends funds to the AFN which repays its export debt to the DI. The U.S. bank has acquired the debt obligation of the foreign financial institution. The AFN's repayment of its debt to the DI is not a transfer of capital under § 312(b)(3) until the foreign financial institution's debt obligation to the U.S. bank is repaid. The result is the same if the foreign financial institution discounts the debt obligation of the AFN with the U.S. bank.

Example 4. DI exports goods on open account to an AFN, which in turn sells the goods on credit to an unaffiliated foreign national. A U.S. bank lends funds to a foreign financial institution, which purchases from the AFN the debt obligation of the unaffiliated foreign national. The AFN's repayment of its export debt to the DI is not a transfer of capital under § 312(b)(3) until the foreign financial institution's debt obligation to the U.S. bank is repaid. Similarly, the transfer of capital under § 312(b)(3) is deferred if the foreign financial institution rediscounts the debt obligation of the unaffiliated foreign national with the U.S. bank.

Example 5. DI exports goods on open account to an AFN, thereby acquiring a debt obligation of the AFN. The DI discounts the AFN's debt obligation with a U.S. bank. Since the transfer by the DI of a debt obligation of the AFN is neither to a foreign national nor to a domestic financial institution which charges its FRFCRP ceiling, by operation of § 312(c)(4)(a) no transfer of capital is recognized under § 312(b)(5) until the AFN repays its debt obligation held by the U.S. bank.

Example 6. DI exports goods on open account to an AFN. A U.S. bank lends funds to a foreign financial institution, which purchases the debt obligation of the AFN from the DI. As a result of §§ 312(c)(4) and 312(c)(12) no transfer of capital is recognized under § 312(b)(5) until the foreign financial institution's debt obligation to the U.S. bank is repaid. Although the DI has transferred the AFN debt obligation to a foreign national within § 312(c)(4)(a)(i), the transaction does not constitute a transfer of capital after application of § 312(c)(12), since the U.S. bank has acquired the debt obligation of the foreign financial institution and transferred funds to it without charging its FRFCRP ceiling; hence § 312(c)(4)(b) is not fulfilled. The result is the same if the foreign financial institution rediscounts the debt obligation of the AFN with a U.S. bank.

Example 7. DI exports goods on open account to an AFN, which in turn sells the goods to an unaffiliated foreign national. Without the intervention of the DI or the AFN, the unaffiliated foreign national borrows funds from a U.S. bank and pays the AFN. In accordance with the exception to subparagraph (iv) of § 312(c)(12), a negative transfer of capital is recognized under § 312(b)(3) when the AFN repays the DI.

Example 8. DI exports goods on open account to an AFN, which in turn sells the goods to an unaffiliated foreign national. Without the intervention of the DI or the AFN, a U.S. bank lends funds to a foreign financial institution, which in turn lends funds to the unaffiliated foreign national to pay the AFN for the exported goods. The AFN's repayment of its own export debt to the DI is a negative transfer of capital under § 312(b)(3). The result is the same if the foreign financial institution rediscounts with the U.S. bank the debt obligation it has acquired from the unaffiliated foreign national.

Example 9. DI exports goods on open account to an AFN, which sells the goods on credit to an unaffiliated foreign wholesaler. The wholesaler in turn sells the goods on credit to an unaffiliated foreign retailer. Without the intervention of the DI or AFN, the foreign wholesaler sells the debt obligation of the foreign retailer to a U.S. bank, and repays the AFN which in turn repays the DI. The AFN's repayment of its export debt to the DI is a negative transfer under § 312(b)(3). The result is the same if the foreign wholesaler sells the foreign retailer's debt obligation to a foreign financial institution, which purchases the retailer's debt by borrowing from a U.S. bank or by rediscounting the retailer's debt obligation with a U.S. bank.

Example 10. DI exports goods on open account to an AFN, which in turn sells the goods on credit to an unaffiliated foreign national. Neither the AFN nor the DI have an established practice of arranging U.S.-source financing of the AFN's sales. With the assistance of the AFN or the DI, the unaffiliated foreign national borrows from a foreign bank which discounts the debt obligation of the unaffiliated foreign national with a U.S. bank. The unaffiliated foreign national repays the AFN, which in turn repays the DI. No transfer of capital under § 312(b)(3) may be recognized until the debt obligation held by the U.S. bank is repaid.

The following example illustrates the interplay between § 312(c)(12) and § 312(b)(3) as interpreted in § B312–15(iii) of the 1970 OFDI General Bulletin:

Example 11. DI exports goods on open account to an AFN, which in turn sells the goods on credit to an unaffiliated foreign national. The AFN assigns the debt obligation of the unaffiliated foreign national to the

DI. The assignment is treated on intercompany accounts as a satisfaction of the AFN's export debt obligation to the DI, but no transfer of capital under § 312(b)(3) results from such an assignment until the unaffiliated foreign national's debt obligation is paid, or is sold by the DI to another unaffiliated foreign national or to a U.S. financial institution which charges the transfer under its FRFCRP ceiling (see 1970 General Bulletin § B312-15(iii)). If the DI sells the debt obligation of the unaffiliated foreign national to a foreign financial institution which borrows equivalent funds from a U.S. bank or rediscounts the unaffiliated foreign national's debt obligation with a U.S. bank, § 312(c)(12)(iii) blocks recognition of a transfer of capital under § 312(b)(3) until the debt obligation held by the U.S. bank is repaid by a foreign national.

To assure compliance with the amended regulations, DIs transferring export-related debt obligations of AFNs or unaffiliated foreign nationals to foreign nationals (including foreign financial institutions) and AFNs (a) borrowing from U.S. financial institutions or from foreign nationals to pay for exports or (b) transferring export-related debt obligations of other AFNs or unaffiliated foreign nationals to U.S. financial institutions or to foreign nationals, should make the following inquiries: (1) Where such transaction is with a foreign national, whether a transfer of funds or other property is or will be made by a U.S. financial institution in connection with such transaction, and if so, whether the U.S. financial institution charges such transfer against its ceiling under the FRFCRP; (2) where such transaction is directly with a U.S. financial institution, whether the transfer of funds or other property by the financial institution is charged against its ceiling under the FRFCRP. The results of these inquiries should be retained in the books and records of the DI.

As announced on July 4, 1972, the Office will make appropriate adjustments, under its liberalized policy for export credit relief, that will enable specific authorization of positive direct investment reflecting the credits extended by the DI for 1972 increases in its exports to AFNs, even if those credits are paid down by the use of FRFCRP-exempt U.S.-source financing of the sort referred to above. To this end, the Memorandum for Direct Investors dated June 16, 1972 was amended by the addition at the bottom of page 4 of the following paragraph, reproduced here for convenient reference:

Where SMEC computed under the last paragraph has been reduced or limited as a result of payments (derived from United States sources) that by virtue of § 312(c)(4) or (12), as applicable commencing July 1, 1972, do not constitute transfers of capital, SMEC will be appropriately adjusted for purposes of application for merchandise export credit relief. In general, DIs may anticipate that such adjustment will provide for export credit relief within these guidelines as if SMEC were not limited or reduced by such payments.

Since the present amendment is intended to clarify the amendment to § 312(c) promulgated on July 4, 1972, it is found that notice and public procedures prior to promulgation are unnecessary and would be contrary to the public interest, and that there is good cause to make this amendment effective immediately, for the reason that continuing uncertainty as to the effect of the amended provisions may lead DIs and AFNs to misconstrue them and, on the basis of such misconstruction, to engage in transactions injurious to the U.S. balance of payments. DIs that since July 1, 1972 have engaged in transactions covered by the present amendment, in the reasoned and good faith belief that negative transfers of capital would result from such transactions under the regulations as in force heretofore, may apply to the Director of the Office under § 801 of the regulations for appropriate relief.

The text of the amendment is as follows:

Section 1000.312(c) is amended to read as follows:

§ 1000.312 Transfers of capital.

* * * * *

(c) * * *

(4) A transfer described in paragraph (b)(5) of this section unless (a) the transfer is made (i) to a foreign national or (ii) to a financial institution subject to the Federal Reserve Foreign Credit Restraint Program and the transfer is charged against the ceiling of such institution under such Program, and (b) the transfer constitutes a transfer of capital after application of paragraph (c)(12) of this section: *Provided*, That, if the transfer is of a debt obligation and does not constitute a transfer of capital because of this paragraph, repayment by the affiliated foreign national of such debt obligation to a person within the United States shall be deemed a transfer of capital by the affiliated foreign national.

* * * * *

(12) On or after July 1, 1972, any transaction described in paragraph (b) of this section in connection with which a financial institution subject to the Federal Reserve Foreign Credit Restraint Program, without charging its ceiling under such Program, acquires a debt obligation of a foreign national and transfers funds or other property (i) to the direct investor, or (ii) to an affiliated foreign national, or (iii) to a foreign financial institution which transfers funds or other property to an affiliated foreign national or to the direct investor, or (iv) to a foreign national other than a financial institution and other than an affiliated foreign national ("unaffiliated foreign national"), or to a foreign financial institution which transfers funds or other property to an unaffiliated foreign national, which unaffiliated foreign national transfers funds or other property to an affiliated foreign national or to the direct investor, unless, for purposes of this subparagraph (iv), the debt obligation is treated as a direct or indirect export credit to an unaffiliated foreign national under the Federal Reserve Foreign Credit Restraint Program and is acquired without the intervention of the direct investor or an affiliated foreign national in a manner that departs from their previously established practices: *Provided*, That if the transaction does not constitute a transfer of capital because of this paragraph, repayment of the debt obligation by a foreign national to a person within the United States shall be deemed a transfer of capital by the affiliated foreign national.

* * * * *

(Sec. 5, Act of Oct. 6, 1917, 40 Stat. 415, as amended, 12 U.S.C. 95a; E.O. 11387, Jan. 1, 1968, 33 F.R. 47)

The amendment hereby adopted shall be effective upon publication in the FEDERAL REGISTER (9-6-72), and applicable to all transactions occurring on or after July 1, 1972.

WILLIAM V. HOYT,
Director, Office of Foreign Direct Investments.

AUGUST 30, 1972.

[FR Doc.72-15047 Filed 9-5-72;8:45 am]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 32—HUNTING

Addition of Certain Areas Open to Hunting of Mourning Doves and Big Game

By notice of proposed rule making published in the FEDERAL REGISTER of July 28, 1972 (37 F.R. 15166), notification was given that the Secretary of the Interior proposed to open Carolina Sandhills National Wildlife Refuge, S.C., to the hunting of mourning doves for the 1972-73 season. Also published that date by notice of proposed rule making (37 F.R. 15167), was the intention of the Secretary to add Lake Woodruff National Wildlife Refuge, Fla., Wassaw National Wildlife Refuge, Ga., and Blackwater National Wildlife Refuge, Md., to the list of areas open to the hunting of big game for the 1972-73 season.

Interested persons were invited to submit their comments, suggestions, or objections with respect to these proposed amendments within 30 days of the date of publication of subject notices in the FEDERAL REGISTER.

Having received no adverse comments on the proposed hunting of big game and only one objection to the opening of Carolina Sandhills to the hunting of mourning doves and this having been taken into consideration, it is determined that certain sections of Part 32 shall be amended as set forth below.

§ 32.11 List of open areas; migratory game birds.

* * * * *

SOUTH CAROLINA

Carolina Sandhills National Wildlife Refuge.

* * * * *

§ 32.31 List of open areas; big game.

* * * * *

FLORIDA

Lake Woodruff National Wildlife Refuge.

GEORGIA

Wassaw National Wildlife Refuge.

* * * * *

MARYLAND

Blackwater National Wildlife Refuge.

* * * * *

Since these amendments benefit the public by relieving existing restrictions, it is determined that notice and public procedure thereon are impracticable, unnecessary, and contrary to the public interest, and these amendments shall become effective upon publication in the FEDERAL REGISTER (9–6–72).

F. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 1, 1972.

[FR Doc.72–15162; Filed 9–5–72;8:55 am]

PART 32—HUNTING

Arrowwood National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (9–6–72).

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of sharp-tailed grouse and Hungarian partridge on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the area designated by signs as open to hunting. This open area, comprising 15,900 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of sharp-tailed grouse and Hungarian partridge subject to the following conditions:

(1) Hunting is permitted from sunrise to sunset on November 20, 1972, through December 31, 1972.

(2) All hunters must exhibit their hunting license, game, and vehicle contents to Federal and State officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1972.

JIM MATTHEWS,
Refuge Manager, Arrowwood National Wildlife Refuge, Edmunds, N. Dak.

AUGUST 17, 1972.

[FR Doc.72–15085 Filed 9–5–72;8:48 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 966]

TOMATOES GROWN IN FLORIDA

Decision With Respect to Proposed Amendment of Marketing Agreement and Order

Correction

In F.R. Doc. 72-14640, appearing at page 17479, in the issue of Tuesday, August 29, 1972, in the third column of page 17486, change the last sentence in the second complete paragraph to read as follows: "Clearly, as to consumer versus producer interests the express congressional policy enunciated in the act is to give priority to producer interests so as to result in a strong agricultural economy which is in the national public interest."

Agricultural Stabilization and Conservation Service

[7 CFR Part 722]

EXTRA LONG STAPLE COTTON

Proposed Determinations Regarding 1973 Crop

The Secretary of Agriculture is preparing to make the following determinations with respect to the 1973 crop of extra long staple cotton (referred to as ELS cotton):

a. Amount of the national marketing quota.

b. Amount of the national acreage allotment.

c. Apportionment of the national acreage allotment to States and counties.

d. Date or period for conducting the national marketing quota referendum.

e. Unrestricted use sales policy.

f. Specifications for bagging and bale ties used in wrapping ELS cotton pledged for Commodity Credit Corporation loans.

The first four determinations above are to be made pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.):

(a) *National marketing quota.* Section 347(b)(1) of the act requires the Secretary to proclaim the amount of the national marketing quota for the 1973 crop of ELS cotton by October 15, 1972. Such marketing quota shall be the number of standard bales of ELS cotton equal to the sum of the estimated domestic consumption and estimated exports, less estimated imports, for the 1973-74 marketing year, which begins August 1, 1973, plus such additional number of bales, if any, as the Secretary determines necessary to assure adequate working stocks in trade channels until ELS cotton from the 1974 crop becomes readily available without resort to Commodity Credit Corporation stocks. The Secretary may reduce the quota so determined for the purpose of reducing surplus stocks, but not below the minimum quota of 82,481 standard bales prescribed under section 347(b)(2) of the act.

(b) *National acreage allotment.* Section 344(a) provides that the national acreage allotment for the 1973 crop of ELS cotton shall be that acreage determined by multiplying the national marketing quota in bales by 480 pounds (net weight of a standard bale) and dividing the result by the national average yield per acre of ELS cotton for the 4 calendar years 1968, 1969, 1970, and 1971.

(c) *Apportionment of the national acreage allotment to States and counties.* Sections 344 (b) and (e) provide that the national acreage allotment for the 1973 crop of ELS cotton shall be apportioned to States and counties on the basis of the acreage planted to ELS cotton (including acreage regarded as having been planted) during the 5 calendar years 1967, 1968, 1969, 1970, and 1971, adjusted for abnormal weather conditions during such period. Section 344(e) further provides that the State committee may reserve not to exceed 10 percent of its State allotment to adjust county allotments for trends in acreage, for counties adversely affected by abnormal conditions, or for small or new farms, or to correct inequities in farm allotments and to prevent hardship.

(d) *Date or period for conducting the national marketing quota referendum.* Section 343 requires the Secretary to conduct a referendum, by secret ballot, of farmers engaged in the production of ELS cotton during 1972, by December 15, 1972, to determine whether such farmers are in favor of or opposed to the quota. If more than one-third of the farmers voting in the referendum oppose the national marketing quota, such quota shall become ineffective upon proclamation of the results of the referendum. Section 343 further requires the Secretary to proclaim the results of the referendum within 30 days after the date of such referendum.

The following determinations will be made pursuant to the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1421 et seq.):

(e) *Unrestricted use sales policy.* Section 407 of the act provides that no ELS cotton may be sold at less than 115 percent of the current loan rate.

(f) *Specifications for bagging and bale ties.* The specifications for jute bagging and bale ties used in wrapping ELS cotton tendered to Commodity Credit Corporation under its cotton loan program regulations published in 36 F.R. 13981, as amended, will be reviewed for the 1973 crop. The latest revision of these specifications was published in the FEDERAL REGISTER on February 19, 1972 (37 F.R. 3742).

Prior to making any of the foregoing determinations, consideration will be given to any data, views, and recommendations which are submitted in writing to the Director, Cotton Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received not later than 30 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection from 8:15 a.m. to 4:45 p.m., Monday through Friday in Room 4091, South Building, 14th and Independence Avenue SW., Washington, D.C.

Signed at Washington, D.C., on August 30, 1972.

GLENN A. WEIR,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-15051 Filed 9-31-72;9:52 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Part 146]

[CGD 72-171PH]

PHOSPHORUS PENTASULFIDE

Packaging Specifications and Classification as Flammable Solid

This notice proposes to classify phosphorus pentasulfide as a flammable solid and to specify packaging.

In the March 10, 1971, issue of the FEDERAL REGISTER a notice was issued on this subject. The Hazardous Materials Regulations Board did not prescribe specification packaging. The Board now feels that specification packaging is justified and the Coast Guard proposes to adopt that packaging.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments, to the U.S. Coast Guard (CMC), 400 Seventh Street SW., Washington, DC 20590. Each person submitting comments should include his name and address, identify the notice (CGD 72-171PH), and give reasons for any recommendations. Comments received will be available for examination by interested persons in Room 8234, De-

partment of Transportation, Nassif Building, 400 Seventh Street SW., Washington, DC.

The Coast Guard will hold an informal hearing on October 24, 1972, at 9:30 a.m., in Conference Room 8334, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, DC. Interested persons are invited to attend the hearing and present oral or written statements on this proposal. There will be no cross-examination of persons presenting statements. It is requested that anyone desiring to attend the hearing notify the United States Coast Guard (CMC), 400 Seventh Street SW., Washington, DC 20590.

The Commandant will evaluate all communications received before October 31, 1972, and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

By a separate document published at page 14239 of the July 18, 1972, issue of the FEDERAL REGISTER, the Hazardous Materials Regulations Board of the Department of Transportation proposes amendments to Part 172 of Title 49, Code of Federal Regulations. For reasons fully stated in that document the Board has proposed these changes.

The hazardous materials regulations of the Department of Transportation in title 49 apply to shippers by water, air, and land, and to carriers by air and land. The adoption of this proposed amendment to title 46 would make the proposal of the Hazardous Materials Regulations Board applicable to carriers by water.

The Coast Guard proposes to incorporate the substance of the Board's proposal in 46 CFR Part 146.

In consideration of the foregoing, Part 146 of Title 46 of the Code of Federal Regulations is amended as follows:

1. By adding to § 146.04–5 "List of explosives and other dangerous articles and combustible liquids" in proper alphabetical sequence the following article:

Article	Classed as—	Label required
• • •	• • •	• • •
Phosphorus pentasulfide	Inf. S	Yellow.
• • •	• • •	• • •

2. By adding to § 146.22–100 "Table E—Classification: Inflammable solids" in proper alphabetical sequence the following article:

Descriptive name of article	Characteristic properties cautions, markings required	Label required	Required conditions for transportation
			Cargo vessel
• • •	• • •	• • •	• • •
Phosphorus pentasulfide	*Light yellow or greenish-yellow crystalline mass.* *Odor of hydrogen sulfide.* *Burns in air forming toxic fumes of sulfur and phosphorous oxides.* *Insoluble in water.* Keep dry and cool. Keep away from living quarters and foodstuffs.	Yellow	Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (DOT–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt. (DOT–6B, 6C) not over 110 gal. cap. and not exceeding 1760 lb. gr. wt. (DOT–17C, 17E, 17H, 37A, 37B) STC not over 55 gal. cap. Wooden barrels or kegs: (DOT–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt. (DOT–11A, 11B) WIC not over 50 gal. cap. and not exceeding 600 lb. net wt. Wooden boxes: (DOT–15A, 15B, 15C, 16A, 19A) WIC not over 250 lb. gr. wt. Fiberboard boxes: (DOT–12A, 12B) WIC not over 65 lb. gr. wt. Fiber drums: (DOT–21C) not over 250 lb. net. Plywood drums: (DOT–22A) not over 220 lb. gr. wt. (DOT–22B) WIMC not over 220 lb. gr. wt. Metal portable tank: (DOT–53, 56). Metal drum not over 15 gal. cap. Authorized only for phosphorus pentasulfide fused into a solid mass before transportation.
• • •	• • •	• • •	• • •

Required conditions for transportation—Continued		
Passenger vessel	Ferry vessel, passenger or vehicle	RR car ferry, passenger or vehicle
• • •	• • •	• • •
Stowage: "On deck protected." "On deck under cover." "Tween decks readily accessible." Outside containers: Steel barrels or drums: (DOT–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt. (DOT–6B, 6C) not over 110 gal. cap. and not exceeding 1,760 lb. gr. wt. (DOT–17C, 17E, 17H, 37A, 37B) STC not over 55 gal. cap. Wooden barrels or kegs: (DOT–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt. (DOT–11A, 11B) WIC not over 50 gal. cap. and not exceeding 600 lb. net wt. Wooden boxes: (DOT–15A, 15B, 15C, 16A, 19A) WIC not over 250 lb. gr. wt. Fiberboard boxes: (DOT–12A, 12B) WIC not over 65 lb. gr. wt. Fiber drums: (DOT–21C) not over 250 lb. net.	Stowage: Ferry stowage (AA). Outside containers: Steel barrels or drums: (DOT–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt. (DOT–6B, 6C) not over 110 gal. cap. and not exceeding 1,760 lb. gr. wt. (DOT–17C, 17E, 17H, 37A, 37B) STC not over 55 gal. cap. Wooden barrels or kegs: (DOT–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt. (DOT–11A, 11B) WIC not over 50 gal. cap. and not exceeding 600 lb. net wt. Wooden boxes: (DOT–15A, 15B, 15C, 16A, 19A) WIC not over 250 lb. gr. wt. Fiberboard boxes: (DOT–12A, 12B) WIC not over 65 lb. gr. wt. Fiber drums: (DOT–21C) not over 250 lb. net.	Stowage: Ferry stowage (BB). Outside containers: Steel barrels or drums: (DOT–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt. (DOT–6B, 6C) not over 110 gal. cap. and not exceeding 1,760 lb. gr. wt. (DOT–17C, 17E, 17H, 37A, 37B) STC not over 55 gal. cap. Wooden barrels or kegs: (DOT–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt. (DOT–11A, 11B) WIC not over 50 gal. cap. and not exceeding 600 lb. net wt. Wooden boxes: (DOT–15A, 15B, 15C, 16A, 19A) WIC not over 250 lb. gr. wt. Fiberboard boxes: (DOT–12A, 12B) WIC not over 65 lb. gr. wt. Fiber drums: (DOT–21C) not over 250 lb. net.

Required conditions for transportation—Continued

Passenger vessel	Ferry vessel, passenger or vehicle	R R car ferry, passenger or vehicle
Plywood drums: (DOT-22A) not over 220 lb. gr. wt. (DOT-22B) WIMC not over 220 lb. gr. wt. Metal portable tank: (DOT-53, 56). Metal drum not over 15 gal. cap. Authorized only for phosphorus pentasulfide fused into a solid mass before transportation.	Plywood drums: (DOT-22A) not over 220 lb. gr. wt. (DOT-22B) WIMC not over 220 lb. gr. wt. Metal portable tank: (DOT-53, 56). Metal drum not over 15 gal. cap. Authorized only for phosphorus pentasulfide fused into a solid mass before transportation.	Plywood drums: (DOT-22A) not over 220 lb. gr. wt. (DOT-22B) WIMC not over 220 lb. gr. wt. Metal portable tank: (DOT-53, 56). Metal drum not over 15 gal. cap. Authorized only for phosphorus pentasulfide fused into a solid mass before transportation.

(R.S. 4472, as amended; R.S. 4417a, as amended; sec. 1, 19 Stat. 252, 49 Stat. 1889, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 170, 391a, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

Dated: August 25, 1972.

W. F. REA III,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant Marine Safety.

[FR Doc.72-15011 Filed 9-5-72;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

NATIONAL AMBIENT AIR QUALITY STANDARDS

Approval and Promulgation of State Implementation Plans; Extension of Period for Comment

On July 27, 1972 (37 F.R. 15094), the Administrator published proposed regulations to correct deficiencies in several State plans for implementation of national ambient air quality standards. Subsequently, on August 18, 1972 (37 F.R. 16694), a notice of the dates, times, and places of public hearings on these proposed regulations was published. Prospective participants were requested to submit statements in advance of the public hearings but are not required to do so.

The regulations proposed for applicability to nonferrous smelters have engendered substantial response such that the 30 days provided for comment are not adequate for evaluation of the bases of the proposals and preparation of comments thereon. The Agency has determined that additional time should be provided for public comment on these regulations. Accordingly, the period for comment on proposed § 52.125(c), subpart D (Arizona); § 52.676(b), Subpart N (Idaho); § 52.1373(b), Subpart BB (Montana); § 52.2325(c), Subpart TT (Utah) is extended to October 15, 1972. All comments received on these regulations which are postmarked on or before that date will be considered by the Agency.

Dated: August 30, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.72-15053 Filed 9-5-72;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19534]

FM BROADCAST STATIONS

Table of Assignments, Fresno, Calif.; Order Extending Time To File Comments and Reply Comments

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Fresno, Calif.), Docket No. 19534, RM-1928.

1. Notice of proposed rule making in this proceeding was adopted June 28, 1972 (FCC 72-570), and published in the FEDERAL REGISTER July 12, 1972 (37 F.R. 13642). The dates for comments and reply comments were August 14 and August 24, 1972, respectively.

2. On August 14, 1972, the petitioners John and Sylvia Sonder, doing business as Atlas Broadcasting Co., licensee of KXEX, Fresno, Calif. (Atlas), requested that the dates for filing comments and reply comments be extended: *It is ordered,* That the time for filing comments and reply comments are extended through and including September 22 and October 2, 1972, respectively.

3. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: August 28, 1972.

Released: August 29, 1972.

[SEAL] HAROLD L. KASSENS,
Acting Chief, Broadcast Bureau.

[FR Doc.72-15058 Filed 9-5-72;8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Part 101]

[Docket No. R-451]

UNIFORM SYSTEM OF ACCOUNTS

Extension of Test Periods

AUGUST 28, 1972.

Pursuant to 5 U.S.C. 553, sections 3, 4, 301, 304, and 309 of the Federal Power Act (49 Stat. 854, 855, 858; 16 U.S.C. 796, 797, 825, 825c, 825h), the Commission gives notice it proposes to amend, effective for the reporting year 1972, electric plant instruction 9.D. in the Uniform System of Accounts for Class A and Class B Electric Utilities and Licensees, prescribed by Part 101, Chapter I, Title 18, CFR.

Electric Plant Instruction 9.D. of the Commission's Uniform System of Accounts for Class A and Class B Utilities and Licensees requires electric utilities to furnish the Commission with full particulars of and justification for any test or experimental run extending beyond 30 days prior to the date equipment becomes available for service. The requirement that utilities furnish the Commission with full details of test periods extending beyond 30 days enables the Commission to review the reasonableness of the test period and, if the length of the period is not justified, require that the plant be considered ready for and placed in service at an earlier time. The reasonableness of the test period is subject to review by the Commission staff during field audits.

The requirement that companies report test periods exceeding 30 days to the Commission was established when facilities were smaller and not as sophisticated. Due to the size and complexity of the design and construction of the newer plants, such as nuclear plants, longer test period may be required. Consequently, we are proposing to amend the present 30-day requirement contained in Electric Plant Instruction 9.D. to a 90-day requirement for nuclear plant and a 60-day requirement for all other plant. Since we have found from experience that the present guideline requirements are inadequate in that it is consistently necessary for the Commission to require additional information upon which to base test period extensions, we are also proposing the addition of guidelines to Electric Plant Instruction 9.D. on data to be submitted in support or justification for extended periods.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than October 12, 1972, data, views, comments, or suggestions in writing concerning the proposals herein. Written submittals will be placed in the Commission's public files and will

be available for public inspection at the Commission's Office of Public Information, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submittals to the Commission should indicate the name, title, mailing address, and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed revisions. The staff, in its discretion, may grant or deny requests for conference.

The proposed revision to Electric Plant Instruction 9.D. of the Commission's Uniform System of Accounts would be issued under authority granted the Federal Power Commission by the Federal Power Act, particularly sections 3, 4, 301, 304, and 309 (49 Stat. 854, 855, 858; 16 U.S.C. 796, 797, 825, 825c, 825h).

The following is a proposed amendment to the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees, in Part 101, Title 18 of the Code of Federal Regulations:

1. Revise subparagraph D of Electric Plant Instruction 9. *Equipment*. As so revised the subparagraph will read as follows:

Electric Plant Instructions

* * * * *

9. *Equipment*.

* * * * *

D. The equipment accounts shall include the necessary costs of testing or running a plant or parts thereof during an experimental or test period prior to such plant becoming ready for or placed in service. The utility shall furnish the Commission with full particulars of and justification for any test or experimental run extending beyond a period of 90 days for nuclear plant, and a period of 60 days for all other plant. Such particulars shall include a detailed operational and down-time log showing days of production, kilowatts generated, types (construction, operational, etc.), and periods of outages by hours with explanation thereof, beginning with the first date the unit was tested or synchronized on the line to the end of the test period.

* * * * *

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-15064 Filed 9-5-72;8:46 am]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Additions

By notice in the FEDERAL REGISTER of March 15, 1972, Part II, there was published a list of the properties included in the National Register of Historic Places. This list has been amended by a notice in the FEDERAL REGISTER of March 7 (pp. 4923–4924), April 4 (pp. 6770–6772), May 2 (pp. 8890–8895), June 6 (pp. 11274–11276), July 4 (pp. 13193–13196), and August 1 (pp. 15390–15391). Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470.

The following properties have been added to the Register since August 1:

ALABAMA

St. Clair County

Ohatchee vicinity, *Fort Strother*, approximately 3 miles west of Ohatchee on Coosa River.

Tuscaloosa County

Abernant vicinity, *Tannehille Furnace*, Sec. 33, R. 5 W., T. 20S.

ARKANSAS

Pulaski County

Little Rock, *Pike-Fletcher-Terry House*, 411 East Seventh Street.

CALIFORNIA

San Francisco County

San Francisco, *The Presidio*, northern tip of San Francisco peninsula on U.S. 101 and I-480.

COLORADO

Larimer County

Fort Collins, *Avery House*, 328 West Mountain Avenue.

Pitkin County

Aspen, *Wheeler Opera House*, 330 East Hyman Avenue.

CONNECTICUT

Hartford County

Windsor, *Chaffee, Hezekiah, House*, Meadow Lane, off Palisado Green.

FLORIDA

Duval County

Jacksonville, *Old St. Luke's Hospital*, 314 Palmetto.

Escambia County

Pensacola, *L. & N. Marine Terminal Building*, Commendencia Street Wharf.

Leon County

Tallahassee, *McDougall, Peres, House*, 329 North Meridian.

Liberty County

Bristol vicinity, *Torreya State Park*, 13 miles northeast of Bristol on Florida 12.

Pinellas County

Dunedin, *Andrews Memorial Chapel*, corner of Buena Vista and San Mateo.

Tarpon Springs, *Tarpon Springs Sponge Exchange*, Dodecanese Street.

Polk County

Bartow, *South Florida Military College*, 1100 South Broadway.

Lake Wales vicinity, *Bok Tower*, 2 miles north of Lake Wales.

Volusia County

DeBary, *DeBary Hall*, DeBary Mansion State Park.

Wakulla County

St. Marks National Wildlife Refuge, *St. Marks Lighthouse*, north side of Apalachee Bay at Route 59 terminating point.

Walton County

DeFuniak Springs, *Chautauqua Auditorium*, Circle Drive.

HAWAII

Honolulu County

Honolulu, *Moana Hotel* 2365 Kalakaua Avenue.

Honolulu, *Our Lady of Peace Cathedral*, 1183 Fort Street.

Honolulu, *Punahou School Campus*, 1601 Punahou Street.

Honolulu, *Queen Emma's Summer Home*, 2913 Pali Highway.

Honolulu, *The Royal Mausoleum*, 2261 Nuuanu Aveune.

Kaneohe, *Kawaewae Heiau*, at rear of 45–162 Namoku Street.

Kapapa Island, *Kapapa Island Complex*, in Kaneohe Bay.

IDAHO

Ada County

Boise, *Alexander House*, 304 State Street.

ILLINOIS

Cook County

Chicago, *Chicago Public Library, Central Building*, 78 East Washington Street.

Fulton County

Lewistown vicinity, *Ogden-Fettie Site*, southeast of Lewistown, off Route 78.

INDIANA

Marion County

Indianapolis, *Woodruff Place*, 1700–2000 East Michigan and East 10th Streets (500–1000 North).

KENTUCKY

Kenton County

Ludlow, *Carneal, Thomas, House (Elmwood Hall)*, 244–246 Forrest Avenue.

Washington County

Springfield vicinity, *Lincoln, Mordecai, House*, 5.9 miles north of Springfield on Kentucky 528.

LOUISIANA

Orleans Parish

New Orleans vicinity, *Fort Pike*, north of New Orleans off U.S. 90.

MARYLAND

Queen Annes County

Queenstown, *Bowlingly*, off Route 18.

MASSACHUSETTS

Essex County

Ipswich, *Choate Bridge*, over the Ipswich River, South Main Street.

Middlesex County

Middlesex Canal, runs southeasterly from Lowell to Boston.

MICHIGAN

Benzie County

Benzonia, *Mills Community House*, 891 Michigan Avenue.

Calhoun County

Battle Creek, *Battle Creek Post Office*, 67 East Michigan.

Eaton County

Olivet, *Hance House*, 217 Yale Street.

Vermontville, *Vermontville Chapel and Academy*, North Main Street.

Genesee County

Linden, *Linden Mill*, Tickner Street.

Manistee County

Manistee, *Our Saviour's Evangelical Lutheran Church*, 300 Walnut Street.

Midland County

Midland, *Bradley House*, corner of Cook Road and Main Street.

Monroe County

Monroe vicinity, *Havarre-Anderson Trading Post*, North Custer Road at Raisinville Road.

Van Buren County

Paw Paw, *Paw Paw City Hall*, East Michigan Avenue.

Wayne County

Detroit, *Whitney, David, House*, 4421 Woodward Avenue.

Northville, *Northville Historic District*.

MINNESOTA

Pine County

Pine City vicinity, *Connor's Fur Post*, at Snake River.

MISSISSIPPI

Harrison County

Gulfport, *Milner House (Grasslawn)*, 720 East Beach Boulevard.

Lawrence County

Monticello, *Longino House*, Caswell Street.

MISSOURI

Buchanan County

St. Joseph, *Buchanan County Courthouse and Jail*, Courthouse Square.

Cooper County

Blackwater vicinity, *The Imhoff Archeological Site*, 4 miles southeast of Blackwater.

Platte County

Weston, *Weston Historic District*.

MONTANA

Big Horn County

Kirby vicinity, *Battle of the Rosebud Site*, 6 miles south of Kirby.

NEW HAMPSHIRE

Rockingham County

Portsmouth, *Hart-Rice House*, 77 Deer Street.
Portsmouth, *Sherburne, Henry, House*, 73 Deer Street.
Portsmouth, *Neal, James, House*, 74 Deer Street.

NEW JERSEY

Essex County

Newark, *Pan American C.M.A. Church*, 76 Prospect Street.

Passaic County

Wayne vicinity, *Van Riper-Hopper House (Wayne Museum)*, 533 Berdan Avenue, north of Wayne.

NEW YORK

Allegany County

Angelica, *Angelica Courthouse*, Park Circle.

Fulton County

Johnstown, *Fulton County Courthouse*, North William Street.

Herkimer County

East Herkimer vicinity, *Fort Herkimer Church*, south of East Herkimer on Route 5S.

Kings County

Brooklyn, *Flatbush Town Hall*, 35 Snyder Avenue.

New York County

New York, *The Admiral's House*, Governor's Island.
New York, *The Block House*, Governor's Island.
New York, *Castle Williams*, Governor's Island.
New York, *St. James Church*, 32 James Street.
New York, *Stuyvesant-Fish House*, 21 Stuyvesant Street.
New York, *Watson, James, House*, 7 State Street.

Orange County

New Windsor, *New Windsor Cantonment*, Temple Hill Road.

Putnam County

Brewster, *Old Southeast Church*, off New York 22, south of intersection with Putnam Lake Road.

Westchester County

Katonah, *Jay, John, Homestead*, Jay Street.

OHIO

Fairfield County

Lancaster, *Square 13 Historic District*.
Lancaster vicinity, *Chestnut Ridge Farm*, Southwest of Lancaster off U.S. 22.

Franklin County

Columbus, *Ohio Statehouse*, southeast corner of Broad and High Streets.

Hamilton County

Cincinnati, *Albee Theater*, 13 East Fifth Street.

Lake County

Painesville, *Painesville City Hall*, 7 Richmond Street.

OKLAHOMA

Muskogee County

Muskogee, *Union Agency*, Agency Hill in Honor Heights Parks.

OREGON

Deschutes County

Bend, *Pilot Butte Inn*, 1121 Wall Street.

PENNSYLVANIA

Delaware County

Concord Township, *Ivy Mills Historic District*, corner of Ivy Mills and Pole Cat Roads.

Lebanon County

Schaefferstown, *Brendle Farms*, intersection of Routes 501 and 897.

Philadelphia County

Philadelphia, *U.S. Naval Home*, Gray's Ferry Avenue and 24th Street.

RHODE ISLAND

Providence County

East Providence, *Walker, Philip, House*, 432 Massasoit Avenue.

Washington County

Westerly, *Babcock-Smith House*, 124 Granite Street.

SOUTH CAROLINA

Oconee County

Seneca vicinity, *Alexander-Hill House*, approximately 10 miles north of Seneca off Route 183.

TENNESSEE

Roane County

Kingston, *Southwest Point*, on east bank of Tennessee River, off Route 58.

TEXAS

El Paso County

Ysleta, *Ysleta Mission*, on U.S. 80.

Starr County

Roma, *Roma Historic District*.

VERMONT

Chittenden County

Jericho, *Old Red Mill*, on Route 15.

VIRGINIA

Clarke County

White Post vicinity, *The Tuleyries*, 1.5 miles east of White Post off Route 628.

WEST VIRGINIA

Cabell County

Huntington, *Harvey House*, 1305 Third Avenue.

WISCONSIN

Brown County

Green Bay, *Fort Howard Ward Building*, 402 North Chestnut Avenue.

WYOMING

Albany County

Sherman vicinity, *The Ames Monument*, northwest of Sherman, NE¼NW¼ sec. 6, T. 13 N., R. 71 W.

Laramie County

Cheyenne, *Baker, Jim, Cabin*, Frontier Park.

ROBERT M. UTLEY,
Director, Office of Archeology and Historic Preservation.

[FR Doc.72-15068 Filed 9-5-72;8:46 am]

Office of Hearings and Appeals

INDIAN CREEK MINING CORP.

Notice of Petition for Modification of Safety Standard

Notice. In re petition of Indian Creek Mining Corp., Docket No. M 72-37, Fort Grand No. 1 Mine, for modification of safety standard (30 CFR 75.313).

Notice is hereby given that Indian Creek Mining Corp., Box 63, Morgantown, WV 26505, has filed a petition to modify 30 CFR 75.313. The regulation in question, which is the same as section 303(1) of the Act states:

Section 75.313 *Methane monitor.*

[Statutory provisions]

"The Secretary or his authorized representative shall require, as an additional device for detecting concentrations of methane, that a methane monitor, approved as reliable by the Secretary after March 30, 1970, be installed, when available, on any electric face cutting equipment, continuous miner, longwall face equipment, and loading machine, except that no monitor shall be required to be installed on any such equipment prior to the date on which such equipment is required to be permissible under §§ 75.500, 75.501, and 75.504. When installed on any such equipment, such monitor shall be kept operative and properly maintained and frequently tested as prescribed by the Secretary. The sensing device of such monitor shall be installed as close to the working face as practicable. Such monitor shall be set to deenergize automatically such equipment when such monitor is not operating properly and to give a warning automatically when the concentration of methane reaches a maximum percentage determined by an authorized representative of the Secretary which shall not be more than 1 volume per centum of methane. An authorized representative of the Secretary shall require such monitor to deenergize automatically equipment on which it is installed when the concentration of methane reaches a maximum percentage determined by such representative which shall not be more than 2 volume per centum of methane."

In support of its petition Indian Creek Mining Corp. makes the following representations:

"Section 75.313 requires that a methane monitor be installed on any electrical face cutting equipment, continuous miner, longwall face equipment, and loading machine. We hereby petition for modification of this section insofar as it applied to the installation of the methane monitor on the loading machine.

"(1) We operate a conventional section and we have a methane monitor mounted on the cutting machine, and all of the equipment operators and the section foreman are supplied with permissible methane detectors. The loading machine loads loose coal and the electrical components of the machine are never within 10 feet of the face of the coal. As of this date we have been unable to find a suitable mounting place on the loading machine, to install a methane monitor so that it will be effective.

"(2) We are operating a small underground mine one shift per day with 13 men working inside and are producing 200 tons of Sewickey Coal. We have developed approximately 90 percent of our mine and at the present time we are retreating. Our main ventilation fan operates continuously 24 hours per day, 7 days per week.

"(3) We are attaching copies of the analysis of air samples made at different times by the Bureau of Mines Inspectors. These reports show percent in volume of methane, and cubic feet of methane in 24 hours.

"(4) In view of paragraphs 3 and 4, we feel that the deleting of the methane monitor on our loading machine will not affect the protection of the miners that work inside the mine."

Parties interested in this petition shall file their answer or comments and their request for a hearing, if they wish one, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, Ballston Tower No. 3, 4015 Wilson Boulevard, Arlington, VA 22203. Copies of the petition are available for inspection at that address.

GILBERT O. LOCKWOOD,
Acting Director,
Office of Hearings and Appeals.

AUGUST 28, 1972.

[FR Doc.72-15069 Filed 9-5-72;8:46 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

EARTH RESOURCES SURVEY PROGRAM DATA

Notice of Availability

CROSS REFERENCE: For a document relating to the availability of the Earth Resources Survey Program Data issued jointly by the Departments of Agriculture and Commerce, see F.R. Doc. 72-15054, Department of Commerce, National Oceanic and Atmospheric Administration, *infra.*

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

EARTH RESOURCES SURVEY PROGRAM DATA

Notice of Availability

Notice is hereby given that, pursuant to the authority contained in 5 U.S.C. 552, Freedom of Public Information Act, the Departments of Agriculture and Commerce have earth resources survey data available for inspection and subsequent sale to the general public at several locations throughout the United States. Periodically additional data will be provided to the cited locations and notice of the availability of this data will be published in this register. All locations available for public inspection will be open daily from 9 a.m. to 3 p.m., except for weekends and legal holidays. Order forms, procedures, and prices of the various materials will be posted in each location. An attached list gives the specific locations of each site available for public use.

The public will find that earth resource survey program data may be useful in determining soil and vegetation types, moisture and snow cover, geologic formations, water turbidity, etc. The Department of Agriculture will service primarily those interested in information related to agriculture. The Department of Commerce will service those primarily interested in information related to the oceanic, hydrologic, and atmospheric areas of interest.

At the present time, there are three primary sources of data: The various aircraft imagery, images from the Gemini and Apollo spacecraft, and the earth resources technology satellite imagery. The aircraft data ranges in altitude from a few hundred feet above the surface to more than 60,000 feet above the surface. The Gemini and Apollo spacecraft data orbit altitudes were approximately 100 to 120 miles. The earth resources technology satellite orbit altitude is approximately 500 miles. Both the aircraft and Gemini and Apollo data are limited in geographical coverage and frequency. The earth resources technology satellite data covers a large proportion of the earth between 81° north and south latitude, and repeats the coverage at least once each 18 days.

EARTH RESOURCES SURVEY PROGRAM

SITES OPEN FOR PUBLIC INSPECTION OF DATA

Department	*Address*
Agriculture ----	Western Aerial Photography Laboratory, 2505 Parley's Way, Salt Lake City, UT 84109.
Commerce ----	National Environmental Satellite Service (ESG), Suite 300, 3757 Branch Avenue, Hillcrest Heights, MD 20031.
	National Ocean Survey C3413, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.
	National Weather Service W143x2, 8060 13th Street, Silver Spring, MD 20910.
	National Oceanographic Data Center, 6001 Executive Boulevard, Rockville, MD 20852.
	Atlantic Oceanographic and Meteorological Laboratories, 15 Rickenbacker Causeway, Virginia Key, Miami, FL 33149.

Commerce—Continued

Department	*Address*
	Atlantic Marine Center, 439 West York Street, Norfolk, VA 23510.
	National Weather Service Eastern Region, 585 Stewart Avenue, Garden City, NY 11530.
	Middle Atlantic Fisheries Research Center, Woods Hole, Mass. 02543.
	National Climatic Center, Federal Building, Asheville, N.C. 28801.
	Lake Survey Center CLx13, 630 Federal Building and U.S. Courthouse, Detroit, Mich. 48226.
	National Weather Service Central Region, 601 East 12th Street, Room 1836, Kansas City, MO 64106.
	National Weather Service Southern Region, 819 Taylor Street, Room 10E09, Fort Worth, TX 76102.
	National Weather Service Western Region, Box 11188, 125 South State Street, Salt Lake City, UT 84111.
	National Weather Service Alaskan Region, 632 Sixth Avenue, Anchorage, AK 99501.
	National Weather Service Pacific Region, Bethel-Paushi Building, 1149 Bethel Street, Honolulu, HI 96813.
	National Severe Storms Laboratory, 1616 Halley Avenue, Norman, OK 73069.
	Aeronomy and Space Data Center, Radio Building No. 3, Boulder, Colo. 80302.
	Central Pacific Fisheries Research Center, 8604 La Jolla Shores, La Jolla, CA 92037.
	Marine Minerals Technology Center, Post Office Box 98, Tiburon, CA 94920.
	North Pacific Fisheries Research Center, 1319 Second Avenue, Room 6116, Arcade Building, Seattle, WA 98102.
	Office of Sea Grant, University of Wisconsin, 1225 West Dayton Street, Madison, WI 53706.
	Office of Sea Grant, Center for Marine Resources, Texas A. & M. University, College Station, Tex. 77843.

T. P. GLEITER,
Assistant Administrator for Administration National Oceanic and Atmospheric Administration.

AUGUST 23, 1972.

[FR Doc.72-15054 Filed 9-5-72;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Pet. 56]

TEXAS SOUTH-EASTERN RAILROAD CO.

Notice of Petition for Exemption Regarding Hours of Service

AUGUST 31, 1972.

The Texas South-Eastern Railroad Co. has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a(e) for an order exempting it, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. Secs. 61, 62, 63, and 64.

Interested persons are invited to participate by submitting written data, views, or comments. Communications should identify the docket number and notice number, and should be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Attention: Docket No. FRA Pet. No. 56, 400 Seventh Street SW., Washington, DC 20590. Communications received before September 30, 1972, will be considered by the Federal Railroad Administrator before taking final action. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5428, Nassif Building, 400 Seventh Street SW., Washington, DC.

JOHN E. ROURKE,
Chairman, Railroad Safety Board.

[FR Doc.72-15109 Filed 9-5-72;8:50 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-400, etc.]

CAROLINA POWER & LIGHT CO.

Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated August 18, 1972, a copy of which is attached below.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed within thirty (30) days after publication of this notice in the FEDERAL REGISTER, either (1) by delivery to the AEC Public Document Room at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attn: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust and Indemnity, Directorate of Licensing.

AUGUST 18, 1972.

Carolina Power & Light Co.—Shearon Harris Nuclear Power Plant, Units 1, 2, 3, and 4, AEC Docket Nos. 50-400, 50-401, 50-402, and 50-403, Department of Justice File 60-415-52.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act of 1954, 68 Stat. 919, 42 U.S.C. 2011-2296, as amended by Public Law 91-560, 84 Stat. 1472, in regard to the above application.

INTRODUCTION

The Harris nuclear generation station consisting of four units, to be built by Carolina Power & Light Co. (CP & L) is scheduled for completion and operation over a period from 1977 to 1980. Each unit coming on stream at annual intervals will add 900 MW to the applicant's dependable capacity. Sited on 18,000 acres in Wake and Chatham Counties, N.C., the station will be located not far from Raleigh, the State capital. The total cost of the plant, including related items and procurement of initial reactor cores for the four units, is estimated at $1.05 billion. This will be financed as an integral part of the applicant's extensive total construction program amounting to $3.5 billion over the period 1971-1980. Approximately 16 percent will be provided internally by depreciation and retained earnings, with the remainder obtained from periodic sales of new debt and equity securities.

THE APPLICANT

CP & L headquartered in Raleigh, N.C. is a fully integrated electric utility, engaged in the generation, transmission, distribution and sale of electricity at both wholesale and retail. The territory it serves, an area of approximately 30,000 square miles, includes a substantial portion of the Coastal Plain in North Carolina extending from the Pamlico River to the South Carolina border; the lower Piedmont section in North Carolina and in South Carolina; and a separate area in western North Carolina in and around the city of Asheville, which is connected to CP & L's main system by the transmission lines of Duke Power Co. and Appalachian Power Co. With estimated total population of its service area exceeding 2,800,000, the applicant as of April 30, 1971, furnished electric service to approximately 569,000 customers.

Applicant operates a substantial number of steam, hydro, nuclear, and internal combustion generating units. Its net dependable capacity in 1972, including purchased power on a firm commitment basis, amounts to 4,753 MW. Its 1971 summer peak load was 3,795 MW. In addition, it operates an extensive network of transmission lines ranging between 66 and 230 kv which blanket its service area and total some 4,200 circuit miles. It also has a distribution system of 31,000 pole miles to serve its retail customers. Apart from interchange with other major utilities, applicant also sells power at wholesale to 18 electric membership cooperatives, 24 municipal systems and two small investor-owned distribution utilities, accounting for about 12 percent of its total electric operating revenues in 1971.

RELATIONS WITH OTHER UTILITIES

Applicant was a member of the Carolinas-Virginia Power Pool (CARVA) with its neighboring major utilities: Duke Power Co. to the west, Virginia Electric and Power Co. (VEPCO) to the northeast, and South Carolina Electric & Gas Co. (SCEG) to the south. This pool, discontinued in 1970 but retaining some residual reserve sharing features until 1973, has been superseded by bilateral contracts between the companies for emergency assistance and interchange of power. These agreements have stemmed from CP & L's adherence to the Virginia-Carolinas Reliability Agreement to augment the reliability of bulk power supply systems in the area and its membership in the Virginia-Carolinas subregion of the South Eastern Reliability Council. Other members include Yadkin, Inc., an industrial power supplier; Interior Department's Southeastern Power Administration (SEPA); South Carolina Public Service Authority, a State-owned fully integrated utility (also known as Santee-Cooper); and the other former members of the CARVA Pool. The applicant also has interconnection agreements with SEPA, Yadkin, Appalachian Power Co., and Tennessee Valley Authority.

These numerous interconnection agreements have enabled CP & L to obtain the full benefits of reserve sharing, exchange of power, and coordinated development with other utilities which are necessary for maximum economical and reliable service. They have made economically feasible its construction of the very large Harris nuclear plant of 3,600 MW to achieve maximum economies of scale in bulk power supply.

We have noted that the applicant serves at wholesale, 18 co-ops, 24 municipal systems and two small privately owned systems. Except for the cities of Bennettsville and Camden, S.C., all these customers are in North Carolina. None of these entities has its own generation or transmission facilities. All but two of these co-ops, plus one town, have obtained a small portion of their power requirements from the John Kerr Dam and Reservoir Project of SEPA, wheeled to them by CP & L. Two co-ops on the borders of the applicant's territory also get some portion of their bulk power needs from Duke or VEPCO. Still, it appears that these smaller wholesale customers are either totally or almost totally dependent on CP & L for their bulk power requirements.

COMPETITIVE CONSIDERATIONS

Earlier letters of advice have made clear that in the electric power business there can be considerable scope for competition among suppliers at both wholesale and retail. In this case, however, State law has restricted the competitive possibilities in retail sales. In North Carolina, 1965 legislation in general established exclusive territories around the distribution lines of "electric suppliers," i.e., private utilities and co-ops; provided for further detailed territorial assignment of areas of operation by the State regulatory commission; and restricted the rights of these suppliers to provide service within the corporate limits of a municipality (North Carolina General Statutes, sections 62-110.2 and 160-510 to 519). In 1969 South Carolina enacted similar legislation (Code of Laws of South Carolina, sections 24-13 to 18), although, unlike North Carolina, its State-imposed assignment of territories is not yet complete. Nevertheless, there still remains in both States room for competition at retail in unassigned territories, on the borders of territories and in attracting large new industrial loads to a territory. And there remain the opportunities for competition in furnishing alternative supplies of bulk power to retail distributors.

Complaints concerning CP & L's practices in these competitive areas have reached us principally from two sources. The first is

a group of 14 North Carolina municipalities which in 1969 had petitioned to intervene before the Atomic Energy Commission to obtain an ownership share in CP & L's Brunswick nuclear plant (AEC Dockets Nos. 50-324 and 50-325). CP & L has not undertaken to discuss with those intervenors their request to participate in the Brunswick plant. In light of this, the municipalities report that they have made no request with respect to the Harris plant. The second source is EPIC, Inc., a group of North Carolina municipalities and cooperatives organized in the late 1960's to study the feasibility of building its own generation and transmission system.. Pending these plans, EPIC acts as a bulk power purchasing agency for its members, which include all of the cooperatives which are wholesale customers of CP & L and all but one of its municipal customers. These sources have brought to our attention a number of allegations of practices by the applicant which might raise serious antitrust questions.

It is claimed that applicant has not responded to the requests by EPIC, Inc., for bulk power supply coordination, including the possibility of sharing in the ownership of bulk power generation facilities. It circularized prospective municipal members with letters of opposition and sent representatives on appearances before municipal authorities. As was alleged with respect to Duke Power Co. in its relations with EPIC,[1] there were intimations that CP & L would refuse EPIC the cooperation and coordination which CP & L maintains with other major systems, which would be necessary to make the new EPIC system economically feasible.

It is said also that CP & L's wholesale contracts have contained restrictive provisions inhibiting its customers' ability to compete with it at wholesale and retail. Its contracts with cooperatives allocated territories and prohibited use of power in parallel from another source except by its permission. This gave CP & L effective veto power over use of alternate suppliers, since it rarely would be feasible to use another power source in isolation on a portion of the customer's system. In the recent settlement of the applicant's wholesale power rate case before the Federal Power Commission, FPC Docket No. E-7564, the settlement agreement provided for amendment of the contracts with cooperatives to eliminate territorial allocation provisions[2] but retain CP & L's veto over outside suppliers.

Though a wholesale rate settlement was also made with CP & L municipal customers, no equivalent amendment was made in their existing contract terms. Thus, many of these contracts continue to contain limitations on the geographical area where purchased power may be resold, as well as restrictions against resale to customers with larger than stipulated loads. Applicant contends that these provisions were originally intended to protect the municipals—to insulate them against being called on to serve outside of designated areas and at loads their systems were not designed to serve. CP & L alleges that its policy now is to modify or eliminate these restrictions upon the request of the customer, and that, in any event, the provisions have not been observed by the customer or insisted upon by the applicant.

When the above-described allegations were discussed with CP & L, it conceded that many of the actions took place, but firmly denied the characterization placed upon them by the complainants. With respect to its purported denial of access to participation in the Brunswick plant (which the protestants have assumed to extend also to the present Harris plant) CP & L officials make the following points: That without any prior offer to them the 14 North Carolina municipalities petitioned to intervene in the Brunswick application proceeding and demanded therein a "fair share" of ownership in the plant; that no direct request of CP & L was made before or since, nor was any elucidation made of what the intervenors considered a fair share; that CP & L's alleged refusal to deal consisted solely of an answer to the petition, challenging the Commission's jurisdiction under the then-existing law.

Competitive Implications

We do not believe that any question of denial of access to an ownership share of Harris nuclear plant need be considered here at this time. As we noted, there has been no request for a share in the Harris plant by the 14 municipalities which attempted to intervene in the Brunswick proceeding or by any other entity, and the municipalities contend that any such request would have been futile. The municipalities have "grandfather" rights in the Brunswick proceeding under section 105(c)(3) of the Atomic Energy Act, as amended. When CP & L makes application for an operating license, the merits of the municipalities' requests for participation will be before the Commission. Moreover, officials of CP & L have represented to us that the company is willing to discuss seriously ownership participation in nuclear plants by outside electric entities on reasonable terms. If the municipalities indicate a serious interest in participating in a CP & L nuclear generating plant, pursuant to these representations, and are rebuffed, the Brunswick operating license proceeding will provide an appropriate forum for resolution of antitrust issues stemming from any such action.

Other antitrust questions do need to be considered here. The applicant possesses a substantial degree of monopoly control over generation and transmission in its service area. Its wholesale customers presently have no alternative source of bulk power supply, and the development of EPIC as a future alternative is confronted with many difficulties. Some of the facts and allegations reviewed above would suggest that applicant has consciously sought to maintain that control. Thus there are indications that CP & L may have threatened refusal to interconnect and coordinate with EPIC, and that it has imposed contractual restrictions upon its wholesale customers which have limited their bulk power supply alternatives and restrained their retail competition with CP & L.

Principles which have evolved under the antitrust laws must be viewed as placing distinct limits upon an integrated utility's exercise of monopoly power to prevent its wholesale customers and other competing retail distribution systems from developing alternative sources of bulk power supply. Section 2 of the Sherman Act is particularly relevant to this situation. As the Supreme Court stated, "The offense of monopoly under section 2 of the Sherman Act has two elements: (1) The possession of monopoly power in the relevant market and (2) the willful acquisition or maintenance of that power as distinguished from the growth or development of a superior product, business acumen, or historic accident." United States v. Grinnell Corp., 384 U.S. 563, 571 (1966). No proof of specific intent to violate the antitrust laws is required in a section 2 monopolization case. See United States v. Griffith, 334 U.S. 100, 105 (1948); United States v. Grinnell, 236 F. Supp. 244, 248 (D. R.I. 1964); affirmed 384 U.S. 563. Rather the question is whether a person who maintains a monopoly has separately, or with others, carried out business policies which raise unnecessary "barriers to competition." United States v. United Shoe Machinery Corp., 110 F. Supp. 295, 344, 345 (D. Mass. 1953), affirmed per curiam, 347 U.S. 521.

Importance of the Present Application to CP&L's Bulk Power Supply

There can be no doubt that the Harris units are of the greatest possible importance to CP&L's overall bulk power supply. These units will represent approximately half of the new generating capacity to be installed by applicant between now and 1980. Together with the smaller capacity Brunswick units which are scheduled to commence operation in 1974 and 1975, these units will by 1980 provide nuclear generation approximating 45 percent of CP&L's total installed generating capacity.

Conclusion

When the matters outlined above were raised with CP&L, it denied that any of its actions were taken with the intent to monopolize or that they have had such an effect. It has, however, agreed to the imposition of a series of license conditions which should assure that the smaller systems in CP&L's area will be able to evaluate the feasibility of a number of future bulk power supply alternatives without being limited by CP&L's control over existing generation and transmission. Applicant has agreed to interconnect and coordinate reserves with any entity in its area engaging in or proposing to engage in bulk power production, to arrange mutually beneficial bulk power purchases and sales with any such entity, to coordinate in the planning of new generation and transmission, and to wheel power over its system between entities with which it is interconnected. It has also agreed to eliminate or appropriately modify restrictive contract provisions. These commitments, set forth in the attached letter of applicant to the Department of Justice, dated August 18, 1972, collectively state a policy which should tend to eliminate abuses possible from applicant's monopoly control over transmission.

It appears that if the commitments set forth in paragraphs Nos. 1 through 7 of CP&L's letter of August 18, 1972, were to be imposed as license conditions by the Commission, the question of accommodating antitrust policies with power needs in this case would be satisfactorily resolved. Accordingly, we recommend that these commitments by CP&L be imposed by the Commission as license conditions, as agreed to by the applicant. If this were done there would be no need for an antitrust hearing in this matter.

Mr. Joseph J. Saunders,
Chief, Public Counsel and Legislative Section, United States Department of Justice, Washington, D.C. 20530.

August 18, 1972.

Re Carolina Power & Light Co., Shearon Harris Nuclear Power Plant, Units 1, 2, 3, & 4; Application for License to Construct Nuclear Utilization Facilities; AEC Dockets Nos. 50-400, 50-401, 50-402—50-403.

Dear Mr. Saunders: We appreciate the opportunity to discuss various matters involved in the review by your section of the Department of Justice relating to the pending license application of this company (Appli-

[1] See Department's letter of advice, dated August 2, 1971, which recommended an antitrust hearing with respect to Duke Power Co.'s application for its Oconee plant, AEC Dockets Nos. 50-269, 50-270, and 50-287.

[2] It should be noted that these provisions were no longer needed, having been superseded by the 1965 North Carolina statute establishing exclusive territories as between private utilities and cooperatives.

cant) before the Atomic Energy Commission for the construction of nuclear utilization facilities, as referenced above.

We understand that your review of this application has raised certain questions under the antitrust laws relating to the bulk power supply policies of the Applicant. While it is the position of Applicant that its activities, and in particular its bulk power supply policies, should not concern any such questions, the Applicant submits this letter setting forth certain statements regarding such policies.

For the purpose, solely, of obviating the possibility of a hearing on possible antitrust issues in the above-referenced proceeding and in an attempt to avoid potential adverse economic and power supply shortage consequences to the Applicant and its consumers which might result from a delay imposed by such a hearing, the Applicant sets forth in the appendix to this letter policies which it will maintain during the period of this license. It is understood that this statement of policy satisfies the Department's antitrust questions and will enable the Department to render a no hearing antitrust advice letter.

Referring to policies concerning some of Applicant's older contracts with municipal systems, there are certain load and service area limitations that were included by mutual agreement, as to which it is, and for a number of years has been, the policy of the Applicant to modify or eliminate such provisions upon request. It is Applicant's position that such provisions have not resulted in any limitations upon the growth of these municipal systems. Even though these limitations may not have been complied with by the municipal system or insisted upon by Applicant, nor requested to be deleted by either party, the Applicant, as requested by your office will undertake to negotiate with its wholesale customers amendments to its wholesale contracts and file the amended contracts with the Federal Power Commission as set forth below.

We understand through our discussions that questions of sales of "unit power" at the cost of new power supply or of engaging in joint ventures regarding ownership of the subject units, have been reviewed by your office and need not be considered further in the proceeding relating to the subject units. Even so, it appears appropriate at this time to make known the Applicant's position on these matters. While the Applicant would be willing to discuss such matters, and any other matters of mutual interest, with other bulk power supply systems in its service area, the Applicant has not constructed and does not plan to construct, any jointly owned electric generating plants on its system. Applicant does not plan to sell unit power from the subject units or any future electric generating units. If the Applicant should subsequently construct generating plants on a joint ownership basis, or engage in the sale of unit power from such plants, it would be willing to negotiate with any other bulk power supply system in its service area with which it is interconnected concerning such matters on an equal basis.

A primary purpose of this statement of commitments as to Applicant's bulk power supply policies is to clarify such policies with respect to various systems with which Applicant may not now have agreements implementing the type of transactions herein described, and it is not intended to affect lawful agreements with the following bulk power suppliers: Appalachian Power Co., Duke Power Co., South Carolina Electric and Gas Co., South Carolina Public Service Authority, Southeastern Power Administration, Tennessee Valley Authority, and Virginia Electric & Power Co.

Nothing in this letter shall be construed to be a waiver by the Applicant of its rights to contest whether or not any factual situation may be inconsistent with any of the statements and policies expressed in this letter; nor does Applicant forego its rights to appear and express its position on behalf of or in opposition to any specific proposals relating to bulk power supply before any legislative, administrative, judicial, or other body.

The Applicant would not object to an inclusion of this letter in, and the statements and policies expressed herein being made conditions to the license applied for before the U.S. Atomic Energy Commission, as referenced above, specifically related to the Shearon Harris Nuclear Power Plant Units for which the subject application is pending.

Very truly yours,

SHERWOOD H. SMITH, JR.,
Senior Vice President and General Counsel, Carolina Power and Light Company.

LETTER OF AUGUST 18, 1972, CAROLINA POWER & LIGHT CO., PARAGRAPHS 1 THROUGH 7.

1. Applicant recognizes that it is generally in the public interest for electric utilities to interconnect, coordinate reserves, and engage in bulk power supply transactions, in order to increase electric system reliability and reduce the costs of electric power. Bulk power supply arrangements should be such as to provide benefits, on balance, each to Applicant and to the other participant(s), respectively. The benefits to participants in such arrangements need not be equal and the benefits realized by a small system may be proportionately greater than those realized by a larger system. In implementing the commitments which it makes in the succeeding paragraphs, Applicant will act in accordance with the foregoing principles.

2. Applicant will interconnect with and coordinate reserves by means of the sale and exchange of emergency bulk power with any entity or entities in its service area engaging in or proposing to engage in electric bulk power supply on terms that will provide for Applicant's costs (including a reasonable return) in connection therewith and allow the other participant(s), as well as Applicant, full access on a proportionate basis to the benefits of reserve coordination. ("Proportionate basis" refers to the equalized percentage of reserves concept rather than the largest single-unit concept, unless all participants otherwise agree.)

3. Applicant will purchase from or sell "bulk power" to any other entity in its service area engaging in, or preparing to engage in the generation of electric power in bulk at the seller's cost (including a reasonable return) whenever such transactions would serve to reduce the overall costs of new bulk power supply, each, for itself and other participant(s) to the transaction, respectively. ("Costs" refers to costs of bulk power supply determined in accordance with the seller's normal practices, without regard to the purchaser's intended use of the power or the status of the purchaser.) This paragraph refers specifically to the opportunity to coordinate in the planning of new generation transmission, and associated facilities. If Applicant questions the desirability of a proposed transaction on the ground that it would not reduce its overall bulk power costs, it will make available upon request to the entity proposing the transaction such information as is relevant and reasonably necessary to establish its bulk power costs.

4. Applicant will facilitate the exchange of bulk power by transmission over its system between, or among, two or more entities with which it is interconnected on terms which will fully compensate it for the service performed, to the extent that such arrangements reasonably can be accommodated from a functional and technical standpoint.

5. Applicant will sell power in bulk to any entity in the aforesaid area now engaging in or proposing to engage in the retail distribution of electric power.

6. The implementation of these numbered paragraphs shall be in all respects on reasonable terms and conditions as consistent with the Federal Power Act and all other lawful regulation and authority, and shall be subject to engineering and technical feasibility for applicant's system. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any entity in its service area engaging in or proposing to engage in bulk power supply transactions, but Applicant shall not be required to enter into any final arrangements prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions.

7. Applicant will undertake to negotiate with its wholesale customers the following amendment to its wholesale contracts and file the amended contracts with the Federal Power Commission:

(a) In contracts with the municipalities of Apex, Bennettsville, Clayton, Fremont, LaGrange, Laurinburg, Louisburg, Lumberton, Pikeville, Red Springs, Selma, Smithfield, Southport, Wake Forest, and Waynesville, and with the private utility, Laurel Hill Electric Co., Inc., restrictions on size of load to be resold and the area of resale shall be eliminated. These restrictions are contained in section 7 of the applicable contracts, except that in the contract with Louisburg they are in sections 7 and 8. As to any such contract that may have expired, such restrictions will be omitted from any successor contract.

(b) In contracts with each of applicant's rural electric cooperative customers, wherever found, the provision reading:

The portion of customer's electric system supplied through any point of delivery under this contract shall not be connected at any time with any other source of power unless mutually agreed to previously.

shall be deleted and the following paragraph substituted:

Electricity supplied by the company shall not be electrically connected with any other source of electricity without reasonable written notice to the company and agreement by the parties on such measures or conditions, if any, as may be required for the protection and reliability of both systems.

[FR Doc.72-15086 Filed 9-5-72;8:48 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24696; Order 72-8-111]

AIR TRAFFIC CONFERENCE OF AMERICA

Order Deferring Action and Requesting Comments Regarding Sales Agency Procedures

Issued under delegated authority August 25, 1972.

The Air Traffic Conference of America (ATC) on behalf of its air carrier members has filed with the Board under section 412 of the Federal Aviation Act of 1958, as amended (the Act), an agree-

ment (CAB 5044–A154) proposing changes in the Air Traffic Conference Agency Resolution (ATC Resolution 80.10) and the Air Traffic Conference Sales Agency Agreement (ATC Resolution 80.15).

The agreement deals, in part, with three basic areas of air carrier/agency relationship, i.e., (1) minimum safeguards for the protection of airline ticket stock, identification plates, and standard ticket forms; (2) the securing of passenger accommodations on aircraft; and (3) definition and use of the terms "agent" and "common control".[1]

Upon consideration of these matters, it is concluded that the agreement raises issues which may be of significance to members of the public, ATC agents, and others. Accordingly, we shall defer action on the matter temporarily and allow an opportunity for interested persons to file written comments in support of or in opposition to approval of the provisions of the agreement mentioned above.

The proposed changes provided for by the agreement are as follows:

1. *Minimum safeguards.*[2] The agency resolution would be amended to require that an applicant for ATC agency approval (a) furnish satisfactory evidence that it will meet the minimum safeguard requirements set forth in Schedule B of the agency agreement; and (b) not be included on the agency list if such safeguards are not met. The minimum safeguard standards are quoted in the appendix hereto.

At the present time these standards must be met only if an approved agent is to be relieved of liability for losses. Thus, under paragraph 18 of the sales agency agreement, if an existing agent meets such standards he may, under certain conditions, be relieved of liability for losses arising from the proven theft of airline ticket stock, etc., from his premises. Under the proposed amendment to the agency resolution an applicant would have to make arrangements for, and agree to meet, the minimum safeguards prior to his inclusion on the agency list. It is desired that the air carriers explain the reasons for imposing the requirement on all new applicants.

2. *Securing of accommodations.*[3] The agreement proposes (a) to revise procedures governing requests by agents for space on an air carrier by providing that (if the carrier so requires) the agent must obtain a deposit in the proper amount from the client; (b) to require that the agent, when requested by the carrier, provide the carrier with the passenger's address or telephone number; (c) to insure that tickets be issued in accordance with the reservation status of each flight section as advised by the carrier (i.e., the agent should not issue a ticket for a flight section for which space has not been reserved); (d) to require that all reservations for a specific itinerary be requested through one carrier, with the exception that duplicate protective reservations may be made where the agent is unable to obtain confirmed space on the carrier of the client's choice; and (e) to establish procedures to be followed by agents when making reservations for a group.

At the present time an agent is not required to collect a deposit from its client when requesting reservations on a carrier. Nor is he now required to furnish information which would enable the carrier to contact the passengers. In addition, the sales agency agreement has not heretofore included requirements governing (a) the issuance of tickets in accordance with the reservations status of each flight section; (b) the requesting of itinerary reservations through one carrier; and (c) procedures for making reservations for a group.

To assist our understanding of these proposals, it is desired that the ATC members advise the Board of the underlying purpose of each change contemplated. Such explanation should include illustrations of situations in which an agent might be requested (1) to secure a deposit from a client (and the basis for the amount of the deposit), and (2) to secure passenger "contact" data.

3. *Definition and use of terms agent and common control.*[4] It is proposed that the agency resolution be amended (a) to revise the definition of agent (for purposes of that section of the agency resolution concerning defaults by agents) to include all parent and subsidiary authorized agency locations and all authorized agency locations under common control; (b) to define the terms "control" and "common control";[5] and (c) to prohibit a place of business from being placed on the ATC agency list where the agent or applicant does 20 percent or more of its gross air transportation yearly business as agent with itself and/or other person which controls, is controlled by, or is under common control with, the agent.

The sales agency agreement is amended to prohibit the payment of commissions to an agent for air transportation sold to the agent or to any person which owns, controls, is controlled by, or is under common control with, the agent or any officer, director, or employee of the foregoing.

At the present time the agency resolution does not specifically refer to parent and subsidiary authorized agency locations in its definition of agent. Similarly, the resolution does not define control and common control. Nor does the agency resolution specifically refer to a prohibition with respect to placement on the agency list where an agent does 20 percent of its business with itself or persons which it controls or is under common control with.[6] Further, the agency agreement, in its present form, does not specifically prohibit payment of a commission to an agent for a ticket issued to the agent or to any person which owns, controls, is controlled by, or is under common control with the agent.[7]

In light of the foregoing, an explanation is requested as to the basic purpose of the changes and the background of each aspect of these amendments. In addition, we wish to know specifically the effect, in terms of the steps which can be taken against an agent under section VII (Defaults by Agents) of the agency resolution, the proposals concerning common control will have on those situations where two agencies are operating under different names, pursuant to separate appointments, but are controlled by the same person.

As noted above, the agreement contemplated important changes in the existing air carrier/agency relationship. For this reason, and absent supporting data from the air carrier members of ATC, it appears appropriate to allow an opportunity for comment by all interested persons.

Acting pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.3, it is concluded that it is in the public interest to defer action on the agreement in order to permit interested persons to file comments as provided for herein.

Accordingly, it is ordered, That:

1. Action on Agreement CAB 5044–A154 be and it hereby is deferred;

2. The air carrier members of ATC may file comments on Agreement CAB 5044–A154 as discussed herein within 14 days from the date of this order;

3. All other interested persons are afforded a period not exceeding 21 days from the date of this order to file comments in support of or in opposition to approval of Agreement CAB 5044–A154;[8]

4. Rebuttal comments may be filed by those persons filing initial comments pur-

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[1] We shall consider separately the proposed amendment to change the scope of air sales which form the basis for determining the amount of the bond required of all ATC agents.

[2] Changes in this particular area would become effective after Board approval of such changes.

[3] This particular change would become effective at such time as the sales agency agreement is amended for other purposes.

[4] Subject to prior approval by the Board.

[5] A new subsection would be added to section I (Definitions) of the agency resolution to read as follows: "BB. The term 'control' means the power or authority to manage, direct, superintend, restrict, regulate, govern, administer, or oversee; and the term embraces every form of control, actual or legal; direct or indirect; negative or affirmative; individual, joint, several, or family; without regard to the type or number of intervening or supervening persons involved. Two persons are under 'common control' when a third person(s) controls both."

[6] At the present time the agency resolution does prohibit a place of business from being included on the agency list where it appears that the agent is owned or controlled by a single entity or person with which the agent does or will do 20 percent or more of his gross air transportation yearly business as agent.

[7] The agency agreement does prohibit payment of a commission to an agent for a ticket issued to any person who has a financial interest in the agent.

[8] We note that the Association of Retail Travel Agents has already filed comments concerning the Agreement. These comments, as well as such additional comments as may be filed pursuant to this ordering paragraph, will be considered in reaching final decision in this proceeding.

suant to paragraph 2 hereof within 28 days of the date of this order;

5. This order shall be served upon the Air Traffic Conference of America and each air carrier member thereof, the American Society of Travel Agents, the Association of Retail Travel Agents, and the Department of Justice;

6. Comments filed pursuant to ordering paragraphs 2, 3, and 4 shall be served on all persons named in ordering paragraph 5; [9]

7. Rebuttal comments filed pursuant to ordering paragraph 4 shall be served upon all persons filing initial comments pursuant to ordering paragraph 3; and

8. This proceeding shall be assigned Docket 24696.

This order shall be published in the FEDERAL REGISTER.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

[SEAL] HARRY J. ZINK,
Secretary.

APPENDIX

[Resolution 80.15]

SCHEDULE B

MINIMUM SAFEGUARDS TO PROTECT AIRLINE TICKET STOCK, MCO'S IDENTIFICATION PLATES AND OTHER STANDARD TICKET FORMS

1. No agency location shall maintain more than an estimated 3 months' supply of airline ticket stock at any one time. Orders for additional standard ticket stock must take the current inventory into account to preclude the buildup of excessive inventory.

2. All tickets and MCO's other than a 2-day working supply, shall be maintained in a bank safety deposit box or equivalent off-premises security facility. The 2-day working supply, during the hours the office is closed, shall be locked in a steel container or safe.

3. Where it is impossible or impracticable to obtain the off-premises storage set forth in the first sentence of 2 above, a safe or vault must be used which meets the approval of the Underwriter Laboratories sponsored by the National Board of Underwriters. Such safes/vaults must contain separate compartments with locks, weigh at least 400 pounds net, and carry A, B, or C classifications, and must be secured or bolted to preclude movement within or quick removal from the premises.

4. Validator plates must be stored in locked compartments separate and apart from the safeguards provided for the storage of ticket stock (i.e., separate compartments of 3 above or separate locked steel container).

5. All means of access to the office(s) must have locks which must be secured when the office(s) is/are not manned by agency personnel.

[FR Doc.72-15101 Filed 9-5-72;8:49 am]

[9] An original and 2 copies of all comments filed pursuant to ordering paragraphs 2, 3, and 4 hereof shall be filed with the Board's Docket Section.

[Docket No. 23333; Order 72-8-91]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rate Matters

Issued under delegated authority August 22, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the traffic conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB agreement number, was adopted as a result of the fourth meeting of the Cargo Traffic Procedures Committee held March 20–25, 1972, in Geneva.

In addition to incorporating technical and procedural changes to existing resolutions governing demurrage provisions on bulk unitization charges, the agreement would amend existing resolutions and establish a new recommended practice governing procedures and format with respect to the air waybill/consignment note for both manual execution and for transmission by teletype or other electronic means. The agreement also incorporates a new resolution which would institute, for an experimental 2-year period, fractionless billing of freight charges within the area comprised of Denmark, Norway, and Sweden.

By Order 72-8-28 of August 7, 1972, the Board extended through October 31, 1972, its earlier approval, subject to conditions,[1] of resolutions governing the procedures and standard IATA format of air waybills/consignment notes. The subject agreement would alter the shipper's certification box on the face of the air waybill to clarify to some extent limitations on the carrier's liability, the shipper's right to increase such monetary limit of liability by a declaration of greater value, and the means by which he can exercise this right. Other amendments to resolutions prescribing the configuration of the air waybill would establish a standardized format which eliminates provisions for the accommodation of international route charges, and strikes all references to such charges in the governing resolutions. However, the agreement would permit carriers to use up existing stocks of waybills containing spaces designated for the insertion of international route charges. Accordingly, our approval herein of the continued use of this format will reiterate the Board's condition that the carriers clearly indicate on their shipping documents that international route charges do not apply to or from the United States, its territories, or possessions.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, which are incorporated in agreement CAB 23225 as indicated, are adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is subject to the conditions hereinafter ordered:

Agreement CAB 23225	*IATA Resolutions*
R-1	204(CTPC)023c.
	JT12(4/CTPC)023c.
	JT23(4/CTPC)023c.
	JT123(4/CTPC)023c.
R-2	104(CTPC)531.
	204(CTPC)531.
	304(CTPC)531.
R-3	JT12(4/CTPC)534a.
R-4	JT12(4/CTPC)534b.
R-5	JT12(4/CTPC)534c.
R-6	JT23(4/CTPC)535.
R-7	JT31(4/CTPC)536b.
R-9	104(CTPC)600j I.
	204(CTPC)600j I.
	304(CTPC)600j I.
R-10	104(CTPC)600j II.
	204(CTPC)600j II.
	304(CTPC)600j II.
R-11	104(CTPC)600k I.
	204(CTPC)600k I.
	304(CTPC)600k I.
R-18	204(CTPC)1295e.
	304(CTPC)1295e.
	JT23(4/CTPC)1295e.
	JT123(4/CTPC)1295e.

Accordingly, it is ordered, That:

Agreement CAB 23225, R-1 through R-7, R-9 through R-11, and R-18, be and hereby is approved, provided that in the event that air waybill/consignment note formats provide a designated space in which international route charges are to be noted, appropriate and adequate reference shall be made, on each copy or page containing such a space, to the effect that international route charges do not apply to or from the United States, its territories and possessions.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-15102 Filed 9-5-72;8:49 am]

[1] Order 72-8-86, dated Mar. 27, 1972.

[Docket No. 23333; Order 72-8-110]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rate Matters

Issued under delegated authority August 25, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air

Transport Association (IATA). The agreement, which was adopted by mail vote, has been assigned the above-designated CAB agreement number.

The agreement would amend an existing resolution governing bulk unitization charges on the North/Central Pacific by clarifying a provision pertaining to demurrage charges on shippers for use of carrier-owned unit load devices. This modification would bring the governing resolution into line with changes made by the fourth meeting of the Cargo Traffic Procedures Committee for application to all areas.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that Resolution JT31(Mail 228)536a, which is incorporated in Agreement CAB 23211, is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Agreement CAB 23211 be and hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HENRY J. ZINK,
Secretary.

[FR Doc.72-15103 Filed 9-5-72;8:49 am]

[Docket No. 23333; Order 72-8-119]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority August 28, 1972.

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

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated August 9, 1972, names additional specific commodity rates for the Atlantic and Pacific, as set forth in the attachment hereto,[1] which reflect reductions from the otherwise applicable general cargo rates.

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

Accordingly, it is ordered, That:

Agreement CAB 23246, R-1, R-2, and R-3, be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication: *Provided further,* That tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc. 72-15104 Filed 9-5-72;8:49 am]

[Docket No. 23333; Order 72-8-120]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority August 28, 1972.

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

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated August 17, 1972, names additional specific commodity rates for the North Atlantic as set forth in the attachment hereto.[1] These rates reflect reductions from the otherwise applicable general cargo rates.

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

Accordingly, it is ordered, That:

Agreement CAB 23265, R-1 through R-4, be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication, provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-15105 Filed 9-5-72;8:49 am]

[Docket No. 24705; Order 7-8-128]

PARTICIPATING AIRLINES

Order of Investigation and Suspension Regarding Multiple-Container Pickup and Delivery Charges at Numerous Points

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of August 1972.

By tariff revisions filed August 2 and marked to become effective September 1, 1972, participating airlines[1] propose, inter alia, to add pickup and delivery charges for containers including charges for more than one container. Under the proposal each container in a tender would be charged an amount that would vary depending upon the type (size) of container but not upon the weight of the shipment in the container. Discounts of generally 10 and 25 percent below the single-container rate would be offered when the number of containers picked up from one consignor or delivered to one consignee at one time at one address for one carrier is 2 or 3 containers, or 4 or more containers, respectively. The proposed charges would effect increases

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[1] Filed as part of the original document.

[1] Filed as part of the original document.

[1] Airline pickup and delivery services are typically performed by independent truckers, under contract with Air Cargo, Inc., the wholly owned subsidiary of the airlines. Rates for these services are published in Airline Tariff Publishers, Inc., Agent, CAB No. 19, in which the various airlines participate. The direct carriers participating in rates and charges at points involved in the proposal are Airlift International, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line Inc., Frontier Airlines, Inc., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., New York Airways, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Seaboard World Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc.

ranging to as much as 112 percent above, and reductions ranging to 71 percent below the pickup and delivery charges for similar bulk shipments (based on a sample).

In support of the proposed charges, the carriers have submitted a statement by Air Cargo, Inc. (ACI) asserting that the proposed charges equal the contractual rates negotiated by ACI (on behalf of the airlines) with the truckers at each point for providing the service plus a small administrative charge assessed by ACI; that the variations in charges from city to city are simply the result of negotiations with different truckers; that the Board has permitted bulk pickup and delivery rates for multiple shipments; that the only question under the instant proposal is a matter of size; and that the proposed charges would provide a substantial benefit to shippers.

A complaint requesting that the Board reject or suspend and investigate the proposed charges has been filed by The Flying Tiger Line Inc. (Tiger).[2] The complaint asserts, inter alia, that the proposal is not properly supported and therefore should be rejected; that the Board has consistently found that multicontainer discounts are unjustly discriminatory unless related to specific cost savings; that the discounts for picking up or delivering additional containers at the same place are not shown to be cost related; that under the proposal, containers tendered in excess of four would require an additional truck which would result in additional costs; that the proposed charges contain structural inconsistencies of such magnitude as to independently warrant rejection or suspension and investigation; and that the proposed charges would result in dilution of all cargo revenues due to the greater discounts offered Type LD-3 containers over the Type A containers.

Upon consideration of all relevant factors, the Board finds that the proposed multiple container pickup and delivery charges may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposed multiple container pickup and delivery charges should be suspended pending investigation. The Board does not find any valid basis for rejecting the proposed charges.[3]

The Board finds that the carriers have not provided adequate support for their proposal. The carriers have not submitted any data purporting to show the rationale for the varying differences in discounts as among different types of containers and for the same types of containers at different points. The carriers also do not show the basis for the varying effects, including increases, that the proposed charges would have when compared to current pickup and delivery charges for bulk shipments. While it is stated that the charges at the various cities have been based upon the ACI contract with local cartage agents and thus reflect the true costs to the participating carriers, the proposed schedules produce some apparent anomalies and we do not believe that this can, per se, justify such inconsistencies particularly in view of the discrimination that may result from the proposed charges.

We differentiate the instant proposal from the minimum charges for pickup and delivery of multiple-shipments at Philadelphia permitted to become effective by Order 72-5-4. The latter charges involved small shipments that would fit into a single truck resulting in obvious cost savings. Under the proposed charges, the cost savings are not as apparent, particularly where a number of the larger containers would be picked up or delivered. For example, if a tender consisted of five Type A containers where the cartage truck has sufficient capacity for only four containers,[4] then an additional truck with its attendant additional expenses would be required to pick up or deliver the remaining container.

In addition, as pointed out by the complainant, the Board has consistently refused to permit multicontainer rates to become effective where no showing has been made that the transportation of an additional container or number of containers would result in an identifiable cost savings.[5] We do not believe that the scanty information presented by the proponents justified a complete reversal of the Board's policy with respect to multicontainer rates.

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

It is ordered, That:

1. An investigation is instituted to determine whether the rates, charges and provisions described in Appendix A hereto[6] and rules, regulations, and practices affecting such rates, charges and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful rates, charges and provisions, and rules, regulations, or practices affecting such rates, charges and provisions;

2. Pending hearing and decision by the Board, the rates, charges and provisions described in Appendix A hereto[6] are suspended and their use deferred to and including November 29, 1972, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein designated Docket 24705, be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated;

4. Except to the extent granted herein, the complaint of The Flying Tiger Line Inc. in Docket 24670 is dismissed; and

5. Copies of this order be filed with the tariff and served upon Airlift International, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line, Inc., Frontier Airlines, Inc., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., New York Airways, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Seaboard World Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc., which are hereby made parties to Docket 24705.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-15106 Filed 9-5-72;8:49 am]

[Docket No. 24419]

SOCIETA' AEREA MEDITERRANEA SAM S.p.A.

Notice of Change in Hearing Room

Notice is hereby given that the hearing in the above-entitled proceeding assigned to be held on September 28, 1972, at 10 a.m. (local time), Universal Building, 1825 Connecticut Avenue NW., Washington, DC, will convene in Room 726 at the foregoing location instead of in Room 503 as previously scheduled (37 F.R. 1723, August 25, 1972).

Dated at Washington, D.C., August 30, 1972.

[SEAL] ROBERT L. PARK,
Associate Chief Administrative Law Judge.

[FR Doc.72-15100 Filed 9-5-72;8:49 am]

[Docket No. 23333; Order 72-8-92]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Reduced Fares for Cargo Agents

Correction

In F.R. Doc. 72-14666, appearing at page 17504, in the issue of Tuesday, August 29, 1972, the Order number should read as set forth above.

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[2] The complaint was erroneously captioned as against an ACI tariff. As pointed out in footnote one, ACI is the cartage agent for the airlines and in these circumstances, we will consider the complaint on its merits.

[3] In accordance with the Board's economic regulations, as presently written, inter alia, certain economic data is required upon which the filing carrier intends that the Board rely. The Board, however, has under consideration (notice of proposed rule making, EDR-226, Apr. 20, 1972) a proposed amendment to its economic regulations, which makes it clear that the economic data to be submitted is mandatory rather than optional.

[4] As noted by Tiger, a 40-foot truck holds only 4 Type A containers.

[5] See, for example, Orders 71-7-155/156 and 72-4-45.

[6] Filed as part of the original document.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF CHINA

Entry or Withdrawal From Warehouse for Consumption

AUGUST 31, 1972.

On March 10, 1972, there was published in the FEDERAL REGISTER (37 F.R. 5148) a letter of March 6, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs implementing those provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971 between the Governments of the United States and the Republic of China which establish specific export limitations on wool and man-made fiber textile products in certain categories, produced or manufactured in the Republic of China, for the agreement year beginning October 1, 1971.

The notice which accompanied the aforesaid letter, and was also published in the FEDERAL REGISTER on March 10, 1972, contained the following statement:

> The agreement also contains provisions for the establishment of consultation levels for those categories not having specific export limitations for the agreement year beginning October 1, 1971. These levels, which are initially to be controlled by the Government of the Republic of China, could at a later date be controlled by the U.S. Government like those categories having specific export limitations.

A level of 339, 394 dozen has been established for man-made fiber textile products in Category 229, produced or manufactured in the Republic of China, for the agreement year beginning October 1, 1971. The U.S. Government has decided to control imports in that category for the remainder of the agreement year. The level of restraint contained in the letter published below has been adjusted to reflect entries charged against such levels through August 5, 1972.

Accordingly, there is published below a letter of August 31, 1972 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amount of man-made fiber textile products in Category 229, produced or manufactured in the Republic of China, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 1, 1971, and extending through September 30, 1972, be limited to the designated adjusted level.

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

AUGUST 31, 1972.

DEAR MR. COMMISSIONER: Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 229, produced or manufactured in the Republic of China, in excess of 50,530 dozen.[1]

Entries of man-made fiber textile products in the above category produced or manufactured in the Republic of China and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

[FR Doc.72-15112 Filed 9-5-72;8:50 am]

[1] The adjusted level of restraint reflects entries made through August 5, 1972. The level has not been adjusted to reflect any entries made after August 5, 1972.

FEDERAL COMMUNICATIONS COMMISSION

CABLE TV GOVERNMENT ADVISORY GROUP SUBCOMMITTEE

Schedule of Meetings

AUGUST 29, 1972.

The Study Phase Subcommittee of the Cable Television Federal-State/local Advisory Committee will hold three open meetings September 21 and 22, and October 27, 1972, at 10 a.m. The first meeting will be in Room A205 of the FCC Annex, 1229 20th Street NW., Washington, DC; the other two meetings will be in Room 847S of the main FCC building, 1919 M Street NW., Washington, DC.

During these three meetings, subcommittee members will discuss and analyze reports on topics which were assigned to small groups of them at the organizational meeting on August 25, 1972.

The subcommittee was organized to study and evaluate areas of interest to the advisory committee including methods of establishing subscriber rates, access costs, leased channel rates, franchise fees, and regional interconnection of cable systems. Professor Donald A. Dunn, School of Engineering at Stanford University, is chairman of the subcommittee.

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

[FR Doc.72-15056 Filed 9-5-72;8:45 am]

FEDERAL MARITIME COMMISSION

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*
01362---	Chevron Tankers (Nederland) N.V.:
	Chevron Delfzil.
01504---	Yngvar Hvistendahl:
	Milora.
01754---	Blue Peter Steamships Limited:
	Blue Spruce.
	Blue Peter II.
01827---	Partenreederi M/S "Leanna":
	Leanna.
01836---	Avenue Shipping Company Limited:
	Antrim.
	Galway.
02246---	Blue Star Line Ltd.:
	Queensland Star.
02319---	A/R Seljan:
	Stolt Sildra.
02355---	Van Nievelt, Goudriaan & Co. N.V.:
	Anna Christina.
	Concepcion.
	Nashira.
	Nushava.
	Mintaka N.
	Talita.
	Thalatta.
02624---	Partenreederei N.V. Johannes Russ:
	Johannes Russ.

02877--- N. Y. K. Lines:
Fushu Maru.
Osumi Maru.
Onoe Maru.
02932--- Fair Wind Marine Corp.:
Isabena.
02944--- Marnuestro Maritima S.A.:
Iamatikos.
02958--- Kawasaki Kisen K. K.:
Sachikawa Maru.
Tatekawa Maru.
02959--- Kokuyo K. K.:
Koyo Maru.
02960--- Taiyo Kaiun K. K.:
Taian Maru.
02998--- Mersinidi Shipping Co. Ltd. Cyprus:
Mersinidi.
03175--- Fulship Greek Maritime Company S. A.:
Tzelepi.
03217--- Rederiaktiebolaget Atlantic:
Anco Spring.
03255--- Port Line Limited:
Port Sydney.
03422--- Daiwa Kauin K. K.:
Biak Maru.
03492--- Sawayama Kisen K. K.:
Madagascar Maru.
03570--- I/S Ringar:
Ringar.
03608--- Ace Barge Co.:
Coastwise No. 2.
03896--- Vantage Steamship Corp.:
Rachel V.
03967--- Compagnie Maritime Des Chargeurs Reunis:
Delfin.
04065--- Altair Maritime S.A.:
Aquila.
04096--- Eleftheroupolis Tanker Corp.:
Eleftheroupolis.
04147--- Theokipa Enterprises Ltd.:
Marica Matheos.
04172--- Eklof Marine Corporation:
Senior.
04173--- Foss Launch & Tug Co.:
Foss 272.
Foss 91.
04403--- Triangle Towing Co. Inc.:
Fransis.
Soky 9.
No. 14.
NBC-902.
GTC-1.
Chotin 967.
Chotin 966.
CT-830.
04398--- Hapag-Lloyd Ag.:
Lawanti.
04952--- Partenreederei M.V. Langlutjensand:
Langlutjensand.
05038--- Carbonore Corporation:
Deneb.
05114--- N.V. Stoomvaart Maatschappij "De Maas":
Holendrecht.
05188--- Marine Transport Co. S.A. PN:
Urania.
05753--- Reederei Barthold Richters:
Bari.
05872--- Saronikos Compania S.A.:
Pan.
05910--- American Freezership Division of W.R. Grace & Co.:
Theresa Lee.
Americana.
05914--- Miaoulis Shipping Enterprises S.A.:
Aegis Legend.
05924--- Amur Transport, Inc.:
Amura.
06095--- Helmville Ltd.:
David Marquess of Milford Haven.
Jocelyne.
06159--- Naviera Neptune S.A.:
Mercurio.
06881--- Compagnie Charentaise De Trans Mar:
Rhea.
06903--- Sun Shipbuilding & Dry Dock:
Mobil Arctic.

By the Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.72-15099 Filed 9-5-72;8:49 am]

[Docket No. 72-45]

LUTHER, PALAFOX & ASSOCIATES, INC.

Independent Ocean Freight Forwarder Application; Order of Investigation and Hearing

By letter dated June 8, 1972, Miss Haidee A. Palafox, president of Luther, Palafox & Associates, Inc., Centre City Building, Suite 1107, 233 A Street, San Diego, CA 92101, was notified of the Federal Maritime Commission's intention to deny her application for an independent ocean freight forwarder license. The reasons for the intended denial are (1) that Miss Palafox, the applicant's president and only active officer, does not have the requisite experience necessary to conduct the business of ocean freight forwarding pursuant to the standards of section 44(b), Shipping Act, 1916, and (2) a history of delinquency with respect to her personal financial affairs.

Luther, Palafox & Associates, Inc., has requested a hearing to show that denial of the application is unwarranted.

Now therefore, it is ordered, That pursuant to sections 22 and 44 of the Shipping Act, 1916, that a proceeding is hereby instituted to determine whether Luther, Palafox & Associates, Inc., is fit, willing and able to properly carry on the business of forwarding and to conform to the provisions of the Shipping Act, 1916, within the meaning of that statute; and whether its application should be granted or denied;

It is further ordered, That Luther, Palafox & Associates, Inc., be hereby made respondent in this proceeding;

It is further ordered, That this matter be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the Hearing Examiner;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon the respondent;

It is further ordered, That any persons other than the respondent who desire to become a party to this proceeding and to participate therein shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, with a copy to the parties;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.72-15097 Filed 9-5-72;8:49 am]

[No. 72-40]

U.S. NORTH ATLANTIC/CONTINENTAL EUROPEAN TRADE

Revision of Filing Schedule Regarding Publication of Discrimination Rates

Respondent conferences have requested a 120-day enlargement of time within which to respond to the Commission's order to show cause in this proceeding. While certain enlargement of time appears warranted under the circumstances it would appear that a 60-day extension would suffice. Accordingly, the filing schedule in this proceeding is revised as follows:

Affidavits of fact and memoranda of law shall be filed by respondents on or before October 31, 1972. Reply affidavits and memoranda shall be filed by the Commission's Bureau of Hearing Counsel on or before November 17, 1972.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.72-15098 Filed 9-5-72;8:49 am]

FEDERAL POWER COMMISSION

ALASKA POWER SURVEY

Agenda of Meeting

Agenda for the second meeting of the Executive Advisory Committee to be held in the Federal Building, 605 Fourth Avenue, Anchorage, AK, September 20, 1972, 9:30 a.m.

Presiding: Mr. Robert W. Ward, Chairman, Executive Advisory Committee.

1. Meeting call to order—Robert W. Ward.
2. Introduction:
a. Self-introductions of those present.
b. Review of purpose and scope of Alaska Power Survey and project assignments.
3. Technical advisory committees:
a. Statement of names and memberships of committees.
b. Committee progress reports (including reports on September 19, 1972, meetings).

4. Time schedules:
a. Changes if any, in schedules suggested in the August 8, 1972, meeting of the Executive Advisory Committee.
5. Other committee business.
6. Adjournment—Robert W. Ward.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-14978 Filed 9-5-72;8:45 am]

[Docket No. G-4075, etc.]

AMOCO PRODUCTION CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

AUGUST 28, 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 September 22, 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-4075 C 6-19-72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., La Sal Viejo, Willacy County, Tex.	[1] 24.0	14.65
G-4579 D 6-30-72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	El Paso Natural Gas Co., Dalport-Winters "B" Lease SW/4, Section 7-25S-37E, Lea County, N. Mex.	(2)	----------
G-4904 F 6-23-72	Amoco Production Co. (successor to Northern Pump Co.), Security Life Bldg., Denver, Colo. 80202.	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	[3] 13.17	14.65
G-6311 D 7-31-72	Amerada Hess Corp. (Operator), et al., Post Office Box 2040, Tulsa, OK 74102.	Northern Natural Gas Co., Jalmat Field, Lea County, N. Mex.	(4)	----------
G-6354 D 7-5-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	United Gas Pipeline Co., Eugene Island Block 88 S/2, 89 and 95, Offshore, La.	(5)	----------
G-8658 C 7-12-72	do	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., Chesterville Area, Colorado County, Tex.	19.0	14.65
G-9224 C 8-9-72	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Northern Natural Gas Co., Lovington Plant, Permian Basin Area, Lea County, N. Mex.	[6] 30.0	14.65
G-11174 C 5-30-72 [7]	Gulf Oil Corp., Post Office Box 1589, Tulsa, OK 74102.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Schonlau Unit, Laverne Field, Harper County, Okla.	[8] 19.2404	14.65
G-14864 B 7-31-72	Amerada Hess Corp., Post Office Box 2040, Tulsa, OK 74102.	Cities Service Gas Co., Northeast Waynoka Field, Woods County, Okla.	(9)	----------
G-14915 A 7-20-72 [10]	Mobil Oil Corp. (Operator), et al., Post Office Box 1774, Houston, TX 77001.	Texas Eastern Transmission Corp., Provident City Field, Lavaco County, Tex.	[11] 28.0	14.65
G-15910 A 6-27-72 [12]	Brammer Engineering, Inc. (successor to Marathon Oil Co.), Post Office Box 7556, Shreveport, LA 71107.	Texas Gas Transmission Corp., North Dubberly Area, Webster Parish, La.	19.75	15.025
G-16764 C 7-3-72	Southwest Gas Producing Co., Inc., 1309 Louisville Ave., Monroe, LA 71201.	Texas Gas Transmission Corp., Calhoun Field, Jackson and Lincoln Parishes, La.	25.0	15.025
G-16853 C 7-6-72	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, OK 74102.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[13] 20.8684	14.65
CI61-144 E 6-2-72	Signal Petroleum (Operator), et al. (successor to U.S. Oil of Louisiana, Inc.), 944 St. Charles Ave., New Orleans, LA 70130.	Transcontinental Gas Pipe Line Corp., Bayou Couba Field, St. Charles Parish, La.	22.15	15.025
CI61-173 E 6-9-72	do	Southern Natural Gas Co., Lake Washington Field, Plaquemines Parish, La.	[14] 22.375	15.025
CI62-825 D 8-2-72	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	El Paso Natural Gas Co., Rojo Caballos Field, Pecos County, Tex.	(15)	----------
CI61-1108 E 6-30-72	Clarke Corp. (successor to American Petrofina Co. of Texas), Post Office Box 148, Medicine Lodge, KS 67104.	Cities Service Gas Co., Rhodes South Gas Field, Barber County, Kans.	15.0	14.65
CI62-1525 C 7-21-72	CRA, Inc., Post Office Box 7305, Kansas City, MO 64116.	Arkansas Louisiana Gas Co., Lamont Gas Products Plant, Grant County, Okla.	18.0	14.65
CI63-708 C 7-24-72	do	Northern Natural Gas Co., Mertzon Plant, Irion County, Tex.	26.5	14.65
CI63-1049 D 7-31-72	Northern Natural Gas Producing Co., Post Office Box 1774, Houston, TX 77001.	El Paso Natural Gas Co., Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.	Assigned	----------
CI63-1050 D 7-31-72	do	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Assigned	----------
CI63-1051 D 7-31-72	do	do	Assigned	----------
CI63-1125 F 8-14-72 [16]	Gulf Oil Corp. (successor to Union Oil Co. of California), Post Office Box 1589, Tulsa OK 74102.	Arkansas Louisiana Gas Co., Albert Hill "A" No. 1 Well, Southeast Lacy Field, Kingfisher County, Okla.	16.2552	14.65
CI66-410 C 7-28-72	Atlantic Richfield Co. (Operator), et al. Post Office Box 2819, Dallas, TX 75221.	Northern Natural Gas Co., Eldorado Gas Plant, Schleicher County, Tex.	26.5	14.65
CI66-1106 C 7-24-72	CRA, Inc., Post Office Box 7305, Kansas City, MO 64116.	Northern Natural Gas Co., Mertzon Plant, Irion County, Tex.	[17] 26.5	14.65
CI66-1106 C 7-14-72	do	do	[17] 26.5	14.65
CI66-1303 E 5-30-72	Signal Petroleum (Operator), et al., (successor to U.S. Oil of Louisiana Inc.), 944 St. Charles Ave., New Orleans, LA.	Trunkline Gas Co., East Freshwater Bayou Field Area, Vermilion Parish, La.	21.625	15.025
CI67-248 C 5-15-72 [18]	Beacon Gasoline Co., Post Office Box 396, Minden, LA 71055.	Oakes Field, Claiborne Parish, La.	----------	----------
CI67-402 D 8-10-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Cascade Natural Gas Corp., Winter Valley Field, Moffat County, Colo.	13.75	14.65
CI67-878 D 8-2-72	Mobile Oil Corp., Post Office Box 1774, Houston, TX 77001.	Panhandle Eastern Pipe Line Co., Bishop, et al. Field, Ellis County, Okla.	Assigned	----------
CI68-538 E 5-24-72	Signal Petroleum (Operator), et al., (successor to Lake Washington, Inc., et al.), 944 St. Charles Ave., New Orleans, LA 70130.	Southern Natural Gas Co., Lake Washington Field Area, Plaquemines Parish, La., and Bay St. Elaine Field, Terrebonne Parish, La.	21.25	15.025
CI68-1218 E 5-18-72	do	Southern Natural Gas Co., Lake Washington Field, Plaquemines Parish, La.	[19] 22.375	15.025

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
CI73-64 A 7-19-72 [20]	Houston Oil & Minerals Corp. (successor to Union Texas Petroleum, a Division of Allied Chemical Corp.), 242 The Main Bldg., 1212 Main St., Houston, TX 77002.	El Paso Natural Gas Co., Spraberry Trend Area, Reagan, Upton and Glasscock Counties, Tex.	19.2565	14.65
CI73-65 E 7-24-72 [21]	Texas Pacific Oil Co., Inc. (successor to Emerald Oil Co.), 1700 One Main Pl., Dallas, TX 75250.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., Glenmora Field, Rapides Parish, La.	26.0	15.025
CI73-67 F 7-24-72 [22]	Arthur Lipper III (successor to King Resources Co.), 735 Petroleum Club Bldg., Denver, Colo. 80202.	Northern Natural Gas Co., Ellis County, Okla.	21.0	14.65
CI73-68 A 7-24-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Cities Service Gas Co., Section 23, T11N, R9W, Canadian County, Okla.	[23] 22.25	[24] 14.65
CI73-69 A 7-31-72	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, TX 76107.	Colorado Interstate Gas Co., Laverne Area, Harper County, Okla.	25.0	14.65
CI73-70 A 7-31-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	El Paso Natural Gas Co., Gallegos Canyon Field, San Juan, N. Mex.	[25] 24.75	15.025
CI73-71 A 8-2-72	Highland Resources, Inc., 1201 San Jacinto Bldg., Houston, Tex. 77002.	Transcontinental Gas Pipe Line Corp., Brazos Area, Offshore, Tex.	32.0	15.025
CI73-73 A 7-27-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., Hagist Ranch, Duval County, Tex.	[26] 19.0	14.65
CI73-74 A 8-3-72	Texaco Inc., Post Office Box 430, Bellaire, TX 77401.	Tennessee Gas Pipeline Co., South Davis, Zapata County, Tex.	24.0	14.65
CI73-76 A 8-3-72	The California Co., a Division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, LA 70112.	Southern Natural Gas Co., Block 127 Field, Main Pass Area, Offshore, La.	[24] 35.0	15.025
CI73-77 B 8-4-72	James M. Forgotson, 409 Beck Bldg., Shreveport, La. 71101.	Bluebonnet Gas Corp., North Edna Field, Jefferson Davis Parish, La.	[27]	----------
CI73-78 B 8-4-72	do	United Gas Pipe Line Co., Anse La Butte Field, Lafayette Parish, La.	[28]	----------
CI73-79 B 7-31-72	Petrodynamics, Inc., Post Office Box 10006, Amarillo, TX 79106.	Northern Natural Gas Co., Southeast Balko, Beaver County, Okla.	Depleted	----------
CI73-81 B 8-7-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Northern Natural Gas Co., East Balko Field, Beaver County, Okla.	Depleted	----------
CI73-82 B 8-7-72	Cabot Corp. (SW), Post Office Box 1101, Pampa, TX 79065.	Colorado Interstate Gas Co., Laverne Field, Harper County, Okla.	Depleted	----------
CI73-83 B 8-7-72	do	do	Depleted	----------
CI73-84 B 8-7-72	do	do	Depleted	----------
CI73-85 A 8-7-72 [29]	Suburban Propane Gas Corp., Post Office Box 206, Whippany, NJ 07981.	Northern Natural Gas Co., Davidson Ranch Area, Crockett County, Tex.	17.566	14.65
CI73-86 A 8-7-72	Amoco Production Co., Security Life Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Ute Dome Dakota Field, San Juan County, N. Mex.	[30] 28.0	15.025
CI73-87 B 8-4-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Texas Eastern Transmission Corp., North Mission Valley Field, De Witt and Victoria Counties, Tex.	Depleted	----------
CI73-88 (G-16364) A 8-7-72	Clinton Oil Co. (successor to Pan American Petroleum Corp.), 217 N. Water St., Wichita, KA 67202.	Mountain Fuel Supply Co., Trail Unit Area, Sweetwater County, Wyo.	[30] 14.07	15.025
CI73-89 (G-15188) A 8-4-72	do	Panhandle Eastern Pipe Line Co., South Greenough Field, Beaver County, Okla.	18.190	14.65
CI73-90 A 8-1-72	Arkla Exploration Co., Post Office Box 1734, Shreveport, LA 71151	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	[24] 0.379	14.65
CI73-92 B 8-7-72	Pioneer Production Corp. (Operator) et al., Post Office Box 2542, Amarillo, TX 79105.	Northern Natural Gas Co., West Follett (Cherokee) Field, Lipscomb County, Tex.	Depleted	----------
CI73-93 B 8-7-72	do	Northern Natural Gas Co., Section 34-2N-27ECM, Beaver County, Okla.	Depleted	----------
CI73-94 B 8-7-72	do	Northern Natural Gas Co., West Waka Field, Ochiltree County, Tex.	Depleted	----------
CI73-95 B 8-7-72	do	Panhandle Eastern Pipe Line Co., Hansford County, Tex.	Depleted	----------
CI73-96 B 8-7-72	do	Northern Natural Gas Co., West Waka Field, Ochiltree County, Tex.	Depleted	----------
CI73-97 A 8-9-72	Canadian Superior Oil (United States), Ltd., Post Office Box 1521, Houston, TX 77001.	Transcontinental Gas Pipe Line Corp., Brazos Area Block A-1, Offshore Matagorda County, Tex.	[24] 32.0	14.65
CI73-98 A 8-10-72	Ashland Oil, Inc., Post Office Box 1503, Houston, TX 77001.	do	[24] 32.0	14.65
CI73-99 A 8-10-72	Phillips Petroleum Co., Bartlesville, Okla. 74004.	El Paso Natural Gas Co., Permian Basin Area, Eddy County, N. Mex.	[24] 35.0	14.65
CI73-100 A 8-10-72	Coastal States Gas Producing Co., Post Office Drawer 521, Corpus Christi, TX 78403.	Transcontinental Gas Pipe Line Corp., Jones Creek Field, Wharton County, Tex.	24.0	14.73
CI73-102 A 8-9-72 [32]	McCulloch Oil Corp., 10880 Wilshire Blvd., Suite 1500, Los Angeles, CA 90024.	Trunkline Gas Co., Esther Field, Vermilion Parish, La.	26.0	15.025
CI73-104 A 8-14-72	Amoco Production Co., Post Office Box 3092, Houston, TX 77001.	Arkansas Louisiana Gas Co., Carterville Field, Webster Parish, La.	[33] 28.86	15.025
CI73-105 B 8-14-72	Shell Oil Co., Post Office Box 2463, Houston, TX 77001.	Transwestern Pipeline Co., Crawar Field, Crane and Ward Counties, Tex.	[34]	----------

[1] Subject to upward B.t.u. adjustment only of 0.663 cent.
[2] Conveyed interests to Dalport Oil Corp.
[3] Initial price includes 13.50 cents base rate (fractured), minus 0.33 cent B.t.u. adjustment.
[4] Northern Natural does not desire to make a connection with Cooper Jal Unit for such a small amount of gas-well gas allocated to this acreage.
[5] Acreage assigned to Ocean Drilling & Exploration Co.
[6] Plus 3.56 cents upward B.t.u. adjustment.
[7] Amendment to application to add co-owners.
[8] Includes 2.04 cents per Mcf upward B.t.u. adjustment and 0.2009 cents per Mcf tax reimbursement.
[9] Property is no longer producing gas in economic quantities.
[10] Amended to reflect that Mobil's sale is to Texas Eastern Transmission Corp rather than to Shell Oil Co.
[11] Applicant is willing to accept a certificate at an initial rate of 24 cents subject to B.t.u. adjustment; however, the contract price is 28 cents.
[12] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-15910 to be made pursuant to Marathon Oil Co. FPC Gas Rate Schedule No. 72.
[13] Includes 1.06 cents per Mcf upward B.t.u. adjustment.
[14] Present contract price is 29.15 cents; presently collecting 22.375 cents.
[15] Cancellation of lease.
[16] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI64-1464 to be made pursuant to Union Oil Co. of California FPC Gas Rate Schedule No. 92.
[17] Includes 1.7 cents per Mcf upward B.t.u. adjustment.
[18] To add contract with Bob L. Herd et al.
[19] Applicant is willing to accept a certificate at an initial rate of 22.375; however the contract price is 29.15 cents per Mcf.
[20] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-6614 to be made pursuant to Union Texas Petroleum, a Division of Allied Chemical Corp. FPC Gas Rate Schedule No. 25.
[21] Applicant proposes to continue the sale of natural gas heretofore authorized under a small producer certificate.
[22] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI72-27 to be made pursuant to King Resources Co. FPC Gas Rate Schedule No. 32.
[23] Applicant proposes to sell gas at 21.315 cents per Mcf; however, the contract provides for 22.25 cents per Mcf.
[24] Subject to upward and downward B.t.u. adjustment.
[25] Includes 2.75 cents upward B.t.u. adjustment.
[26] Applicant is willing to accept 19 cents per Mcf; however, the contract provides for 24.25 cents per Mcf.
[27] Well flooded with salt water.
[28] Casing collapsed opposite the old perforations which produced the gas in this well.
[29] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI66-482 to be made pursuant to Pauley Petroleum Inc. FPC Gas Rate Schedule No. 34.
[30] Applicant is willing to accept an initial base price of 24 cents per Mcf with estimated upward B.t.u. adjustment of 2.4 cents.
[31] Rate in effect subject to refund in RI70-171 and RI70-198.
[32] Applicant proposes to cover its own interest in the sale of natural gas heretofore authorized to be made by State Exploration Co., now holder of a small producer certificate.
[33] Includes area base rate plus B.t.u. adjustment.

[FR Doc.72-14979 Filed 8-5-72;8:45 am]

[Docket No. RI73-36, etc.]

SKELLY 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]

AUGUST 30, 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, Chapter 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.
RI73-36	Skelly Oil Co	260	1	El Paso Natural Gas Co. (East Vealmoor Plant, Howard County, Tex., Permian Basin).	$10,260	7-31-72		1-31-73	27.0	30.0	
RI73-37	The Superior Oil Co	116	6	El Paso Natural Gas Co. (Cinta Rojo Field, Lea County, N. Mex., Permian Basin).	3,500	8-1-72		10-2-72	18.0	19.0	RI69-550.
	do	119	3	El Paso Natural Gas Co. (Three Bar Field, Andrews County, Tex., Permian Basin).	3,166	8-1-72		10-2-72	18.0675	19.07125	RI68-423.
RI73-38	Continental Oil Co	322	2	Cascade Natural Gas Co. (Winter Valley Field, Moffat County, Colo.).	6,500	8-4-72		10-5-72	[1] [12] 15.0	[1] [12] 16.0	
	do	330	2	El Paso Natural Gas Co. (Calvin Field, Reagan County, Tex., Permian Basin).	855	8-7-72		10-18-72	14.50	15.50	
RI73-39	Humble Oil & Refining Co	509	1	El Paso Natural Gas Co. (West Fort Chadbourne Field, Runnels County, Tex., Permian Basin).	3,240	8-3-72		2-3-73	27.0	30.0	
RI72-226	Beta Development Co	1	[2] 1-14	El Paso Natural Gas Co. (San Juan County, N. Mex., San Juan Basin).	593,817	8-3-72		8-3-72	[12] 15.0	[12] 21.33	RI69-835.
RI73-40	Gulf Oil Corp	259	[4] 6	El Paso Natural Gas Co. (West Jal Unit, Lea County, N. Mex., Permian Basin).		8-4-72	9-4-72	[11] Accepted			
	do		[4] 7	do	(6)	8-4-72		2-4-73	17.9023	[3] 30.0	RI70-832.
RI73-41	Union Oil Co. of California	206	[7] 5	El Paso Natural Gas Co. (Gomez Field, Pecos County, Tex., and La Rica Field, Lea County, N. Mex., Permian Basin).	6,699	8-4-72		10-13-72	[3] 26.5	[3] 26.85	RI72-158.
RI73-42	Skelly Oil Co	187	[4] 9	El Paso Natural Gas Co. (West Jal Field, Lea County, N. Mex., Permian Basin).		8-7-72	9-7-72	[11] Accepted			
	do		[5] 10	do	(6)	8-7-72		2-7-73	17.50	[3] 30.0	RI70-289.
RI73-43	Phillips Petroleum Co	404	[3] 8	El Paso Natural Gas Co. (Gomez Field, Pecos County, Tex., Permian Basin).		8-7-72	9-7-72	[11] Accepted			
	do		9	do	198,777	8-7-72		10-8-72	17.73625	19.83638	RI70-86.

*Unless otherwise stated, the pressure base is 14.65 p.s.i.a.
[1] Less a facility charge of 1.25 cents by buyer giving net rates of 13.75 cents and 14.75 cents.
[2] Substitute filing fracturing renegotiated rates of 22 cents and 28 cents in order to not exceed rate limit for 1-day suspension.
[3] Subject to B.t.u. adjustment.
[4] Contract amendment.
[5] For gas produced from formations below the Strawn Formation only.
[6] No production at present time.
[7] For gas from La Rica Field, Lea County, N. Mex., only.
[8] Plus State and local production taxes as of Sept. 1, 1965, and quality adjustments.
[9] Contract amendment.
[10] 19.5 cents base rate plus tax reimbursement.
[11] Accepted for filing to be effective on the dates shown in the "Effective Date" column.
[12] The pressure base is 15.025 p.s.i.a.

The proposed increase of Beta Development Co. is a substitute filing wherein Applicant proposes to substitute a fractured rate increase of 21.33 cents per Mcf in lieu of 22 cents and 28 cents per Mcf, which is currently suspended under their FPC Rate Schedule No. 1 until October 4, 1972, in Docket No. RI72-226. Therefore, the proposed substitute increase is suspended in the existing rate proceeding in Docket No. RI72-226 in lieu of the original increase to become effective subject to refund on August 3, 1972, the date of filing. It has been Commission practice to permit substitute filings with shortened suspension periods if the shortened suspension period has not passed when the substitute filing is received, otherwise, the substitute filing is accepted to be effective on the date of filing.

With the exception of the proposed increases of Skelly Oil Co. under Supp. Nos. 1 and 10 to their FPC Rate Schedule Nos. 260 and 187, respectively, Humble Oil & Refining Co. under Supp. No. 1 to its FPC Rate Schedule No. 509 and Gulf Oil Corp. under Supp. No. 7 to its FPC Rate Schedule No. 259 which are suspended for 5 months, the remaining proposed increases filed herein do not exceed the corresponding rate filing limitation imposed in Southern Louisiana and therefore are suspended for one day.

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, etc., 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.72-15022 Filed 9-5-72;8:45 am]

NATIONAL GAS SURVEY—SUPPLY-TECHNICAL ADVISORY COMMITTEE

Agenda of Meeting

Meeting of the Supply-Technical Advisory Committee to be held in conference room 2043 of the Federal Power Commission, 441 G Street NW., Washington, DC, September 12, 1972, 9 a.m.

Presiding: Dr. Paul J. Root, FPC survey coordinating representative and secretary.

1. Call to order and introductory remarks—Dr. Root.

2. Introduction of new members and review of developments since last meeting—Mr. Myron A. Wright, Vice Chairman, Supply-Technical Advisory Committee.

3. Status of assigned work program and estimated date for completion—Mr. Wright.

4. Discussion of the national gas reserves study—Dr. Root.

5. Review of the work progress of the Supply-Technical Advisory Task Forces—Mr. Slick.

(a) Natural gas supply—Mr. Ralph W. Garrett, Task Force Director, Supply-Technical Advisory Task Force-Natural Gas Supply.

(b) Natural gas technology—Mr. Lloyd E. Elkins, Task Force Director, Supply-Technical Advisory Task Force-Natural Gas Technology.

(c) Liquefied natural gas—Mr. George D. Carameros, Jr., Task Force Director, Supply-Technical Advisory Task Force-Liquefied Natural Gas (LNG).

(d) Reformer gas—Mr. Leonard A. Goldstein, Task Force Director, Supply-Technical Advisory Task Force-Reformer Gas.

(e) Synthetic gas-coal—Mr. James R. Garvey, Task Force Director, Supply-Technical Advisory Task Force-Synthetic Gas-Coal.

(f) Regulation and legislation—Mr. R. Earle Wright, Task Force Director, Supply-Technical Advisory Task Force-Regulation and Legislation.

6. Other business.

7. Adjournment—Dr. Root.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-15063 Filed 9-5-72;8:46 am]

[Docket No. CP73-47]

EASCOGAS LNG, INC.

Notice of Application

AUGUST 28, 1972.

Take notice that on August 14, 1972, Eascogas, Inc. (Applicant), 80 Park Place, Newark, NJ 07101, filed in Docket No. CP73-47 an application pursuant to section 3 of the Natural Gas Act for authorization to import from Algeria into the United States, by ship, over a period of 22 years, 1,200 billion thermies[1] of liquefied natural gas (LNG), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is owned in equal parts by Public Service Electric & Gas Co. (Public Service) and Algonquin Gas Transmission Co. (Algonquin Gas). On May 24, 1972, Public Service and Algonquin Gas entered into an agreement with Societe Nationale Sonatrach (Sonatrach) to purchase 1,200 billion thermies of LNG from gas produced at Hassi R'Mel, Algeria, and liquefied by Sonatrach at the Skikda plant or other Sonatrach plants in Algeria.[2]

	Average daily purchases (million B.t.u.'s)
1st through 2d contract years (beginning on or about Dec. 1, 1975)	326,000
3d contract year	489,000
4th through 20th contract years	652,000
21st and 22d contract years	408,000

Pursuant to the terms of the contract, Public Service and Algonquin Gas will pay Sonatrach a basic sales price of 45.75 cents per 1 million B.t.u.'s delivered f.o.b. the Algerian port. This basic sales price is subject to a definite escalation of 1½ percent a year beginning as of 1973 and subject to monthly adjustments for changes in currency exchange rates, except that the actual sales price shall never be less than 45.75 cents per million B.t.u.'s.

Applicant states that on August 9, 1972, Public Service and Algonquin Gas agreed to sell it the individual shares of LNG they contracted to purchase from Sonatrach. Applicant will pay Public Service and Algonquin Gas a price equal to that which they agreed to pay Sonatrach for the LNG.

Applicant states that it will sell and deliver this LNG to buyers in the United States on a take-or-pay basis. Each buyer's respective agreed-upon contract entitlements are to be made available at dockside at either Staten Island, N.Y., or Providence, R.I.[3] Applicant states that the deliveries at Staten Island for its New Jersey customers will be made at the site of Distrigas of New York Corp.'s LNG terminal. The deliveries at Providence for Applicant's New England customers will be made to Algonquin LNG, Inc., a wholly owned subsidiary of Algonquin Gas. The aggregate quantity sold will be equal to the quantity Applicant purchases less shipping and boil-off losses.

In order to accomplish the transportation of the gas to the United States, Public Service and Algonquin entered into a contract with Burmah Oil Tankers Ltd., a Bermuda corporation, pursuant to which Burmah agrees to furnish all the ships necessary to transport the entire quantities of LNG purchased from Sonatrach. This contract is subject to the option of Sonatrach to supply two of the five ships estimated to be needed to transport the LNG to the United States. Burmah will perform the transportation at the following rates.

	Freight rates per Mcf
1st through 4th contract years	$.380
5th through 10th contract years	.365
11th through 22d contract years	.350

These rates are subject to certain adjustments under the contract for certain increases or decreases in basic yard construction cost, new yard construction cost, certain operating costs, and for unavoidable costs incurred in placing the first dedicated vessel in service.

Applicant states that it has entered into an agreement with Public Service and Algonquin Gas, the purpose of which is to make available to Applicant the transportation services which Burmah has agreed to furnish pursuant to its contract with Public Service and Algonquin. Applicant indicates that this transportation service will be provided to it for a price equal to that paid by Public Service and Algonquin to Burmah.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 18, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in ac-

[1] 252 thermies are equal to 1,000,000 B.t.u.'s.

[2] Expressed in terms of millions of B.t.u.'s the contract provides for the following daily purchases:

[3] The buyers will be entitled to the following pro rata shares of LNG delivered dockside:

	Percentage share
Staten Island:	
Public Service Electric & Gas Co.	45
Elizabethtown Gas Co.	6⅔
New Jersey Natural Gas Co.	6⅔
South Jersey Natural Gas Co.	6⅔
Providence:	
Algonquin Gas Transmission Co.	28
New England LNG, Inc.	7

cordance 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-15062 Filed 9-5-72;8:46 am]

[Docket No. CI73-138]

YATES DRILLING CO.

Notice of Application

AUGUST 31, 1972.

Take notice that on August 25, 1972, Yates Drilling Co. (Applicant), 207 South Fourth Street, Artesia, NM 88210 filed in Docket No. CI73-138 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 Transcontinental Gas Pipe Line Co. (Transco) from certain leases in Jefferson Davis Parish, La., 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 Transco approximately 1,460 Mcf. of natural gas per month at 35.0 cents per Mcf. at 15.025 p.s.i.a. for a period of 36 months from the date of initial delivery within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 11, 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-15110 Filed 9-5-72;8:50 am]

FEDERAL RESERVE SYSTEM

ELLIS BANKING CORP.

Acquisition of Bank

Ellis Banking Corp., Bradenton, 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 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of Hudson, Hudson, Fla., a proposed new bank. 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 September 20, 1972.

Board of Governors of the Federal Reserve System, August 28, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-15059 Filed 9-5-72;8:45 am]

FEDERAL OPEN MARKET COMMITTEE

Current Economic Policy Directive

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Current Economic Policy Directive issued at its meeting held on May 23, 1972.[1]

The information reviewed at this meeting, including recent data for such measures of business activity as industrial production and employment, suggests that real output of goods and services may be growing at a faster rate in the current quarter than in the two preceding quarters, but the unemployment rate remains high. In April wholesale prices of farm and food products changed little—after having declined in March—but the rise in prices of industrial commodities remained substantial. The consumer price index, which had been stable in March, increased somewhat. Wage rates continued to rise at a substantial pace. The U.S. balance of payments on the official settlements basis has been in small surplus since mid-March, but the payments balance on the net liquidity basis has apparently remained in deficit. In March merchandise imports continued to be considerably in excess of exports.

Growth in both the narrowly and broadly defined money stock slowed in April from the rapid rates in February and March. Inflows of savings funds to nonbank thrift institutions also slowed, but they remained at a relatively advanced pace. Reflecting a further increase in U.S. Government deposits and a rise in the outstanding volume of large-denomination CD's, the bank credit proxy continued to expand at a rapid rate. In recent weeks, market interest rates have fluctuated in a narrow range.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to sustainable real economic growth and increased employment, abatement of inflationary pressures, and attainment of reasonable equilibrium in the country's balance of payments.

To implement this policy, while taking account of capital market developments and possible Treasury refunding, the Committee seeks to achieve bank reserve and money market conditions that will support somewhat slower growth in monetary aggregates over the months ahead.

By order of the Federal Open Market Committee, August 16, 1972.

MURRAY ALTMANN,
Assistant Secretary.

[FR Doc.72-15060 Filed 9-5-72;8:45 am]

[1] The Record of Policy Actions of the Committee for the meeting of May 23, 1972, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

SECURITIES AND EXCHANGE COMMISSION

[File No. 24D-3000]

AMERICAN SCIENTIFIC INDUSTRIES INTERNATIONAL

Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

AUGUST 29, 1972.

I. American Scientific Industries International, 1980 Columbia Road, Orem, Utah 84057 (formerly C V 100 Products, Inc.; formerly 4 Spectra, Inc.) (Issuer), a Utah corporation, filed with the Commission on July 27, 1970, a notification on Form 1-A and an offering circular relating to a proposed offering of 1,250,000 shares of $.01 par value common stock at $.10 per share, for an aggregate offering price of $125,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder. The offering circular was later amended to reflect an offering of 2 million shares

of $.01 par value common stock of 4 Spectra, Inc. at $.10 per share, for an aggregate offering price of $200,000. Centaur Securities, Ltd., 333 South 2d East, Salt Lake City, UT 84111, was designated as the underwriter of the offering. A Form 2–A report filed by the Issuer pursuant to Rule 260 of Regulation A stated that the offering of 4 Spectra, Inc. common stock commenced on January 15, 1971, that the offering was completed on April 7, 1971, and that all 2 million shares being offered were sold.

II. The Commission has reason to believe, on the basis of information reported to it by its staff, that:

(A) The Issuer's offering circular omits to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading, particularly with respect to the following:

(1) The failure to disclose that the Issuer would loan $12,000 from the proceeds of the Regulation A offering to David R. Namelka, the secretary-treasurer and a director of the Issuer, for his personal use; and

(2) The failure to disclose that the Issuer would purchase 20,000 shares of a speculative and unseasoned security and disburse $20,000 for such purchase from the proceeds of the Regulation A offering.

(B) The terms and conditions of Regulation A have not been complied with in that:

(1) The Issuer filed a Form 2–A which failed to disclose the use of $20,000 of the proceeds of the offering to purchase common stock and the use of $12,000 of the proceeds of the offering to make a loan to one of its officers and directors.

(C) The offering was made in violation of section 17(a) of the Securities Act of 1933, as amended, by reason of the matters described above.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the Issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a), subparagraphs (1), (2), and (3), of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the Issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

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

The following persons are to be served at the indicated addresses:

ISSUER

American Scientific Industries International (formerly 4 Spectra, Inc.), 1980 Columbia Road, Orem, UT 84057.

OFFICERS AND DIRECTORS

William B. Hesterman, Jr., President and Director, 1951 Browning Avenue, Salt Lake City, UT 84108.

Benjamin W. Westlake, Vice President and Director, 186 West 800 South, Orem, UT 84057.

David R. Nemelka, Secretary-Treasurer and Director, 54 South 700 East, Salt Lake City, UT 84111.

Jerry R. Zabriskie, Director, 594 Wilford Avenue, Salt Lake City, UT 84107.

Roger A. Pankow, General Manager, 1396 Greenfield Avenue, Salt Lake City, UT 84121.

PRINCIPAL SECURITY HOLDERS

Mrs. Barbara Hesterman, 1951 Browning Avenue, Salt Lake City, UT 84108.

Mrs. Henrietta Westlake, 186 West 800 South, Orem, UT 84057.

Mrs. Ingrid Nemelka, 54 South 700 East, Salt Lake City, UT 84111.

Mrs. Helga Zabriskie, 594 Wilford Avenue, Salt Lake City, UT 84107.

UNDERWRITER

Centaur Securities, Ltd., 333 South 2d East, Salt Lake City, UT 84111.

DENVER REGIONAL OFFICE

Donald J. Stocking, Administrator, Denver Regional Office, Securities and Exchange Commission, 7224 Federal Building, 1961 Stout Street, Denver, CO 80202.

[FR Doc.72–15070 Filed 9–5–72;8:46 am]

[File Nos. 7–4217—7–4222]

BEATRICE FOODS CO., ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

AUGUST 5, 1972.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Beatrice Foods Co	7–4217
Duro-Test Corp	7–4218
Eckerd (Jack) Corp	7–4219
Guardian Industries Corp	7–4220
Mite Corp	7–4221
Mobile Home Industries, Inc	7–4222

Upon receipt of a request, on or before September 10, 1972, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

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

[FR Doc.72–15075 Filed 9–5–72;8:47 am]

[File No. 500–1]

CLINTON OIL CO.

Order Suspending Trading

AUGUST 29, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.03⅓ par value, and all other securities of Clinton Oil Co., 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 August 30, 1972, through September 8, 1972.

By the Commission.

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

[FR Doc.72–15071 Filed 9–5–72;8:46 am]

[File No. 500–1]

DASHEW BUSINESS MACHINES, INC.

Order Suspending Trading

AUGUST 30, 1972.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock, $1 par value, of Dashew Business Machines, Inc., 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 2:40 p.m., e.d.t., on August 30, 1972, through September 8, 1972.

By the Commission.

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

[FR Doc.72-15072 Filed 9-5-72;8:47 am]

[File No. 500-1]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

AUGUST 30, 1972.

The common stock, $0.2 par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science 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 security on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 31, 1972, through September 9, 1972.

By the Commission.

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

[FR Doc.72-15073 Filed 9-5-72;8:47 am]

[File No. 500-1]

LDS DENTAL SUPPLIES, INC.

Order Suspending Trading

AUGUST 28, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.01 par value, and all other securities of LDS Dental Supplies, Inc., 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 August 29, 1972, through September 7, 1972.

By the Commission.

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

[FR Doc.72-15074 Filed 9-5-72;8:47 am]

[File No. 7-4215]

LEVITZ FURNITURE CO.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

AUGUST 25, 1972.

In the matter of application of the Midwest Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Levitz Furniture Co., File No. 7-4215

Upon receipt of a request, on or before September 10, 1972, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

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

[FR Doc.72-15076 Filed 9-5-72;8:47 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

OREGON DEVELOPMENTAL PLAN

Notice of Informal Hearing

Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) and 29 CFR 1902.11 (e) and (f), notice is hereby given that an informal hearing will be held on the Oregon Developmental Plan.

The hearing will be held September 27, 1972, commencing at 10 a.m., P.d.t., at sixth floor main courtroom, U.S. Courthouse, Broadway and Main, Portland, Oreg. Interested persons are invited to present oral data, views, or arguments, concerning the plan and the issues presented thereby at the informal hearing.

Interested persons wishing to appear at the informal hearing shall notify in writing the Director of the Office of State Programs, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210. Such notice of intention to appear (original and two copies) must be filed no later than September 20, 1972. The notice must state the name and address of the person to appear, and the approximate amount of time sought for his presentation. The notice must also include, or be accompanied by, a statement of the position to be taken with regard to the plan. The use of prepared statements by witnesses is encouraged.

The informal hearing will be conducted by a hearing examiner to be appointed under 5 U.S.C. 3105 to be subsequently designated for this purpose. The presiding hearing examiner is empowered to:

(1) Rule upon procedural requests, objections, and other procedural matters;

(2) Provide an opportunity for cross-examination on crucial issues; and

(3) Otherwise regulate the course of the hearing.

The hearing will be reported verbatim, and transcripts will be available for inspection to any interested person on such conditions as the presiding hearing examiner may prescribe. The hearing examiner will have discretion to keep the record of the hearing open for a reasonable stated time, to receive written recommendations, and additional data, views, and arguments, from any person who has participated in the oral proceeding. Promptly thereafter the complete record, consisting of the transcript of the hearing, exhibits filed during the hearing, written submissions on the plan, and any posthearing presentations, shall be certified by the presiding hearing examiner to the Assistant Secretary of Labor for Occupational Safety and Health for his decision.

The Assistant Secretaray of Labor for Occupational Safety and Health shall thereafter consider all relevant comments and arguments presented and issue his decision as to approval or disapproval of the plan.

This notice supplements that published in the FEDERAL REGISTER on July 20, 1972, 37 F.R. 14445.

Signed at Washington, D.C., this 31st day of August 1972.

G. C. GUENTHER, *Assistant Secretary of Labor.*

[FR Doc.72-15096 Filed 9-5-72;8:49 am]

INTERSTATE COMMERCE COMMISSION

[Rev. S.O. 994; ICC Order 68, Amdt. 3]

CENTRAL RAILROAD COMPANY OF NEW JERSEY

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 68 (The Central Railroad Co. of New Jersey, Robert D. Timpany, trustee) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 68 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p.m., September 11, 1972, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., August 31, 1972, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all 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 it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 29, 1972.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.72-15095 Filed 9-5-72;8:48 am]

[Notice 68]

ASSIGNMENT OF HEARINGS

AUGUST 31, 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.

FD No. 26950, Baltimore & Ohio Railroad Co. abandonment portion of its Midvale Branch, between Monroe and Midvale in Randolph and Barbour Counties, W. Va., now being assigned for further hearing October 2, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11557, Thousand Island Bus Lines, Inc.—Purchase (Portion)—Greyhound Lines, Inc., and MC 1515 Sub 179, Greyhound Lines, Inc., now being assigned hearing October 5, 1972 (2 days), at Odensburg, N.Y., in a hearing room to be later designated.

No. 35634, Lighterage at New York Harbor, Erie Lackawanna Railway, now assigned November 8, 1972, at New York, N.Y., is postponed to November 29, 1972, at New York, N.Y., in a hearing room to be later designated.

MC-21227 Sub 7, Midland Truck Lines, Inc., now assigned October 16, 1972, at Lexington, Ky., is canceled and the application dismissed.

MC 107295 Sub 555, Pre-Fab Transit Co., now assigned September 20, 1972, at New Orleans, La., is canceled and the application dismissed.

MC 115826 Sub 220, W. J. Digby, Inc., now being assigned continued hearing November 13, 1972 (3 days), at Portland, Oreg., in a hearing room to be later designated.

MC-C-7796, C. A. White Trucking Co. and McAlister Trucking Co. Investigation and Revocation of Certificates, MC 23618 Sub 18, McAlister Trucking Co., and MC 60157 Sub 18, C. A. White Trucking Co., now being assigned hearing November 27, 1972 (1 week), at Denver, Colo., in a hearing room to be later designated.

MC-117799 Sub 17, Best Way Frozen Express, Inc., now assigned October 16, 1972, at Philadelphia, Pa., is postponed indefinitely.

MC 30319 Subs 24 and 25, Southern Pacific Transport Co. of Texas and Louisiana, now assigned September 25, 1972, at Austin, Tex., is postponed indefinitely.

MC 921 Sub 21, Dean Truck Line, Inc., is continued to October 3, 1972, at Birmingham, Ala., in the Guest House Motor Hotel, 951 South 18th Street.

MC-136739, J-M Express, Inc., application dismissed.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.72-15093 Filed 9-5-72;8:48 am]

[Notice 118]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by Division 3 of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73394. By order of August 21, 1972, Division 3, acting as an Appellate Division approved the transfer to John S. Lopes, Jr., doing business as Lopes Trucking Service, Modesto, Calif., of Certificate No. MC-92806 and MC-92806 (Sub No. 20) issued to Miles & Nolet, Inc., Mountain View, Calif., authorizing the transportation of: Various commodities of a general commodity nature, between points in California. Ann M. Pougiales, attorney, 100 Bush Street, San Francisco, CA 94104.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.72-15094 Filed 9-5-72;8:48 am]

ADVISORY COMMITTEE ON FEDERAL PAY

ANNUAL REPORT ON SALARY COMPARABILITY

Preparation for Fiscal 1973 Adjustment of Federal Pay Systems

The Advisory Committee on Federal Pay, appointed by the President in accordance with the Federal Pay Comparability Act of 1970 (Public Law 91-656, 91st Congress, January 8, 1971), is now reviewing the annual report on salary comparability prepared by the President's Pay Agent in preparation for the fiscal 1973 adjustment of Federal statutory pay systems. The law requires the Advisory Committee to report to the President after reviewing the Pay Agent's report and considering views regarding the Pay Agent's proposals of employee organizations and other officials of the government.

Any organizations representing Federal employees or any government officials having views on the Pay Agent's report is invited to send them to the Committee at 1016 16th Street NW. (Room 101), Washington, D.C. 20036, by Tuesday morning September 12 (five copies should be submitted). If the organization or official wishes an opportunity to discuss the report orally with the Committee, that fact should be indicated. Either written submissions or a request for an opportunity to discuss the issues should indicate a telephone number where the person can be reached.

JEROME M. ROSOW,
Chairman, Advisory Committee on Federal Pay.

[FR Doc.72-15216 Filed 9-5-72;10:41 am]

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

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