# federal register

TUESDAY, JANUARY 16, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 10

Pages 1569–1627

## HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

### NOTICE TO READERS

This week several new features are being introduced to remind readers of important action dates established by documents published in the FEDERAL REGISTER.

Beginning January 17th, two new lists will be published. One, entitled "Next Week's Deadlines for comment on Proposed Rules," will serve as a weekly reminder to readers of the opportunity to participate in certain administrative actions of their Government. The other, entitled "Next Week's Hearings," will itemize hearings that appear to be of interest to broad segments of the public. These lists will appear every Wednesday and will cover the week beginning on the Monday following publication.

On Thursday, January 18th, a list entitled "Rules Going into Effect Today" will be introduced. When a rule becomes effective more than 14 days after publication in the FEDERAL REGISTER a reminder will be published on the day that the rule goes into effect. This list will appear daily.

Other changes scheduled to be introduced during January involve changes in the typography of the Highlights, contents pages, and various headings—all designed to make the FEDERAL REGISTER easier to use.

The Administrative Committee of the Federal Register is interested in continued improvement of the FEDERAL REGISTER in order to serve readers more efficiently. Comments on these changes and recommendations for other improvements are welcome. Write to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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FEDERAL REGISTER

Area Code 202 Phone 962-8626

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

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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, 1973, and specifies how they are affected.**

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# Rules and Regulations

## Title 7—AGRICULTURE

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

[Lemon Reg. 567, Amdt. 1]

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

#### Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period January 7–13, 1973. The quantity that may be shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 567 (38 FR 847). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provision in paragraph (b)(1) of § 910.867 (Lemon Regulation 567 (38 FR 847)) is hereby amended to read as follows:

§ 910.687 Lemon Regulation 567.

* * * * *

(b) *Order.* (1) * * * 225,000 cartons.

* * * * *

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

Dated: January 11, 1973.

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

[FR Doc.73-861 Filed 1-15-73;8:45 am]

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### Chapter XIV—Commodity Credit Corporation, Department of Agriculture

#### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Reseal Loan Regs., 1971–72 and Subsequent Storage Periods, Amdt. 1]

### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

#### Subpart—Farm Storage Reseal Loan Program

STORAGE PAYMENT LIMITATION

The regulations issued by Commodity Credit Corporation published at 36 FR 7417, which contain the regulations governing farm storage reseal loan programs for the 1971–72 and subsequent storage periods are hereby amended as follows:

Paragraph (c) of § 1421.537 is amended to provide that storage credit shall not be allowed beyond the month preceding the month in which a commodity is released to a borrower for delivery to a buyer for sale or conversion to a warehouse storage loan. The amended paragraph reads as follows:

§ 1421.537 Storage payments.

* * * * *

(c) *Storage credit.* Credit will be given for each full month of storage beginning on the day following the original loan program maturity date. Credit will not be allowed for the month in which redemption, release of the commodity to the borrower for delivery to a buyer for sale or for conversion to a storage loan, delivery to CCC, or loss or damage to the commodity to be assumed by CCC under § 1421.16 occurs. A final storage payment shall not include any credit for any part of the 2 calendar months after the original loan maturity date or after the anniversary of the original loan maturity date if the redemption, release to the borrower for delivery to a buyer for sale or for conversion to a storage loan, or loss or damage to the commodity to be assumed by CCC under § 1421.16 occurs within 2 calendar months after the original loan maturity date or after the anniversary of the original loan maturity date.

* * * * *

Since this amendment is necessary to carry but the reseal loan program more effectively, compliance with the notice of proposed rule making and public participation procedure would be impractical and contrary to the public interest. Therefore, this amendment is issued without compliance with such procedure.

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 (b) and (c); 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: January 16, 1973.

Signed at Washington, D.C., on January 5, 1973.

KENNETH E. FRICK,
*Executive Vice President, Commodity Credit Corporation.*

[FR Doc.73-862 Filed 1-15-73;8:45 am]

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[CCC Farm Storage and Drying Equipment Loan Program Regs., Amdt. 9]

### PART 1474—FARM STORAGE FACILITIES

#### Farm Storage and Drying Equipment Loan Program Regulations

The subpart of Part 1474, Title 7, Code of Federal Regulations, published in the FEDERAL REGISTER of July 1, 1967 (32 FR 9510), and amended in the FEDERAL REGISTERS of December 14, 1967 (32 FR 17888), June 1, 1968 (33 FR 8221), January 24, 1969 (34 FR 1132), May 30, 1969 (34 FR 8361), April 1, 1970 (35 FR 5397), February 13, 1971 (36 FR 2960), July 1, 1971 (36 FR 12509), corrected July 15, 1971 (36 FR 13131), March 30, 1972 (37 FR 6491), and April 11, 1972 (37 FR 7148), is further amended as follows:

It is essential that the regulations be made effective as soon as possible in order that the changes be implemented during a period when the volume of applications for loans being filed is normally low and for the changes to accomplish the desired objectives. It is hereby found and determined that compliance with the notice of proposed rule making procedure provided for in the statement of policy issued by the Secretary on July 20, 1971 (36 FR 13804), is impracticable and contrary to the public interest. Accordingly, this program

amendment is effective with respect to loan applications filed on or after December 13, 1972.

1. Section 1474.4 paragraph (b) is revised to change the manner in which the need for storage is determined. The revised paragraph reads as follows:

§ 1474.4 Eligible borrowers.

* * * * *

(b) *Need for storage or equipment.* At the time any loan application is being considered, the county committee shall determine if the proposed farm storage or drying equipment is needed for the storage or conditioning of eligible commodities produced on the farm(s) to which the loan application relates: *Provided, however,* That in making this determination (1) production of a price support commodity on a farm shall not be included unless the applicant either is or indicates he will be eligible for price support on the commodity, (2) 1 year's estimated production of eligible commodities shall be used in determining whether the proposed drying equipment is needed, (3) the maximum storage space for which a loan may be made for commodities other than baled hay shall be the amount by which the total capacity of existing storage on the farm(s) which is suitable for storage of eligible commodities is less than the storage capacity necessary to store 1 year's production (computed on the basis of estimated yields) of all eligible commodities produced on the farm(s) to which the loan application relates, and (4) the maximum storage space for which a loan may be made for baled hay storage shall be the amount by which the total capacity of existing storage for baled hay is less than the capacity necessary to store 1 year's production (estimated) of baled hay which the producer is authorized to harvest from set-aside acres. If the capacity of the storage to be purchased or erected by the applicant exceeds the need as determined above, the application may be approved, but the amount of such loan shall not exceed the maximum authorized in § 1474.8(b).

2. Paragraph (a) of § 1474.5 is amended to (1) exclude oxygen-limiting and other silo-type structures in the definition of "farm storage," and (2) revise paragraph (b)(8) to provide that conditioning, handling, and operating equipment shall not be for use with oxygen-limiting and other silo-type structures. The revised § 1474.5 reads as follows:

§ 1474.5 Loans to purchase eligible storage or drying equipment.

(a) *General.* Loans will be made only for the purchase, construction, erection, or installation of farm storage and drying equipment meeting the eligibility requirements in paragraph (b) of this section. For commodities other than baled hay, the term "farm storage" means new or newly constructed conventional-type cribs, bins, or buildings designed for dry storage. The term "farm storage" shall not mean oxygen-limiting and other silo-type structures. For baled hay, the term "farm storage" means a new or newly constructed structure, which, in the opinion of the county committee, is of the type normally used for the storage of baled hay in the area and will be of a permanent-type construction. The term "farm storage" also means used storage structures (including the real estate upon which such structures are located, if any) to be purchased from CCC. Loans may be made for multipurpose (dry storage) structures provided that the area or space to be used for storage is isolated or closed off from other use areas, and provided further that only the cost of the portion or space used for storage will be included in determining the amount of the loan. The term "drying equipment" means new continuous-flow type dryers, or new drying systems with wagons or trailers as integral parts thereof, or new batch or in-store drying systems (including integral parts and equipment) using heated or unheated air, equipment which conditions or facilitates drying by aerating, circulating, or stirring the commodity, or used drying equipment (including the real estate upon which such equipment is located, if any) to be purchased from CCC. For the purposes of this program, used farm storage and used drying equipment sold by CCC under the provisions of its security documents may be considered to be "purchased from CCC".

(b) *Eligibility requirements.* * * *

(8) Loans on storage and drying equipment may include the conditioning, handling, and operating equipment considered essential to the practical operation of the proposed storage or drying unit, and loans may be approved to add individual items of equipment to an existing storage or drying unit when the equipment is considered necessary to make the existing unit more practical and efficient: *Provided, however,* That any conditioning, handling, or operating equipment to be eligible for a loan or for inclusion in a loan shall not be for use with oxygen-limiting or other silo-type structures: *Provided further,* That no equipment shall be eligible for inclusion in a loan for baled hay storage.

* * * * *

3. In § 1474.8, paragraph (a) is revised to provide that "net cost" shall not include the costs of material and labor for concrete work and electrical wiring. Paragraph (b) is revised to remove the reference to wet storage and reduce the maximum aggregate outstanding balance from $35,000 to $25,000. The revised paragraphs read as follows:

§ 1474.8 Amount of loan and loan application approvals.

(a) *Definitions.* (1) "Net cost" means the actual cost to the applicant, after deduction of any discount or rebate, and may include the purchase price, local sales taxes payable by purchasers, and costs for transportation, delivery, and erection or installation of the farm storage or drying equipment. "Net cost" shall not include the cost of used or second-hand material to be used in the proposed construction of otherwise new farm storage or the remodeling of existing storage structures, costs for labor performed by the applicant or other labor usually employed on the farm, or costs of material and labor for concrete work and electrical wiring.

(b) *Amount of loan.* The amount of any loan, including those for baled hay storage, shall not result in an aggregate outstanding balance in excess of $25,000 and shall not exceed (1) 85 percent of the net cost of the applicant's needed farm storage and drying equipment, or (2) the prorated cost for the applicant's farm storage which is needed and suitable for the storage of the eligible commodities when a farm storage structure has a larger capacity than the applicant's needed farm storage.

* * * * *

4. Section 1474.10 is revised to raise the interest rate. The revised section reads as follows:

§ 1474.10 Repayment of loan and acceleration of maturity date.

The principal of the loan shall be repayable in equal annual installments with interest (at an annual percentage rate of 6 percent) on the unpaid balance from date of disbursement or date of last repayment at 50 cents for each whole unit of $100 or fraction thereof (stated to the nearest 10th) for each calendar month or fraction thereof, from and including the calendar month of disbursement, or month to which interest has been paid, but excluding the calendar month of repayment. The first installment plus interest on the unpaid balance shall be payable during the 12-month period beginning on the first anniversary date of the note. A like installment shall be similarly payable during the 12 months following each anniversary date thereafter until the principal, together with the interest thereon, has been paid in full. Payment of each installment shall be by cash, check, money order, or by deduction from the amounts of any price support loans, incentive payments, reseal storage payments, or payments for purchases by CCC which may be due the borrower: *Provided, however,* That any such deduction shall not be made until after service charges and amounts due prior lienholders have been deducted. Payment shall be applied first to accrued interest and then to principal. Each installment must be paid not later than the end of the applicable 12-month repayment period. Upon failure to pay any installment by the end of such period, the loan may be declared delinquent and, at the option of the approving State or county committee, the loan may be called and the entire unpaid amount of the loan shall become immediately due and payable. Any delinquent loan or any past due amount on any annual payment may be deducted and paid out of any amounts due the borrower under any program carried out by the Department of Agricul-

ture or any other agency of the United States. Upon breach by the maker of the note of any covenants, agreements, terms, or conditions on his part to be performed under §§ 1474.1 to 1474.16 or under the loan application, promissory note, chattel mortgage, or other security instruments securing the note, or under any other instruments executed in connection with the loan, or if the farm storage or drying equipment is used in connection with any commercial operation including, but not limited to, elevators, warehouses, dryers, or processing plants, during the life of the loan, CCC may declare the entire indebtedness immediately due and payable. The loan may be paid in full or in part by the borrower at any time before maturity. Upon payment of a loan secured by a chattel mortgage or other security instrument, the county committee shall, upon request by the borrower, release or obtain the release of such instrument. The chairman of each county committee or the county executive director is authorized to act as agent of CCC in releasing or obtaining the release of such instruments.

(Secs. 4 and 5(b), 62 Stat. 1070–1072, as amended; 15 U.S.C. 714b, 714c(b))

*Effective date.* This amendment is effective with respect to loan applications filed on or after December 13, 1972.

Signed at Washington, D.C., on January 8, 1973.

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

[FR Doc.73-863 Filed 1-15-73;8:45 am]

# Title 9—ANIMALS AND ANIMAL PRODUCTS

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

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS; EXTRAORDINARY EMERGENCY REGULATION OF INTRASTATE ACTIVITIES

[Docket No. 73-501]

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

### Areas Quarantined

These amendments quarantine an additional portion of Southampton County in Virginia and an additional portion of Hertford County in North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas.

The amendments remove Virginia from the list of hog cholera Free States in § 76.2(g), and the special provisions pertaining to the interstate movement of swine and swine products from Eradication and Free States are no longer applicable to Virginia.

Therefore, pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (g) the name of the State of Virginia is deleted and paragraph (e)(10) relating to the State of Virginia is amended to read:

(10) *Virginia.* That portion of Southampton County bounded by a line beginning at the junction of the Virginia-North Carolina State line and Secondary Road 701; thence, following Secondary Road 701 in a northerly direction to State Highway 195; thence, following State Highway 195 in a northeasterly direction to State Highway 35; thence, following State Highway 35 in a southerly direction to Secondary Road 670; thence, following Secondary Road 670 in a southeasterly direction to Secondary Road 743; thence, following Secondary Road 743 in a southeasterly direction to Secondary Road 716; thence, following Secondary Road 716 in a northeasterly, then northwesterly direction to Secondary Road 665; thence, following Secondary Road 665 in an easterly direction to Secondary Road 672; thence, following Secondary Road 672 in a northeasterly direction to Secondary Road 673; thence, following Secondary Road 673 in a northwesterly direction to Secondary Road 671; thence, following Secondary Road 671 in a northeasterly direction to Secondary Road 749; thence, following Secondary Road 749 in a northeasterly direction to Secondary Road 731; thence, following Secondary Road 731 in a southeasterly direction to Secondary Road 674; thence, following Secondary Road 674 in a northeasterly direction to Secondary Road 680; thence, following Secondary Road 680 in a southeasterly direction to Secondary Road 671; thence, following Secondary Road 671 in a northeasterly direction to Secondary Road 687; thence, following Secondary Road 687 in a southeasterly direction to Secondary Road 689; thence, following Secondary Road 689 in a southeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a southwesterly direction to Secondary Road 687; thence, following Secondary Road 687 in a southeasterly direction to the east bank of the Nottoway River; thence, following the east bank of the Nottoway River in a southeasterly direction to the Virginia-North Carolina State line; thence, following the Virginia-North Carolina State line in a westerly direction to its junction with Secondary Road 701.

2. In § 76.2, in paragraph (e)(6) relating to the State of North Carolina, subdivisions (ii) relating to Hertford County and (iii) relating to Northampton County are deleted and a new subdivision (ii) relating to Northampton and Hertford Counties is added to read:

(ii) The adjacent portions of Northampton and Hertford Counties bounded by a line beginning at the junction of the North Carolina-Virginia State line and Secondary Road 1339 in Northampton County; thence, following Secondary Road 1339 in a southwesterly direction to Secondary Road 1333; thence, following Secondary Road 1333 in a southeasterly direction to Secondary Road 1337; thence, following Secondary Road 1337 in a southeasterly direction to Secondary Road 1344; thence, following Secondary Road 1344 in a southwesterly direction to Secondary Road 1343; thence, following Secondary Road 1343 in a southeasterly direction to Secondary Road 1341; thence, following Secondary Road 1341 in a northeasterly direction, then southeasterly direction to Secondary Road 1342; thence, following Secondary Road 1342 in a southeasterly direction to State Highway 35; thence, following State Highway 35 in a southerly direction to U.S. Highway 158; thence, following U.S. Highway 158 in an easterly direction to U.S. Highway 158, 258 in Hertford County; thence, following U.S. Highway 158, 258 in a northeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to the south bank of the Meherrin River; thence, following the south bank of the Meherrin River in a northeasterly direction, then southeasterly direction to the west bank of the Chowan River; thence, following the west bank of the Chowan River in a generally northeasterly direction to the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in a westerly direction to its junction with Secondary Road 1339 in Northampton County.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; sec. 1–4, 33 Stat. 1264, 1265, as amended; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 37 FR 28464, 28477)

*Effective date.* The foregoing amendments shall become effective January 10, 1973.

The amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, and must be made effective immediately to accomplish their purpose in the public interest. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary and contrary to the public in-

terest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 10th day of January 1973.

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

[FR Doc.73-918 Filed 1-15-73;8:45 am]

[Docket No. 73-502]

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

### Release of Area Quarantined

This amendment excludes portions of Montgomery and Bucks Counties in Pennsylvania from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas contained in 9 CFR Part 76, as amended, do not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 apply to the excluded area.

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

In § 76.2, in paragraph (e)(11) relating to the State of Pennsylvania, subdivision (i) relating to Montgomery and Bucks Counties is deleted.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; sec. 1–4, 33 Stat. 1264, 1265, as amended; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 37 FR 28464, 28477)

*Effective date.* The foregoing amendment shall become effective January 10, 1973.

The amendment relieves restrictions presently imposed but no longer deemed necessary to prevent the spread of hog cholera and must be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department.

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

Done at Washington, D.C., this 10th day of January 1973.

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

[FR Doc.73-919 Filed 1-15-73;8:45 am]

## PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

### Areas Quarantined

This amendment quarantines an additional portion of Riverside County in California because of the existence of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles from quarantined areas, as contained in 9 CFR Part 82, as amended, apply to the quarantined area.

Pursuant to the provisions of sections 1, 2, 3, and 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, sections 4, 5, 6, and 7 of the Act of May 29, 1884, as amended, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 115, 117, 120, 123, 124, 125, 126, 134b, 134f), Part 82, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

In § 82.3, in paragraph (a)(1) relating to the State of California, a new subdivision (iv) relating to Riverside County is added to read:

(iv) The premises of the Woodcrest Egg Ranch, 17000 King Street, city of Riverside in Riverside County, located in the southeast quarter of sec. 26, T. 3 S., R. 5 W.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1264, 1265, as amended; sections 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 115, 117, 120, 123–126, 134b, 134f; 37 FR 28464, 28477)

*Effective date.* The foregoing amendment shall become effective on January 11, 1973.

The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department.

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

Done at Washington, D.C., this 11th day of January 1973.

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

[FR Doc.73-917 Filed 1-15-73;8:45 am]

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

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

### Cattle From Mexico

The purposes of these amendments are to provide for the use of a dip which is effective for both ticks and scabies when required; to provide an alternative for arsenic dips which is biodegradable and meets environmental residual standards; and to provide for a wider range of effective products with less toxicity to animals subjected to treatment than is possible when arsenic dip is used.

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

1. In § 92.35, the third sentence in paragraph (a)(1) and paragraph (a)(2)(ii) and (iv) are amended to read:

**§ 92.35 Cattle from Mexico.**

(a) * * *

(1) * * *. Notwithstanding such certificates, such cattle shall be detained or quarantined as provided in § 92.34 and shall be dipped at least once, under supervision of an inspector, in one of the permitted dips listed in § 72.13(b) of this chapter. The selection of the permitted dip to be used will be made by the port veterinarian in each case. * * *

(2) * * *

(ii) The cattle shall be shown by a certificate of a salaried veterinarian of the Mexican Government to have been dipped in a tickicidal dip within 7 to 12 days before being offered for entry.

* * * * *

(iv) The cattle when offered for entry shall receive a chute inspection by an inspector. If found free from ticks they shall be given one dipping in one of the permitted dips listed in § 72.13(b) of this chapter under the supervision of an inspector 7 to 14 days after the dipping required by subdivision (ii) of this subparagraph. The selection of the permitted dip to be used will be made by the port veterinarian in each case. If found to be infested with fever ticks, the entire lot of cattle shall be rejected and will not be again inspected for entry until

10 to 14 days after they have again been dipped in the manner provided by subdivision (ii) of this subparagraph.

* * * * *

(Sec. 2, 32 Stat. 792, as amended; secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132; 21 U.S.C. 111, 134a, 134b, 134c, 134f; 37 FR 28464, 28477)

*Effective date.* The foregoing amendments shall become effective on January 16, 1973.

The amendments relieve certain restrictions presently imposed but no longer deemed necessary to prevent the spread of animal diseases, and must be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department.

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

Done at Washington, D.C., this 11th day of January 1973.

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

[FR Doc.73-864 Filed 1-15-73;8:45 am]

# Title 14—AERONAUTICS AND SPACE

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

[Docket No. 12323, Amdt. 39-1585]

## PART 39—AIRWORTHINESS DIRECTIVES

### Handley Page HP-137 Mark I Airplanes

Pursuant to the authority delegated to me by the Administrator, an amendment to Amendment 39-1548 (37 FR 22846), AD 72-23-1 was adopted on December 1, 1972, and made effective immediately as to all known United States operators of Handley Page HP-137 Mark I airplanes. The amendment extends the time for compliance with the AD until January 24, 1973.

The FAA has been advised that the modification kits required for compliance with AD 72-23-1 are not available in sufficient quantities to permit compliance with the AD within the time specified and that this will result in grounding of airplanes. AD 72-23-1 was issued as a result of reports of ruptures of the horizontal firewall under the engine hot section due to engine rotor failures or combustor torching flame penetrating the combustor case and firewall, in order to provide additional fire shielding to protect the aft nacelle, wing, and fuel tank in case the horizontal firewall is penetrated. Subsequent to the issuance of AD 72-23-1 the FAA has determined that only a single case of inservice rupture of the horizontal firewall has occurred, that that rupture was caused by an uncontained engine rotor disc failure, and that there have been no cases of rupture caused by combustor torching flames. These determinations have been confirmed by the British CAA.

The FAA issued AD 70-15-4 establishing service life limits on certain engine rotor discs and requiring modifications of the fuel and hydraulic systems in order to reduce the possibility of inflight failure of those discs and subsequent rupture of fuel and hydraulic lines.

In view of the foregoing and based on further review of the service history of these airplanes the FAA has determined that the situation is not as severe as originally determined, that the compliance time specified in AD 72-23-1 is unnecessarily restrictive, and that extension of the compliance time for 60 days will not adversely affect safety.

Since it was found that the amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure thereon was unnecessary. Those conditions still exist and the amendment is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1548 (37 FR 22846), AD 72-23-1, is amended by amending the compliance statement therein to read as follows:

Compliance is required on or before January 24, 1973, unless already accomplished.

This amendment is effective on January 16, 1973, as to all persons except those persons to whom it was made immediately effective by the telegram, dated December 2, 1972, which contained this amendment.

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

Issued in Washington, D.C., on January 4, 1973.

C. R. MELUGIN, Jr.,
*Acting Director, Flight Standards Service.*

[FR Doc.73-848 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-EA-99]

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

### Alteration of Control Zone and Transition Area

On page 24120 of the FEDERAL REGISTER for November 14, 1972 the Federal Aviation Administration published a proposed rule which would alter the Wilmington, Del., control zone (38 FR 351) and transition area (38 FR 435).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. However, the description is being modified to correct an omission establishing the transition area. The area was described impliedly from the surface but should be described from 700 feet above the surface. The modification is thus less restrictive, eliminating a need for notice and public procedure thereon.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. March 1, 1973, except as follows:

1. Insert after the words "upward from" in item 2 of the description the words "700 feet above the surface within an".

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y. on December 26, 1972.

ROBERT H. STANTON,
*Acting Director, Eastern Region.*

1. Amend §71.171 of Part 71, Federal Aviation Regulations, by deleting the description of the Wilmington, Del., control zone and by substituting the following in lieu thereof:

WILMINGTON, DELAWARE

Within a 6-mile radius of the center 39°-40'42" N., 75°36'27" W., of the Greater Wilmington Airport, Wilmington, Del.; within 3.5 miles each side of the New Castle, Del., VORTAC 281° radial extending from the 6-mile zone to 9.5 miles west of the VORTAC and within 3.5 miles each side of the New Castle VORTAC 114° radial extending from the 6-mile radius zone to 9.5 miles southeast of the VORTAC.

2. Amend § 71.181 of Part 71, Federal Aviation Regulations, by deleting the description of the Wilmington, Del., 700-foot floor transition area and by substituting the following in lieu thereof:

WILMINGTON, DELAWARE

That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center 39°40'42" N., 75°-36'27" W. of Greater Wilmington Airport, Wilmington, Del., extending clockwise from a 270° bearing to a 030° bearing from the airport; within a 10-mile radius area of the center of the airport extending clockwise from a 030° bearing to a 270° bearing from the airport; and within 3.5 miles each side of the New Castle, Del. VORTAC 281° radial extending from the VORTAC to 10.5 miles west of the VORTAC; within 3.5 miles each side of the New Castle VORTAC 114° radial extending from the VORTAC to 11 miles southeast of the VORTAC. Within a 5-mile radius of the center 39°31'00" N., 75°43'00" W. of Summit Airpark Airport, Middletown, Del., and within 3 miles each side of a 234° bearing from the Greater Wilmington, Del., ILS OM extending from the 5-mile radius area to 13 miles southwest of the OM.

[FR Doc.73-849 Filed 1-15-73;8:45 am]

[Airspace Docket No. 72-EA-100]

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

### Alteration of Control Zone

On page 24121 of the FEDERAL REGISTER for November 14, 1972 the Federal Aviation Administration published a proposed rule which would alter the Atlantic City, N.J., control zone (38 FR 351).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received. However, the proposal is being modified to delete reference to Crescent Airport since it is no longer an active airport. This modification is less restrictive, making notice and public procedure thereon unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t., March 1, 1973, except as follows:

1. Delete in the description of the airspace the words "within a 1.5 mile radius of the center 39°28'27" N., 74°44'03" W. of Crescent Airport, Mays Landing, N.J."

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on December 22, 1972.

ROBERT H. STANTON,
*Acting Director, Eastern Region.*

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Atlantic City, N.J., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center 39°27'22" N., 74°34'41" W. of NAFEC Atlantic City Airport, Atlantic City, N.J.; within 2 miles each side of the NAFEC Atlantic City Airport ILS localizer southwest course, extending from the 5-mile radius zone to the OM; within 3 miles each side of the Atlantic City VORTAC 303° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; within a 3-mile radius of the center 39°21'35" N., 74°27'28" W. of Atlantic City Municipal-Bader Field, Atlantic City, N.J.; within 2 miles each side of the Atlantic City VORTAC 136° radial, extending from the VORTAC to the 3-mile radius zone and within 1.5 miles each side of a 283° bearing from a point 39°21'43" N., 74°27'46" W., extending from said point to 5.5 miles west.

[FR Doc.73-850 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-EA-104]

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

### Alteration of Transition Area

On page 24121 of the FEDERAL REGISTER for November 14, 1972, the Federal Aviation Administration published a proposed rule which would alter the Buffalo, N.Y. transition area (38 F.R. 435).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. March 1, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on December 20, 1972.

ROBERT H. STANTON,
*Acting Director, Eastern Region.*

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Buffalo, N.Y., 700-foot floor transition area by inserting after "Buffalo, N.Y., VORTAC 034° radial", the following:

within a 5.5-mile radius of the center 43°01'-15" N., 78°29'08" W. of Akron Airport, Akron, N.Y.; within 2.5 miles each side of the Buffalo, N.Y., VORTAC 052° radial, extending from the 5.5-mile radius area to 17.5 miles northeast of the VORTAC.

[FR Doc.73-851 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-EA-106]

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

### Alteration of Transition Area

On page 24121 of the FEDERAL REGISTER for November 14, 1972, the Federal Aviation Administration published a proposed rule which would alter the Red Hook, N.Y. transition area (38 F.R. 435).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. March 1, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on December 20, 1972.

ROBERT H. STANTON,
*Acting Director, Eastern Region.*

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Red Hook, N.Y., transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°59'12" N., 73°50'12" W., of Skypark Airport, extending clockwise from a 220° bearing to 025° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 025° bearing to a 160° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 160° bearing to a 220° bearing from the airport; and within 4.5 miles each side of the Kingston, N.Y., VORTAC 358° radial, extending from 1.5 radius north of the Kingston VORTAC to 22 miles north of the Kingston VORTAC.

[FR Doc.73-852 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-EA-111]

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

### Designation of Transition Area

On page 24765 of the FEDERAL REGISTER for November 21, 1972, the Federal Aviation Administration published a proposed rule which would designate a Summersville, W. Va., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. March 1, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on December 26, 1972.

ROBERT H. STANTON,
*Acting Director, Eastern Region.*

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Summersville, W. Va., 700-foot-floor transition area as follows:

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center 38°13'50" N., 80°52'15" W., of Summersville Airport, Summersville, W. Va., extending clockwise from a 244° bearing to a 304° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 304° bearing to a 337° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 337° bearing to a 018° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 018° bearing to a 056° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 056° bearing to a 070° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 070° bearing to a 083° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 083° bearing to a 100° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 100° bearing to a 109° bearing from the airport; within a 22-mile radius of the center of the airport, extending clockwise from a 109° bearing to a 132° bearing from the airport; within a 19-mile radius of the center of the airport, extending clockwise from a 132° bearing to a 147° bearing from the airport; within a 17.5-mile radius of the center of the airport, extending clockwise from a 147°

bearing to a 163° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 163° bearing to a 190° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 190° bearing to a 212° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 212° bearing to a 244° bearing from the airport; and within 4.5 miles southeast and 8 miles northwest of a 221° bearing from the Summersville, W. Va. RBN 38°13'46" N., 80°52'14" W., extending from the RBN to 11.5 miles southwest of the RBN excluding the portion that coincides with Lewisburg, W. Va., transition area.

[FR Doc.73-853 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-SO-56]

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

### Alteration of Transition Area

On November 25, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 FR 25052), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Shelbyville, Tenn., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 1, 1973, as hereinafter set forth.

In § 71.181 (38 FR 435), the Shelbyville, Tenn., transition area is amended as follows:

"* * * 18.5 miles south * * *" is deleted and "* * * 18.5 miles south; within a 9.5 mile radius of Ellington Airport, Lewisburg, Tenn. (Lat. 35°30'35" N., Long. 86°48'15" W.); excluding the portion within the Mount Pleasant, Tenn., transition area * * *" is substituted therefor.

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

Issued in East Point, Ga., on December 27, 1972.

PHILIP M. SWATEK,
*Director, Southern Region.*

[FR Doc.73-854 Filed 1-15-73;8:45 am]

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[Airspace Docket No. 72-SW-76]

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

### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the 700-foot transition area at Little Rock, Ark.

On November 25, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 FR 25052) stating the Federal Aviation Administration proposed to alter the Little Rock, Ark., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 29, 1973, as hereinafter set forth.

In § 71.181 (38 FR 435), the Little Rock, Ark., transition area is amended to read:

LITTLE ROCK, ARK.

That airspace extending upward from 700 feet above the surface bounded by a 23-mile radius of Little Rock AFB, Ark. (latitude 34°55'00" N., longitude 92°09'00" W.), and clockwise along a 23 NM arc of Adams Field Airport, Little Rock, Ark. (latitude 34°43'48" N., longitude 92°13'59" W.), to latitude 34°26'50" N., longitude 92°26'00" W., to latitude 34°26'00" N., longitude 92°30'00" W., to latitude 34°28'00" N., longitude 92°36'00" W., thence clockwise along the arc of a 6.5-mile-radius circle centered at latitude 34°33'30"N., longitude 92°36'30" W., to latitude 34°39'30" N., longitude 92°37'50" W., thence clockwise along a 23-mile radius of Adams Field Airport.

(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 Fort Worth, Tex., on January 5, 1973.

R. V. REYNOLDS,
*Acting Director, Southwest Region.*

[FR Doc.73-855 Filed 1-15-73;8:45 am]

# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 8843]

## PART 13—PROHIBITED TRADE PRACTICES

### Georgia-Pacific Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets:* 13.5-20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) [Cease and desist order, Georgia-Pacific Corp., Portland, Oreg., Docket No. 8843, Dec. 26, 1972]

*In the Matter of Georgia-Pacific Corp., a Corporation*

Consent order requiring, among other things, the divestiture by Nation's leading producer and distributor of softwood plywood, headquartered in Portland, Oreg., of certain acquisitions alleged to be anticompetitive and monopolistic in nature. The principal provisions of the order are that the respondent shall create an independent corporation and transfer approximately 20 percent of its assets to said corporation. The order further restricts and prohibits future acquisitions in the timber industry in the South for 5 years and places a 10-year ban on the acquisition of the stocks and assets of softwood plywood concerns with prior Federal Trade Commission approval.

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

*Order.* For the purposes of this order, the following definitions shall apply:

1. *Respondent.* Georgia-Pacific Corp., its officers, directors, agents, representatives, employees, subsidiaries, affiliates, successors and assigns and any person, partnership, corporation, or other legal entity acting for or on its behalf or with its express or implied consent: *Provided, however,* That the term Respondent shall not be construed to include Louisiana-Pacific.

2. *The South.* The States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Oklahoma, Arkansas, Louisiana, Texas, and Tennessee.

3. *Market price.* The price established within the same area, for similar quantities, grades, and types of the commodity being sold.

4. *Single ownership.* One or more parcels of timberland in which any interest in the fee is commonly or jointly held by any one or more persons, trust, partnerships, corporations or other legal entities.

5. *Person.* Any individual, partnership, firm, association, corporation, governmental agency or other legal or business entity.

PARAGRAPH 1. *It is ordered,* That Respondent shall:

(A) Prior to thirty (30) days from the date of service of this order (hereinafter referred to as the "effective date") have existing or cause to be formed an independent corporation (hereinafter called "Louisiana-Pacific") with at least sufficient shares of authorized common stock in order to comply with the provisions of this Order and with by-laws containing a provision which shall insure compliance with subparagraph (G) hereof;

(B) Within sixty (60) days of the effective date mail to its stockholders a notice of a special meeting of stockholders, together with a proxy statement containing the recommendation of management that the stockholders authorize the transfer of assets called for by this order;

(C) Prior to thirty (30) days after the effective date transfer to Louisiana-Pacific assets of Respondent, including 45 plants and mills, having a net worth of not less than $150 million and more fully described in Appendices 1 and 2 of this order, in exchange for all of the capital stock of Louisiana-Pacific and the assumption by Louisiana-Pacific of the liabilities transferred in connection with the assets referred to;

(D) Prior to February 1, 1973, after retaining shares of Louisiana-Pacific stock for possible distribution under Respondent's contingent valuation contracts, distribute the remainder of said stock of Louisiana-Pacific to the stockholders of record on January 2, 1973, in the ratio of one share of Louisiana-Pacific stock for each four shares of Respondent's stock held on January 2, 1973, and shall make appropriate provisions for the handling of fractional shares;

(E) Within ninety (90) days of distribution of the Louisiana-Pacific stock, the amount credited to all salaried personnel in Respondent's stock bonus plan shall be transferred to a similar plan for the salaried employees who were former employees of Respondent and who shall become employees of Louisiana-Pacific, and a like procedure shall be followed regarding the pensions of hourly employees so involved;

(F) Make available executive personnel of Respondent, including officers who have present responsibility concerning the properties to be transferred by the Respondent to Louisiana-Pacific. These officers shall resign from their respective positions with the Respondent upon assuming their office with Louisiana-Pacific and all of the present personnel of the Respondent presently employed by the Respondent in the respective operations transferred to Louisiana-Pacific shall be transferred to Louisiana-Pacific. In addition, all of the present Respondent personnel involved in timber management, timber and log purchases and logging for these operations shall likewise be transferred to Louisiana-Pacific. The present sales organization of Respondent now selling all of its lumber production, kitchen cabinets, and aluminum and wood door and window production for the properties transferred to Louisiana-Pacific shall likewise be transferred to Louisiana-Pacific; and

(G) Respondent shall provide that:

1. Prior to the distribution of the Louisiana-Pacific stock to the stockholders of Respondent, Respondent shall vote the stock of Louisiana-Pacific for the election of an interim Board of Directors to serve until the election of an initial Board of Directors by the stockholders of Louisiana-Pacific;

2. Louisiana-Pacific shall within sixty (60) days of the distribution of the Louisiana-Pacific stock call a stockholders' meeting for the purpose of electing an initial Board of Directors;

3. Except as provided for in subparagraph 1 hereof and except with respect to organizational matters prior to the distribution of the Louisiana-Pacific stock to the Stockholders of Respondent, Georgia-Pacific Corp. shall not vote any stock of Louisiana-Pacific which it shall hold or which shall be held under its direction or control;

4. No nominee for the initial Board of Directors of Louisiana-Pacific shall at the time of his election be an officer or Director of Respondent; and

5. Subsequent to the election of the initial Board of Directors of Louisiana-Pacific no officer or Director of Respondent shall concurrently serve as an officer or Director of Louisiana-Pacific nor shall any officer or Director of Louisiana-Pacific serve concurrently as an officer or Director of Respondent.

PAR. 2. *It is further ordered*, That Respondent may, as requested by Louisiana-Pacific, for a period of ten (10) years from the effective date, purchase the softwood plywood production of Louisiana-Pacific at the current market price for such product and on the same terms and conditions as other purchases of softwood plywood made by Respondent, but only up to the percentage of Louisiana-Pacific's production as set forth immediately hereafter:

| | Percent |
|---|---|
| 1st year | 100 |
| 2d year | 80 |
| 3d year | 60 |
| 4th year | 40 |
| 5th to the 10th year | 20 |

*Provided, however*, That the purchases by Respondent from Louisiana-Pacific of redwood plywood siding shall not be considered to be included in the limitations or in the percentages set forth above.

PAR. 3. *It is further ordered*, That for a period of five (5) years from the effective date, Respondent shall cease and desist from acquiring directly or indirectly any fee ownership or leasehold interest in pine or mixed pine and hardwood timberland in the South which is held in single ownership exceeding 25,000 acres: *Provided however*,

(A) That this limitation shall not apply to land acquired for and utilized for a purpose other than in plywood production;

(B) That, for the purpose of determining whether 25,000 acres have been acquired, acres acquired from a single owner in separate transactions will only be accumulated if they occur within 12 months of each other;

(C) That this limitation shall not apply to any tract regardless of its size on which Respondent at the time of said acquisition and at the effective date shall have cutting rights thereon existing on the effective date and a bona fide offer has been made for such land by a person not affiliated with Respondent; and

(D) That if Respondent does acquire said timberland pursuant to Paragraph 3(C), Respondent is:

(a) Prohibited from using from said lands so acquired any greater volume of plywood logs for use in any softwood plywood plant of Respondent than the average annual amount taken from said lands by Respondent in the three (3) years prior to said acquisition;

(b) Prohibited from terminating (except for substantial breach) any cutting contract, timber deed or any other right held by any other person other than the person from whom such timberland was acquired, in respect of timber on such acquired lands;

(c) Required to offer for sale annually, on the open market and at market prices, the same volume of softwood timber from the acquired lands as that board footage constituting the average annual open market sales of softwood timber cut from the acquired lands during the three (3) calendar years ending immediately prior to such acquisition by third parties having no interest in the fee of such lands;

(d) Required, within sixty (60) days of any acquisition of such interest, to file a report in writing with the Federal Trade Commission setting forth in detail a description of the interest so acquired and the information necessary to insure compliance with the provisions of this Order.

PAR. 4. *It is further ordered*, That for a period of five (5) years if Respondent acquires, for utilization in any plywood plant, directly or indirectly any fee ownership or leasehold interest in pine or mixed pine and hardwood timberland in the South, which is held in single ownership ranging in size from 10,000 acres to 25,000 acres, Respondent is:

(A) Prohibited from using from said lands so acquired any greater volume of plywood logs for use in any softwood plywood plant of the Respondent than the average annual amount taken from said lands by Respondent in the three (3) years prior to said acquisition;

(B) Prohibited from terminating (except for substantial breach) any cutting contract, timber deed or any other right held by any other person other than the person from whom such timberland was acquired, in respect of timber on such acquired lands;

(C) Required to offer for sale annually, on the open market and at market prices, the same volume of softwood timber from the acquired lands as that board footage, constituting the average annual open market sales of softwood timber cut from the acquired lands during the three (3) calendar years ending immediately prior to such acquisition by third parties having no interest in the fee of such lands;

(D) Required, within sixty (60) days of any acquisition of such interest, to file a report in writing with the Federal Trade Commission setting forth in detail a description of the interest so acquired and the information necessary to insure compliance with the provisions of this Order; and

(E) Prohibited from acquiring in any one year more than 100,000 such acres.

PAR. 5. *It is further ordered*, That for a period of five (5) years from the effective date, Respondent is prohibited from utilizing in its individual softwood plywood plants now in operation any higher percentage of pine timber purchased in the open market (which as used herein shall mean all acquisitions of Southern Pine plywood timber other than from lands held by Respondent in fee), than the percentage of such timber utilized by the said individual plants of Respondent from open market purchases made in 1972, except that the following plants of Respondent may purchase on the open market such logs up to the percentage set opposite the plant listed below:

| | Percent |
|---|---|
| Crossett, Ark. No. 1 | 20 |
| Crossett, Ark. No. 2 | 20 |
| Fordyce, Ark | 20 |
| Chiefland, Fla | 95 |
| Emporia, Va | 95 |
| Russellville, S.C | 75 |
| Whiteville, N.C | 85 |

*Provided, however,* That if any event beyond the control of Respondent shall occur which prevents Respondent from cutting timber on lands held by Respondent in fee, Respondent shall be relieved of the limitation on open market purchases, but only to the extent that such event shall have prevented the acquisition of timber from lands held in fee by Respondent: *And provided further,* That within ninety (90) days following the end of each of the five annual periods during which this prohibition is in effect, Respondent shall file with the Federal Trade Commission a report showing compliance with the provision of this Order.

PAR. 6. *It is further ordered,* That for ten (10) years from the effective date, Respondent shall cease and desist from acquiring, directly or indirectly, through subsidiaries, or otherwise, for its use in the manufacture of softwood plywood, from any person, firm or corporation other than the manufacturer thereof or a regular dealer or distributor of such equipment in the ordinary course of such dealer's or distributor's business:

(A) Any equipment specifically designed for the manufacture of softwood plywood;

(B) Any equipment specifically designed and theretofore used in the manufacture of softwood plywood; and

(C) Any equipment thereafter converted by Respondent, directly or indirectly, into equipment specifically designed for the manufacture of softwood plywood;

in the absence of prior Federal Trade Commission approval of such acquisition.

PAR. 7. *It is further ordered,* That for a period of ten (10) years from the effective date, Respondent shall cease and desist from acquiring, directly or indirectly, through subsidiaries, or otherwise, the whole or any part of the share capital or assets of, or any other interest in, any other person, firm or corporation engaged in the manufacture of softwood plywood in the United States immediately prior to such acquisition, in the absence of prior Federal Trade Commission approval of such acquisition: *Provided, however,* That nothing contained in this paragraph shall preclude or be deemed to preclude Respondent from acquiring timberlands or any interest therein or timber in any form (including but not limited to stumpage, logs, veneers, chips, sawdust, and cores). *And further provided,* That nothing contained in this paragraph shall apply to purchases of lumber, plywood, machinery, or any other product, by Respondent in the regular conduct of its business from suppliers in the regular conduct of their businesses, or to sales made by Respondent in the regular conduct of its business.

PAR. 8. *It is further ordered,* That Respondent while it has voting control of Louisiana-Pacific shall not cause or permit except in the ordinary course of the operation of its business any deterioration in the value of any of the plants, machinery, parts, equipment, timberland, or any other property or assets of the corporations to be transferred which may impair their present capacity or market value unless such capacity or value be restored prior to transfer.

PAR. 9. *It is further ordered,* That Respondent shall within sixty (60) days after date of service of this order, and every ninety (90) days thereafter during the first calendar year following the effective date and thereafter sixty (60) days following each succeeding nine annual periods submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which Respondent intends to comply or has complied with this order. All compliance reports shall include such information necessary or pertinent to insure compliance with the provisions of this order.

PAR. 10. *It is further ordered,* That Respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate Respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any change in the corporation which may affect compliance obligations arising out of the order.

Issued: December 26, 1972.

By the Commission.

[SEAL] CHARLES A. TOBIN,
*Secretary.*

FOREWORD TO APPENDIXES 1 AND 2

The contracts relating to the purchase of raw material for use in connection with the operation of the various properties described in Appendixes 1 and 2, together with all property leases and leases on automotive and other equipment will be assigned to Louisiana-Pacific Corp. by Georgia-Pacific Corp.

APPENDIX 1

SAMOA DIVISION

This division, headquartered at Samoa, Calif., with timberlands and plants located in the northern California coastal area, manufactures kraft pulp, lumber, and plywood products.

Division assets include the following:

*Timber.* Three major tracts of fee timber, involving 125,000 acres of timberland. Timber is 71 percent redwood, 25 percent Douglas fir, and 4 percent other species. Annual harvest is approximately 300,000M ft. Logging is performed by company and contract personnel.

*Sawmills.* Three redwood sawmills, located at Samoa, Big Lagoon and Carlotta with a combined capacity of 214,000M ft. operate on a two-shift basis with a crew of 680 men. Rough lumber is transferred to three remanufacturing plants located at Eureka, Cloverdale, and Healdsburg. The remanufacturing plants process approximately 50,000M ft. per year and employ 210 persons. A studmill, cutting 60,000M ft. per year and glueboard plant is also located at Samoa.

*Plywood.* This plant, located at Samoa, employs 290 men and produces approximately 127,000M ft. (⅜ inch) of fir and redwood plywood per year.

*Pulp.* 600-ton-per-day pulpmill constructed in 1964–65 employs 275 people and operates on 65 percent fir and 35 percent redwood chips. Redwood and fir chips come from G-P operations and from local mills in the area. This mill produces bleached kraft pulp which is shipped approximately 55 percent to export markets and 45 percent domestically. G-P converting plants are a user of this pulp.

*Chip Export.* A new chip export facility has just been completed wherein G-P will supply redwood chips for export and handle and load fir chips for other exporters.

All plants are in good repair with many continued capital improvements being made. Total Samoa division employment is 1,800.

UKIAH DIVISION

The Ukiah operations, headquartered at Ukiah, Calif., is made up of 8 sawmills and one millwork plant. Principal products are Douglas fir, redwood and white fir lumber, pulp chips and moulding. A total of 865 people are employed.

Division's assets include the following:

*Timber.* Fee timber involves 157,500 acres of timberland. The timber species is principaliy Douglas fir, along with some redwood, white fir and pine. In addition to fee timber, the mills cut a substantial volume of Forest Service timber purchased on the open market. Logging is performed principally by contract operators.

*Sawmills.* Eight sawmills, located at Alderpoint, Covelo, Dinsmore, Fort Bragg, Oroville, Potter Valley, Ukiah, and Willits, Calif., have an annual rated capacity of 413,000M ft. A remanufacturing or millwork plant, located at Calpella, Calif., produces doorjambs and mouldings. All plants are in good repair and equipped with modern milling equipment.

INTERMOUNTAIN DIVISION

This operation, headquartered at Coeur D'Alene, Idaho, consists of seven sawmills and one planing mill located in southeastern Washington, eastern Oregon, and northern Idaho, and manufactures pine, fir, hemlock and other white wood species of lumber and pulp chips. A total of 765 people are employed in the division.

Division assets include the following:

*Timber.* Fee timber consists of 107,000 acres of timberland. The timber species are principally pine, fir, hemlock and other white woods. The mills are currently cutting a substantial volume of Forest Service timber purchased on the open market. Logging is performed principally by contract loggers.

*Sawmills.* Seven sawmills located at Pilot Rock, Oreg., Walla Walla and Ione, Wash., and Post Falls, Moyie Springs, Chilco, and Priest River, Idaho, have an annual rated capacity of 225,000M ft. A remanufacturing or planing mill located at Sandpoint, Idaho, processes rough lumber produced at the Priest River and Chilco sawmills. All plants are in good repair and equipped with modern milling equipment.

WEATHER-SEAL DIVISION

The Weather-Seal Division is comprised of six plants manufacturing complete lines of wood windows, doors and cabinets, and aluminum windows and doors. About 50 percent of 1972 sales will be made through the Distribution Division, with the balance sold by outside salesmen or through Nu-Sash dealers.

The Orrville, Ohio, plant produces wood windows, most of which are sold by outside salesmen. This is a union plant employing 109 people. Annual rated capacity (one 8-hour shift, 5 days a week) is 200,000 windows. G-P owns the 157,000 square foot plant, which is 13 years old and in good condition.

The Ottawa, Ohio, plant produces wood casement windows, solid core doors and kitchen cabinets. Windows and doors are

sold through the Distribution Division and by outside salesmen. Cabinets are produced in six major styles and three colors with many size variations and are sold through the Distribution Division. This is a union plant employing 153 people. Annual rated capacity is 75,000 windows, 200,000 doors and 125,000 cabinets. G-P owns the 351,000 square foot plant, which is 9 years old and in good condition.

The Caldwell, Ohio, plant manufactures aluminum windows used by schools and offices as replacement windows. All sales are made outside G-P, with Nu-Sash dealers handling about 50 percent of the volume. This small, nonunion plant employs 30 people. Annual rated capacity is 126,000 windows. G-P has a lease option on the 24,000 square foot plant, which is 4 years old and in very good condition.

The Winesburg, Ohio, plant produces aluminum storm doors and windows for residential construction. All sales are made through the Distribution Division. This is a nonunion plant employing 152 people. Annual rated capacity is 450,000 windows and 200,000 doors. G-P has a lease option on the 41,000 square foot plant, which is 15 years old and in good condition.

The processing operation at Norton, Ohio, produces Nu-Sash aluminum windows and doors for residential replacement. The windows are sold mainly through Nu-Sash dealers and the doors mainly through Distribution Division and outside salesmen. This union plant employs 134 people. Annual rated capacity is 210,000 windows and 282,000 doors.

The extrusion operation at Norton, Ohio, produces aluminum sashes from purchased aluminum billets. All production is used in the processing operation at Norton or is transferred to the Caldwell and Winesburg plants. This union plant employs 38 people. Annual rated capacity is 9 million pounds of extrusions.

The extrusion and processing operations at Norton are both located in one 138,000 square foot plant which is owned by G-P. It is 12 years old and in fair condition.

An agreement may be reached with The Anaconda Co., to acquire the metal operations of the Weather-Seal Division which encompass the plants at Norton, Caldwell, and Winesburg, Ohio. This is subject to Board approval of The Anaconda Co.

TEXAS-LOUISIANA OPERATIONS

These operations consist of three plywood plants, one particleboard plant with another one under construction, five sawmills with another one under construction, and one wood treating plant. Products produced are softwood plywood, particleboard, creosoted poles and lumber. A total of approximately 1,500 people are employed.

*Timber and timberland.* Fee timber involves 118,000 acres of timberland.

*Plants.* The three plywood plants located at Urania, La.; New Waverly, Tex.; Corrigan, Tex., with an annual rated capacity of 499 million square feet, ⅜ inch basis.

The particleboard plant is at Urania, La., with an annual rated capacity of 72 million square feet, ¾ inch basis; and one is under construction at Corrigan, Tex.

Five sawmills, located at DeQuincy, La.; Jasper, Tex.; Kountze, Tex.; and two at New Waverly, Tex., have a total annual rated capacity of 144,800,000 board feet; and additional sawmill is under construction at Carthage, Tex.

One 1,600 Mcf treating plant for creosote and Woman treating of poles and lumber is at Urania, La. Raw material comes mostly from Urania lands. Sales are primarily to public utilities for transmission poles. to keep the mill up-to-date and modern. Approximately 500 persons are employed.

*Miscellaneous.* The Forestry Department, which also operates the treating plant, is responsible for managing the timber and procurement of all raw materials for the plants.

KETCHIKAN (50 PERCENT OWNED)

The Ketchikan operations, located at Ketchikan and Annette, Alaska, are comprised of a pulpmill and two sawmills. Georgia-Pacific and FMC each share 50 percent ownership in these operations.

*Pulp mill.* This modern 640-ton-per-day pulpmill, constructed in 1954, produces approximately 225,000 tons per year of dissolving pulp for shipment to domestic and export markets. This pulp is used principally in the manufacture of rayon fibers and cellophane film. Substantial capital expenditures have been made over the recent years to keep the mill up-to-date and modern.

*Sawmills.* Two sawmills located at Ketchikan and Metlakatla, Alaska, with an annual capacity of 160,000M bd. ft. produce spruce and hemlock lumber, principally for export markets. The mills have been recently remodeled and modernized. Total employment in the two sawmills is approximately 190 people.

*Timber.* Approximately 200,000M bd. ft. per year of hemlock and spruce logs for the pulpmill and sawmill operations are taken from the Tongass National Forest under a Forest Service allotment program through purchases at periodic sales conducted by the Forest Service. Approximately 5,000,000M bd. ft. remain to be logged in the allotment. A small volume of logs is available from fee lands and private owners. Logging is performed by company and contract personnel. The timber division employs 75 people.

APPENDIX 2

LOUISIANA-PACIFIC CORPORATION PLANTS AND MILLS, JUNE 30, 1972

[In thousands]

| | Rated capacity | 1971 production |
|---|---|---|
| Fir plywood plants (1) ⅜" rough, 3 shifts (square feet): | | |
| Samoa, Calif. | 127,000 | 137,380 |
| Southern Pine plywood (3) ⅜" rough, 3 shifts (square feet): | | |
| Corrigan, Tex. | 162,000 | |
| New Waverly, Tex. | 162,000 | 54,950 |
| Urania, La. | 175,000 | 184,600 |
| Total | 499,000 | 239,550 |
| West coast sawmills, redwood specialty (6) (board feet): | | |
| Big Lagoon, Calif. | 46,000 | 40,605 |
| Carlotta, Calif. | 63,000 | 57,800 |
| Cloverdale, Calif. | (1) | (1) |
| Eureka, Calif. | (1) | (1) |
| Healdsburg, Calif. | (1) | (1) |
| Samoa, Calif. | 105,000 | 97,040 |
| Total | 214,000 | 195,535 |
| Fir and western pine (15) (board feet): | | |
| Alder Point, Calif. | 47,000 | 40,350 |
| Calpella, Calif. | (1) | (1) |
| Chilco, Idaho | 31,000 | 29,105 |
| Covelo, Calif. | 49,000 | 47,235 |
| Dinsmore, Calif. | 42,000 | 34,105 |
| Ione, Wash. | 32,000 | 26,365 |
| Moyie Springs, Idaho | 42,000 | 33,880 |
| Oroville, Calif. | 96,000 | 79,045 |
| Pilot Rock, Oreg. | 58,000 | 54,805 |
| Post Falls, Idaho | 31,000 | 36,040 |
| Potter Valley, Calif. | 33,000 | 28,950 |
| Priest River, Idaho | 34,000 | 31,530 |
| Sandpoint, Idaho | (1) | (1) |
| Ukiah, Calif. | 54,000 | 51,750 |
| Walla Walla, Wash.[2] | 20,000 | 21,245 |
| Total | 564,000 | 515,105 |
| Spruce and hemlock (2) (board feet): | | |
| Ketchikan, Alaska (50 percent ownership) | 100,000 | 76,010 |
| Metlakatla, Alaska (50 percent ownership) | 60,000 | 10,705 |
| Total | 160,000 | 86,715 |
| Stud mills (3) (board feet): | | |
| Fort Bragg, Calif. | 56,000 | 51,830 |
| Samoa, Calif. | 60,000 | 44,520 |
| Willits, Calif. | 64,000 | 55,925 |
| Total | 180,000 | 152,275 |
| Southern pine sawmills (4) (board feet): | | |
| DeQuincy, La. (Chip-N-Saw) | 36,000 | |
| Jasper, Tex. | 42,000 | 39,675 |
| Kountze, Tex. | 20,000 | 18,745 |
| New Waverly, Tex. (Chip-N-Saw) | 31,200 | 18,855 |
| | 129,200 | 77,275 |
| Southern pine stud mills (1) (board feet): | | |
| New Waverly, Tex. | 15,000 | |
| Particleboard plants (1) (square feet): | | |
| Urania, La. | 72,000 | 91,080 |
| Wood treating plants (1) (cubic feet): | | |
| Urania, La. | 1,600 | 1,285 |
| Pulp plants (2) (tons): | | |
| Ketchikan, Alaska—Dissolving pulp (50 percent ownership) | 225 | 210.91 |
| Samoa, Calif.—Kraft pulp | 210 | 171.99 |
| Total | 435 | 382.90 |

APPENDIX 2—Continued

| | Rated capacity | 1971 production |
|---|---|---|
| Kitchen cabinets, aluminum and wood door and window plants (6): | | |
| Caldwell, Ohio | | [2] |
| Norton, Ohio (2 plants) | | [2] |
| Ottawa, Ohio | | [2] |
| Orrville, Ohio | | [2] |
| Winesburg, Ohio | | [2] |

[1] Remanufacturing.
[2] 1 shift.

LOUISIANA-PACIFIC CORPORATION, 1972–1973 PLANT ADDITIONS, JUNE 30, 1972

| | Approximate completion |
|---|---|
| Particleboard plants (1), Corrigan, Tex.—60,000,000 square feet ¾" | March 1973. |
| Pine sawmills (1), Carthage, Tex. (Chip-N-Saw)—33,000,000 board feet | Second quarter 1973. |
| West coast stud mills (1), Moyie Springs, Idaho—50,000,000 board feet | November 1972. |

[FR Doc.73-762 Filed 1-15-73;8:45 am]

# TITLE 18—CONSERVATION OF POWER AND WATER RESOURCES

## Chapter I—Federal Power Commission

[Docket No. R-448; Order No. 466]

## UNIFORM SYSTEMS OF ACCOUNTS FOR CLASSES A, B, C, AND D NATURAL GAS COMPANIES AND FPC ANNUAL REPORT FORMS NO. 2 AND 2-A

JANUARY 9, 1973.

On July 18, 1972, the Commission issued a notice of proposed rule making in this proceeding (37 FR 14618, July 21, 1972) proposing to amend its Uniform Systems of Accounts for Classes A, B, C, and D Natural Gas Companies to provide accounting for unrecovered purchased gas adjustment costs consistent with Commission Order No. 452, issued April 14, 1972, in Docket No. R-406, authorizing deferral and recovery in rates of increases in the cost of purchased gas. The rule making proposed the addition of a new and separate account numbered and entitled Account 191, Unrecovered Purchased Gas Costs, to account for changes in purchased gas costs.

Comments were invited from interested parties to be submitted on or before September 1, 1972. In response to this notice, the Commission received comments from eight respondents.[1]

Two respondents were in full agreement. The other six respondents were in general agreement but suggested modifications to the proposed accounting.

We are adopting the suggestion made by one respondent that the text of Account 191 be amended to authorize the amortization of unrecovered purchased gas costs over other than six-month periods of time when pipeline companies have Commission approved PGA clauses authorizing recovery of the increased costs over such other periods of time.

[1] Arthur Andersen & Co., Columbia Gas Transmission Corp., Natural Gas Pipeline Co., Northern Natural Gas Company, Southern Natural Gas Company, Texas Gas Transmission Corporation, Transcontinental Gas Pipe Line Corporation, and United Gas Pipe Line Company.

Two respondents suggested using one subaccount within the purchase gas accounts to record increases or decreases in purchased gas costs incurred so that the actual cost of purchased gas would be shown. We believe the suggestion should be adopted. However, we believe it would be better to establish a separate account following the purchased gas accounts to record such increases or decreases and are adding new Account 805.1, Purchased Gas Cost Adjustments, to our Uniform System of Accounts for Class A and Class B Natural Gas Companies and new Account 731.1, Purchase Gas Cost Adjustments, to our Uniform System of Accounts for Class C and Class D Natural Gas Companies.

Finally, as suggested by one respondent, we are deleting the proposed note to Account 191 that would disallow carrying charges. As noted in Commission Order No. 452-A, ratemaking treatment of carrying charges shall be considered on its merits when the issue is raised in rate proceeding for individual companies.

Three respondents suggested that the Commission establish an unbilled revenue account for recording increases in purchased gas costs. The respondents would credit revenues at the time such increases occur and debit the unbilled revenue account. When the increases in costs are recovered in rates, the balance in the unbilled revenue account would be closed out. The suggested accounting however, is inappropriate because the new rates will not yet have been placed in effect at the time the cost is incurred. Thus, there would be a mismatching of billed revenues and expenses. Our proposal defers the expense until they can be billed, thus providing for a matching of relevant income items.

We will clarify two points raised by respondents. One respondent commented that the proposed text of Account 191 did not provide for the crediting of jurisdictional refunds to that account. Another respondent commented that companies should be allowed to defer costs to limit purchased gas adjustment filings. With respect to the comment on jurisdictional refunds, the text of Account 191 provides that decreases in the cost of purchased gas shall be credited to that account, which includes refunds. With respect to the latter comment, neither the text of Account 191 nor Order No. 452 require that pipeline companies file for rate schedule changes each 6 months.

The Commission finds:

(1) The notice and opportunity to participate in this rule making proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments, and suggestions in the manner described above, are consistent and in accordance with the procedural requirements prescribed by 5 U.S.C. 553.

(2) The amendments to Parts 201 and 204 of the Commission's Uniform Systems of Accounts for Natural Gas Companies, and Annual Report Forms Nos. 2 and 2-A prescribed by § 260.1 and § 260.2 in Chapter I, Title 18 of the Code of Federal Regulations, herein prescribed, are necessary and appropriate for the administration of the Natural Gas Act.

(3) Since the amendments prescribed herein, which were not included in the notice of this proceeding, are of a minor nature and are consistent with the prime purpose of the proposed rule making, further compliance with the notice provision of 5 U.S.C. 553 is unnecessary.

(4) Good cause exists for making the amendment to the Uniform Systems of Accounts for Natural Gas Companies ordered herein, effective upon issuance, and the amendments to FPC Annual Report Forms Nos. 2 and 2-A ordered herein, effective for the reporting year 1972.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 8, 9, 10, and 16 thereof (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717h, 717i, 717o), orders:

## PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES

A. The Commission's Uniform System of Accounts for Class A and Class B Natural Gas Companies prescribed by Part 201, Chapter I, Title 18 of the Code of Federal Regulations is amended effective upon issuance of this Order, as follows:

1. The Chart of Balance Sheet Accounts is amended by adding a new account "191, Unrecovered Purchased Gas Costs," following account "188, Research and Development Expenditures." As amended, the Chart of Balance Sheet Accounts reads:

**Balance Sheet Accounts**

* * * * *

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

191 Unrecovered purchased gas costs.

* * * * *

2. The text of the Balance Sheet Accounts is amended by adding new account "191, Unrecovered Purchased Gas Costs," following account "188, Research and Development Expenditures." As amended, the text of the Balance Sheet Accounts reads:

**Balance Sheet Accounts**

* * * * *

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

191 Unrecovered purchased gas costs.

A. This account shall include purchased gas costs related to Commission approved purchased gas adjustment clauses when such costs are not included in the utility's rate schedules on file with the Commission.

B. This account shall be debited or credited, as appropriate, each month for increases or decreases in purchased gas costs with contra entries to Account 805.1, Purchased Gas Cost Adjustments.

C. After a change in a rate schedule recognizing the increases or decreases in purchased gas costs recorded in this account is approved by the Commission, this account shall be debited or credited, as appropriate, with contra entries to expense Account 805.1, Purchased Gas Cost Adjustments, so that the balance accumulated in this account will be amortized on an appropriate basis over a succeeding 6-month period or over such other periods that the Commission may have authorized. Any over or under applied debits or credits to this account shall be carried forward to the succeeding period of amortization.

D. Separate subaccounts shall be maintained for the amounts relating to the period in which the increase or decrease is accumulated and for the amortization of purchase gas increases or decreases, as applicable, so as to keep each period separate.

* * * * *

3. The Chart of Operation and Maintenance Expense Accounts is amended by adding a new account "805.1, Purchased Gas Cost Adjustments," following account "805, Other Gas Purchases." As amended, the Chart of Operation and Maintenance Expense Accounts reads:

Operation and Maintenance Expense Accounts

1. PRODUCTION EXPENSES

* * * * *

D. OTHER GAS SUPPLY EXPENSES

* * * * *

805.1 Purchased gas cost adjustments.

* * * * *

4. The text of the Operation and Maintenance Expense Accounts is amended by adding new account "805.1, Purchased Gas Cost Adjustments," following account "805, Other Gas Purchases." As amended, the text of the Operation and Maintenance Expense Accounts reads:

## Operation and Maintenance Expense Accounts

1. PRODUCTION EXPENSES

* * * * *

D. OTHER GAS SUPPLY EXPENSES

* * * * *

**805.1 Purchased gas cost adjustments.**

A. This account shall be debited or credited with decreases or increases in purchased gas costs related to Commission approved purchased gas adjustment clauses when such costs are not included in the utility's rate schedules on file with the Commission.

B. This account shall be debited or credited with amounts amortized from Account 191, Unrecovered Purchased Gas Costs.

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## PART 204—UNIFORM SYSTEMS OF ACCOUNTS FOR CLASS C NATURAL GAS COMPANIES

B. The Commission's Uniform System of Accounts for Class C and Class D Natural Gas Companies prescribed by Part 204, Chapter I, Title 18 of the Code of Federal Regulations is amended as effective upon issuance of this Order, as follows:

1. The Chart of Balance Sheet Accounts is amended by adding a new account "191, Unrecovered Purchased Gas Costs," following account "188, Research and Development Expenditures." As amended, the Chart of Balance Sheet Accounts reads:

Balance Sheet Accounts

* * * * *

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

191 Unrecovered purchased gas costs.

* * * * *

2. The text of the Balance Sheet Accounts is amended by adding new account "191, Unrecovered Purchased Gas Costs," following account "188, Research and Development Expenditures." As amended, the text of the Balance Sheet Accounts reads:

## Balance Sheet Accounts

* * * * *

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

**191 Unrecovered purchased gas costs.**

A. This account shall include purchased gas costs related to Commission approved purchased gas adjustment clauses when such costs are not included in the utility's rate schedules on file with the Commission.

B. This account shall be debited or credited, as appropriate, each month for increases or decreases in purchased gas costs with contra entries to Account 731.1, Purchased Gas Cost Adjustments.

C. After a change in a rate schedule recognizing the increases or decreases in purchased gas costs recorded in this account is approved by the Commission, this account shall be debited or credited, as appropriate, with contra entries to expense account 731.1, Purchased Gas Cost Adjustments, so that the balance accumulated in this account will be amortized on an appropriate basis over a succeeding 6 month period or over such other periods that the Commission may have authorized. Any over or under applied debits or credits to this account shall be carried forward to the succeeding period of amortization.

D. Separate subaccounts shall be maintained for the amounts relating to the period in which the increase or decrease is accumulated and for the amortization of purchase gas increases or decreases, as applicable, so as to keep each period separate.

* * * * *

3. The Chart of Operation and Maintenance Expense Accounts is amended by adding a new account "731.1, Purchased Gas Cost Adjustments," following account "731, Other Gas Purchases." As amended, the Chart of Operation and Maintenance Expense Accounts reads:

Operation and Maintenance Expense Accounts

* * * * *

4. OTHER GAS SUPPLY EXPENSES

OPERATION

* * * * *

731.1 Purchased gas cost adjustments

* * * * *

4. The text of the Operation and Maintenance Expense Accounts is amended by adding new account "731.1, Purchased Gas Cost Adjustments," following account "731, Other Gas Purchases." As amended, the text of the Operation and Maintenance Expense Accounts reads:

## Operation and Maintenance Expense Accounts

* * * * *

4. OTHER GAS SUPPLY EXPENSES

OPERATION

* * * * *

**731.1 Purchased gas cost adjustments.**

A. This account shall be debited or credited with decreases or increases in purchased gas costs related to Commission approved purchased gas adjustment clauses when such costs are not included in the utility's rate schedules on file with the Commission.

B. This account shall be debited or credited with amounts amortized from Account 191, Unrecovered Purchased Gas Costs.

* * * * *

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## PART 260—STATEMENTS AND REPORTS (SCHEDULES)

C. Effective for the reporting year 1972, FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B) prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations is amended by revising schedule pages 110 and 528, as set out in Attachment A hereto.[1]

D. Effective for the reporting year 1972, FPC Form No. 2–A, Annual Report for Natural Gas Companies (Class C and

[1] Attachments A and B filed as part of the original document.

Class D) prescribed by § 260.2, Chapter I, Title 18 of the Code of Federal Regulations is amended by revising schedule page 3, as set out in Attachment B hereto.[1]

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

By the Commission

[SEAL] MARY B. KIDD,
*Acting Secretary.*

[FR Doc.72-889 Filed 1-15-73;8:45 am]

# Title 19—CUSTOMS DUTIES

## Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 73-18]

## PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

### Pollution of Coastal and Navigable Waters

Executive Order 11548 (35 FR 11677), designates the Coast Guard as the appropriate agency for the purpose of receiving the notice of discharge of oil and the notice of discharge of any hazardous substance required by the Water Quality Improvement Act of 1970 (84 Stat. 91, 98; 33 U.S.C. 1161, 1162). This necessitates amending the Customs Regulations to show the Coast Guard as the agency to be notified of violations of the Act. Certain statutory references found in the Customs Regulations must also be amended.

In order to reflect these changes, § 4.66b of the Customs Regulations is amended as set forth below:

**§ 4.66b Pollution of coastal and navigable waters.**

(a) When any Customs officer has reason to believe that any refuse matter is being or has been deposited in navigable waters or any tributary of any navigable waters in violation of section 13 of the Act of March 3, 1899 (30 Stat. 1152; 33 U.S.C. 407), or any hazardous substance is being or has been deposited in navigable waters or that oil is being or has been discharged into or upon the coastal or navigable waters of the United States in violation of the Water Quality Improvement Act of 1970 (84 Stat. 91, 98; 33 U.S.C. 1161, 1162), he shall promptly furnish to the district director a full report of the incident, together with the names of witnesses, and, when practicable, a sample of the material discharged from the vessel in question.

(b) The district director shall forward this report immediately, without recommendation, to the district commander of the Coast Guard district concerned and a copy of such report shall be furnished to the Bureau.

(c) [Deleted]

[1] Attachments A and B filed as part of the original document.

(30 Stat. 1152, 84 Stat. 91, 98; 33 U.S.C. 407, 1161, 1162)

This amendment conforms the Customs Regulations to show the proper statutory authority and the proper recipient of reports of violations of the statutes cited in the amendment. Therefore, good cause exists for dispensing with notice and public procedure thereon as unnecessary, and good cause is found for the amendment to become effective on the earliest date possible, under 5 U.S.C. 553.

*Effective date.* This amendment shall be effective January 16, 1972.

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

Approved: January 9, 1973.

EUGENE T. ROSSIDES,
*Assistant Secretary of the Treasury.*

[FR Doc.73-933 Filed 1-15-73;8:45 am]

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[T.D. 73-19]

## PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

### Certain Coastwise Transport Privileges Accorded Austrian Vessels

In accordance with section 27, 41 Stat. 999, as amended (46 U.S.C. 883), the Secretary of State has advised the Secretary of the Treasury under date of September 26, 1972, that Austria allows privileges reciprocal to those provided for in the cited statute, to vessels of the United States. Therefore, corresponding privileges are accorded to vessels of Austrian registry. Those privileges related to the coastwise transportation, under the conditions specified in the applicable proviso of section 27, 41 Stat. 999, as amended (46 U.S.C. 883), of empty cargo vans, empty lift vans, empty shipping tanks; equipment for use with those articles; empty barges specifically designed for carriage aboard a vessel; any empty instruments for international traffic exempted from application of the Customs laws by the Secretary of the Treasury pursuant to section 14, 67 Stat. 516 (19 U.S.C. 1322(a)); and certain stevedoring equipment and material.

Accordingly, paragraph (b)(1) of § 4.93, Customs Regulations, is amended by the insertion of "Austria" in appropriate alphabetical order in the list of countries under that paragraph. Paragraph (b)(2) of § 4.93, Customs Regulations, is also amended by the insertion of "Austria" in appropriate alphabetical order in the list of countries under that paragraph.

(Sec. 27, 41 Stat. 999, as amended, sec. 14, 67 Stat. 516; 5 U.S.C. 301, 19 U.S.C. 1322(a), 46 U.S.C. 883)

There is a statutory basis for the described extension of reciprocal privileges, and the amendment recognizes an exemption from the coastwise prohibition of section 27, 41 Stat. 999, as amended (46 U.S.C. 883). Therefore, good cause exists for dispensing with notice and public procedure thereon as unnecessary, and good cause is found for the amendment to become effective on the earliest date possible, under 5 U.S.C. 553.

*Effective date.* This amendment shall be effective January 16, 1973.

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

Approved: January 9, 1973.

EUGENE T. ROSSIDES,
*Assistant Secretary of the Treasury.*

[FR Doc.73-932 Filed 1-15-73;8:45 am]

# Title 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter I—Coast Guard, Department of Transportation

[CGD 72-96 CR]

## PART 92—ANCHORAGE AND NAVIGATION REGULATIONS; ST. MARYS RIVER, MICH.

### Speed Limits for Vessels of 50 Gross Tons or Over; Corrections

In FR Doc. 72-18959, appearing at page 23540, in the issue of Saturday, November 4, 1972, § 92.49 is corrected as follows:

1. Section 92.49(a), appearing on page 23540, is corrected in the second line by changing the words "and (d)" to read "(d), and (e)."

2. Section 92.49(c)(2), appearing on page 23540, is corrected in the second line by changing the words "Munuscong Channel Buoy 26 to read "Sailors Encampment Channel Buoy 26."

3. Section 92.49(c)(3), appearing on page 23540, is corrected in the first line by changing the words "Munuscong Channel Buoy 26" to read "Sailors Encampment Channel Buoy 26."

Dated: January 3, 1973.

C. R. BENDER,
*Admiral, U.S. Coast Guard, Commandant.*

[FR Doc.73-916 Filed 1-15-73;8:45 am]

# Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER B—LAND RESOURCE MANAGEMENT (2000)

[Circular No. 2338]

## PART 2800—RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES

### Subpart 2800—Rights-of-Way: General

DEFINITIONS

The purpose of the amendment is to correct an error appearing in para-

graphs (a) and (h) of § 2800.0–5 where reference is made to the Secretary of Transportation and Department of Transportation, respectively. The appropriate titles are the Secretary of the Interior and Department of the Interior which were present until the January 1, 1971, edition of Title 43 of the Code of Federal Regulations.

It is the policy of the Department of the Interior to give notice of proposed rule making and to invite the public to participate in rule making except where such participation would be impracticable, unnecessary or contrary to the public interest and a specific finding to this effect is published with the rules or regulations (36 FR 8336, May 4, 1971). Public participation is unnecessary in this case since the amendment simply corrects earlier obvious errors in rules of long standing.

Section 2800.0–5 paragraphs (a) and (h) are revised to read:

**§ 2800.0–5 Definitions.**

(a) "Secretary" means the Secretary of the Interior.

* * * * *

(h) "Reservation lands" includes national parks and monuments, or any other reservations of the United States for the use of or administration by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside the Department of the Interior.

* * * * *

HARRISON LOESCH,
*Assistant Secretary of the Interior.*

JANUARY 10, 1973.

[FR Doc.73-842 Filed 1-15-73;8:45 am]

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## APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5325]

[Montana 20087]

## MONTANA

### Withdrawal for National Forest Recreation Areas

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

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

LOLO NATIONAL FOREST

PRINCIPAL MERIDIAN, MONTANA

*Rock Creek Streamside Zone*

A strip of land of variable width along Rock Creek in and through the following described subdivisions, and as shown on a map titled "Rock Creek Streamside Zone" dated May 1, 1971, copies of which are on file in the office of the Forest Supervisor, Lolo National Forest, Missoula, Mont., the Regional Forester, Northern Region, Forest Service, U.S. Department of Agriculture, Missoula, Mont., and in the Montana State Office, Bureau of Land Management, Billings, Mont.:

T. 7 N., R. 16 W.
Secs. 6 and 7.
T. 10 N., R. 16 W.,
Secs. 6, 7, 18, 19, and 30.
T. 7 N., R. 17 W., Unsurveyed, but when surveyed probably will be,
Secs. 1 and 2.
T. 8 N., R. 17 W., Unsurveyed, but when surveyed probably will be,
Secs. 6, 7, 16, 17, 18, 20, 21, 22, 27, 28, 34, 35.
T. 9 N., R. 17 W., Unsurveyed, but when surveyed probably will be,
Secs. 1, 2, 3, 9, 10, 11, 16, 17, 19, 20, 29, 30, 31, 32.
T. 10 N., R. 17 W., Unsurveyed, but when surveyed probably will be,
Secs. 25, 35, and 36.

The areas described appregate approximately 2,140 acres in Granite County.

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

HARRISON LOESCH,
*Assistant Secretary of the Interior.*

JANUARY 10, 1973.

[FR Doc.73-843 Filed 1-15-73;8:45 am]

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[Public Land Order 5326]

[Idaho 4799]

## IDAHO

### Withdrawal for National Forest Scenic and Recreation Areas

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

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

ST. JOE NATIONAL FOREST

BOISE MERIDIAN

High Mountain Lakes, Mallard-Larkins Area

*Devil's Lake*

T. 42 N., R. 6 E.,
Sec. 25, E½SW¼NE¼, W½SE¼NE¼, NW¼NE¼SE¼, NE¼NW¼SE¼.

*Fawn Lake*

T. 42 N., R. 7 E.,
Sec. 25, S½SW¼NE¼NE¼, S½SE¼NW¼NE¼, E½SW¼NE¼, E½W½SW¼NE¼, SE¼NE¼.

*Skyland Lake*

T. 42 N., R. 7 E.,
Sec. 25, S½SW¼NW¼SW¼, W½SW¼SW¼;
Sec. 26, SE¼NE¼SE¼, SE¼SE¼;
Sec. 35, NE¼NE¼NE¼, N½NW¼NE¼NE¼;
Sec. 36, N½NW¼NW¼NW¼.

*Northbound Lake*

T. 42 ., R. 7 E.,
Sec. 34, SE¼SW¼NW¼, SW¼SE¼NW¼, W½SE¼SE¼NW¼, W½NE¼NE¼SW¼, NW¼NE¼SW¼, N½SW¼NE¼SW¼, E½NW¼SW¼, E½NW¼NW¼SW¼.

*Hero Lake and Gnat Lake*

T. 42 N., R. 7 E.,
Sec. 21, S½S½SW¼NW¼, W½SW¼;
Sec. 28, N½NE¼NW¼NW¼, NW¼NW¼NW¼.

*Craig Lake*

T. 42 N., R. 7 E.,
Sec. 28, S½NE¼SW¼SW¼, E½SW¼SW¼SW¼, SE¼SW¼SW¼, SW¼SE¼SW¼;
Sec. 33, NW¼NE¼NW¼, N½NW¼NW¼.

*Heart Lake*

T. 42 N., R. 7 E.,
Sec. 33, SW¼NE¼, S½NW¼SE¼NE¼, SW¼SE¼NE¼, E½SE¼NW¼, SW¼SE¼NW¼, NE¼NE¼SW¼, N½SE¼NE¼SW¼, W½NW¼NE¼SE¼, NW¼SE¼.

*Mudd Lake*

T. 42 N., R. 7 E.,
Sec. 29, S½SW¼NW¼NE¼, N½SW¼NE¼, SW¼SW¼NE¼, N½SE¼SW¼NE¼, E½NE¼SE¼NW¼, NE¼SE¼SE¼NW¼.

*Larkins Lake*

T. 42 N., R. 7 E.,
Sec. 29, SW¼NE¼SW¼, SW¼SE¼NE¼SW¼, SE¼NW¼SW¼, NE¼SW¼SW¼, NE¼SE¼SW¼SW¼, SE¼SW¼.

*Bacon Lake*

T. 42 N., R. 9 E.,
Sec. 24, SW¼SW¼NE¼, SW¼SE¼SW¼NE¼, SE¼SE¼NW¼, E½NE¼SW¼, N½NW¼SE¼, SW¼NW¼SE¼, NW¼SE¼NW¼SE¼.

*Forage Lake*

T. 42 N., R. 9 E.,
Sec. 13, NE¼SW¼SW¼, N½SE¼SW¼SW¼, SE¼SE¼SW¼SW¼, SE¼SW¼, SW¼NW¼SW¼SE¼, W½SW¼SW¼SE¼.

*Halo Lake*

T. 42 N., R. 9 E.,
Sec. 13, S½NE¼SE¼SE¼, SE¼NW¼SE¼SE¼, S½SE¼SE¼;
Sec. 24, N½NE¼NE¼.
T. 42 N., R. 10 E.,
Sec. 18, SW¼NW¼ of lot 4, SW¼ of lot 4;
Sec. 19, NW¼ of lot 1.

The areas described aggregate 946.60 acres.

CLEARWATER NATIONAL FOREST

BOISE MERIDIAN

*High Mountain Lakes, Mallard-Larkins Area*

T. 41 N., R. 7 E.,
Sec. 23, E½E½SW¼SW¼, W½SE¼SW¼, W½E½SE¼SW¼.
T. 42 N., R. 7 E.,
Sec. 34, E½NE¼SE¼SW¼, NE¼SE¼SE¼SW¼, NW¼SW¼SE¼, N½SW¼SW¼SE¼;
Sec. 36, S½SW¼SE¼NE¼, SW¼SE½SE¼NE¼, NW¼NE¼SE¼, W½NE¼NE¼SE¼.
T. 41 N., R. 8 E., unsurveyed, but which when surveyed will be:
Sec. 19, W½E½NE¼SE¼, W½NE¼SE¼, NE¼SW¼SE¼, E½SE¼SE¼SE¼;
Sec. 20, W½SW¼SW¼SW¼;
Sec. 29, SW¼NE¼NW¼SW¼, S½NW¼NW¼SW¼, SW¼NW¼SW¼, SW¼SW¼SW¼SW¼, W½SE¼NW¼SW¼;
Sec. 30, S½SE¼SE¼SE¼;
Sec. 31, NE¼NE¼NE¼, N½SE¼NE¼NE¼;
Sec. 32, W½NW¼NW¼NW½.

The areas described aggregate approximately 185 acres.

The total of the areas described aggregates approximately 1,131.60 acres in Shoshone and Clearwater Counties.

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

HARRISON LOESCH,
*Assistant Secretary of the Interior.*

JANUARY 10, 1973.

[FR Doc.73-844 Filed 1-15-73;8:45 am]

# Title 49—TRANSPORTATION

## Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-44; Notice 73-2]

## PART 392—DRIVING OF MOTOR VEHICLES

### Stopping at Railroad Grade Crossing Controlled by Signal Light

The Director of the Bureau of Motor Carrier Safety is amending § 392.10(b)(3) of the Motor Carrier Safety Regulations for the purpose of eliminating an ambiguity in that subparagraph.

Section 392.10 establishes rules pertaining to stopping at, and proceeding across, railroad grade crossings. Those rules, which apply to all commercial motor vehicles operated in interstate or foreign commerce transporting certain hazardous materials, require, with certain exceptions, the driver of such a vehicle to bring the vehicle to a full stop before crossing railroad tracks at grade. Among the exceptions to this general rule is one, found in paragraph (b)(3) of that section, providing that a stop need not be made at "a railroad grade crossing where a stop and go traffic light controls the movement of traffic".

The Director has received a number of inquiries about the purport of the language quoted above. Some persons have asked for a definition of the term "stop and go traffic light." Others have asked whether the rule permits a commercial motor vehicle subject to its terms to proceed through a red light. Still others have asked about compliance with the rule in case a driver encounters an inoperative signal or a so-called blinker signal.

These inquiries indicate that § 392.10(b)(3), as it presently stands, is not as clear as it might be, and that a modification in its language to eliminate possible ambiguity is in order. Therefore, the Director is revising the subparagraph to make it clear that the driver of a commercial motor vehicle transporting certain hazardous materials, as specified in § 392.10(a)(1) through (6), must stop when approaching a railroad grade crossing that is equipped with train approach signals or gates, or by a highway traffic signal unless, under local law, he is permitted to proceed through the highway traffic signal without stopping or reducing speed.

Since this amendment merely eliminates an ambiguity and does not add to the rule's substantive burden, notice and public procedure thereon are unnecessary, and it is effective on January 16, 1973.

In consideration of the foregoing, § 392.10(b)(3) of the Motor Carrier Safety Regulations (Subchapter B in Chapter III of Title 49, CFR) is revised to read as follows:

**§ 392.10 Railroad grade crossings; stopping required.**

* * * * *

(b) A stop need not be made at:

* * * * *

(3) A railroad grade crossing controlled by a functioning highway traffic signal transmitting a green indication which, under local law, permits the vehicle to proceed across the railroad tracks without slowing or stopping.

* * * * *

This amendment is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389, respectively.

Issued on January 5, 1973.

ROBERT A. KAYE,
*Director, Bureau of Motor Carrier Safety.*

[FR Doc.73-871 Filed 1-15-73;8:45 am]

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[Docket No. MC-38; Notice 73-1]

## PART 395—HOURS OF SERVICE OF DRIVERS

### Adverse Driving Conditions

The Director of the Bureau of Motor Carrier Safety is revising § 395.10 of the Motor Carrier Safety Regulations, which provides for special rules on the maximum hours a driver may drive when he encounters adverse driving conditions, such as bad weather or traffic congestion.

In normal circumstances, the regulations, 49 CFR 395.3(a), provide that a driver may not drive for more than 10 hours following 8 consecutive hours off duty. The purpose of the special adverse driving conditions rule was to take account of the fact that a driver may encounter conditions that arise after he has been dispatched and that make it impossible or hazardous for him to complete, within his remaining lawful driving time, a run that was originally scheduled in good faith to consume no more than that amount of driving time. The Bureau has, however, received a number of disturbing reports that the flexibility provided by § 395.10 has been abused. It appears that some carriers are scheduling runs during periods when adverse driving conditions are known to exist, so that drivers will almost certainly be compelled to violate the 10-hour limitation. In one documented instance, a passenger carrier was dispatching drivers in one direction on a scheduled 4-hour run when drivers coming into the terminal from the other direction on the same run were reporting that current driving conditions had extended it to 6 or more hours. This was done in spite of the fact that some of the drivers being dispatched had less than 6 allowable driving hours remaining.

Information of this type led the Director to issue a notice of proposed rule making on May 18, 1972, in which he announced that he was considering revising § 395.10 (37 FR 11684). The principal features of the proposal were that: (a) It would have defined "adverse driving conditions" so that conditions which were foreseen or could have been foreseen in the exercise of reasonable prudence when a run was begun would not have been deemed "adverse" within the meaning of the rule; (b) it would have required a driver who encountered adverse conditions to stop driving when he reached "the nearest place offering safety for vehicle occupants and security for the vehicle and its cargo"; and (c) it would have made explicit the previously implied restriction against driving for more than 12 hours without 8 consecutive hours off duty.

The proposal drew an unusually large response considering its subject matter, and, unlike many of the Bureau's rule making actions in the past, quite a few of the persons who filed comments did so as members of the general public not associated with the motor carrier industry.

The majority of the comments were directed to the three issues noted above. Carriers argued that the "foreseen or could have been foreseen in the exercise of reasonable prudence" standard required them to exercise a greater degree of prescience about weather conditions than could reasonably be expected. One carrier submitted in tabular form an hour-by-hour description of the weather conditions and reports at its home terminal, along its routes, and at its destination terminal for a sample period. This and other submissions indicated that during the winter, particularly in the Midwest, weather conditions are so protean as to defy rational prediction. Granting this to be the case, there remain instances in which the existence of adverse driving conditions en route is not a matter of prediction. There are times when those conditions are a certainty, as the case described above makes clear. In those circumstances, the rules do not, and should not, permit a carrier to dispatch drivers with full knowledge that they will not be able to complete their driving tasks within the allowable hours of service. To countenance such operating practices would amount to sanctioning wanton disregard of the public interest in safe highways.

The Director has decided that both of these interests can best be accommodated by providing, as he has, that adverse driving conditions are defined as conditions which were not "apparent on the basis of information known to a person dispatching the run at the time it was begun." This formulation would prevent use of the 2-hour allowance for bad weather or heavy traffic in cases where any rational motor carrier must know that those conditions will certainly be faced. On the other hand, it does not require carriers to be, or attempt to be, weather prophets.

When a driver is en route and encounters adverse driving conditions, what must he do? Many comments pointed out that, under the proposed rule, he would have been required to seek a place to stop immediately and to utilize considerable discretion in determining whether that place was adequately safe or secure, or both. In most cases, however, the most secure and safe location is the final destination, provided it can be reached within a reasonable time. It appears, therefore, that the best policy in the majority of cases is to permit the driver to continue to drive until it becomes more clear whether or not he can complete his run within the 10-hour allowable driving time plus the 2 extra hours that accrue because of the adverse conditions. Thus, the revised rule provides that a driver who encounters adverse driving conditions and is unable to complete his run within the 10-hour maximum driving time, may within 2 additional hours, complete the run or stop at a safe and secure place.

Some persons opposed any limitation on maximum driving time of drivers who encounter adverse driving conditions. One group of comments suggested that it would always be preferable, in the interests of safety, for the driver to drive until he reaches his destination, regardless of the duration of his driving stint. The Director has concluded, however, that there is a point at which the hazards of driver fatigue outweigh the hazards or discomfort of an unscheduled stop. That point approaches when the 10-hour limitation has been exceeded. To permit continued, unrestricted operation of a commercial motor vehicle by a driver who has been driving for more than 10 hours without adequate rest is risky at best; to allow the driver to exceed 12 driving hours invites catastrophe. Another viewpoint on this issue was that carriers who were inclined to violate the purport of § 395.10 in the past are unlikely to honor it after the section is revised to clarify its terms. The Director is of the opinion that enforcement of § 391.10 will be enhanced by making it less ambiguous. In addition, the secondary impact of the revised rule (in labor-management relations and the operative rules of tort law, to name a few instances) should make both carriers and drivers more inclined to adhere to its mandate.

It should be emphasized that, for the most part, the revision is an attempt to restate the present rule in a clearer fashion. Some persons who filed comments evidently misapprehended this point. For example, some drivers objected to what they believed was a general extension of the 10-hour rule to allow 12 hours' driving time under all circumstances. No such change was intended, and none is being made.

In consideration of the foregoing, § 395.10 of the Motor Carrier Safety Regulations (Subchapter B of Chapter III in Title 49, CFR), is revised to read as follows:

**§ 395.10 Adverse driving conditions.**

(a) Except as provided in paragraph (b) of this section, a driver who encounters adverse driving conditions (as defined in paragraph (c) of this section) and cannot, because of those conditions, safely complete the run within the 10-hour maximum driving time permitted by § 395.3(a) may drive and be permitted or required to drive a motor vehicle for not more than 2 additional hours in order to complete that run or to reach a place offering safety for vehicle occupants and security for the vehicle and its cargo. However, that driver may not drive or be permitted or required to drive—

(1) For more than 12 hours in the aggregate following 8 consecutive hours off duty; or

(2) After he has been on duty 15 hours following 8 consecutive hours off duty.

(b) A driver who is driving a motor vehicle in the State of Alaska and who encounters adverse driving conditions (as defined in paragraph (c) of this section) may drive and be permitted or required to drive a motor vehicle for the period of time needed to complete the run. After he completes the run, that driver must be off duty for 8 consecutive hours before he drives again.

(c) "Adverse driving conditions" means snow, sleet, fog, other adverse weather conditions, a highway covered with snow or ice, or unusual road and traffic conditions, none of which were apparent on the basis of information known to the person dispatching the run at the time it was begun.

*Effective date.* This revision is effective on April 1, 1973.

This revision is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389.4, respectively.

Issued on January 5, 1973.

ROBERT A. KAYE,
*Director,*
*Bureau of Motor Carrier Safety.*

[FR Doc.73-872 Filed 1-15-73;8:45 am]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

### [ 43 CFR Part 3540 ]

### MINERAL COLLECTION FROM CERTAIN ACQUIRED NATIONAL FOREST SYSTEM LANDS

### Permits

The purpose of this amendment is to incorporate into the regulations provisions for authorizing mineral collectors to enter upon acquired National Forest System lands, within areas herein designated, to collect mineral specimens under terms and conditions necessary for the conservation of natural resources, multiple use of National Forest System lands, equitable distribution of recreation privileges, and public safety. Presently there are no regulations authorizing such authority. The proposed regulations are based on the authority of the Act of March 4, 1917 (16 U.S.C. 520).

It is the policy of the Department of Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Land Management (210), Washington, D.C. 20240 until February 19, 1973.

Copies of comments, suggestions, or objections made pursuant to this notice will be available for public inspection in the Office of Information, Bureau of Land Management, Room 5643, Interior Building, Washington, D.C., during regular business hours (7:45 a.m. to 4:15 p.m.).

A new subpart is added to Part 3540 to read as follows:

Subpart 3541—Mineral Collection Permits

Sec.



AUTHORITY: Act of March 4, 1917 (16 U.S.C. 520).

### Subpart 3541—Mineral Collection Permits

**§ 3541.0-1 Purpose.**

The purpose of the regulations in this Subpart 3541 is to authorize mineral collectors to enter upon lands pursuant to § 3501.2-6(d) of this chapter for the purpose of searching for and removing mineral specimens.

**§ 3541.0-2 Objectives.**

The objective is to make certain acquired lands within the National Forest System available to mineral collectors at a reasonable fee and under terms and conditions necessary for the conservation of natural resources, multiple use of National Forest System lands, equitable distribution of recreation privileges, and public safety.

**§ 3541.0-5 Definitions.**

For purposes of the regulations in this Subpart 3541,

(a) "Chief" is the Chief of the Forest Service or his delegate.

(b) "Fee" is a user charge for searching for and removing mineral specimens. It includes a reasonable amount to defray the cost of rehabilitation and revegetation of the lands.

(c) "Permit" is the authorization issued upon payment of a fee to a permittee to search for or remove mineral specimens.

(d) "Permittee" is the holder of a permit.

**§ 3541.1 Lands to which applicable.**

The acquired lands for which a permit may be obtained are clearly identifiable by boundary markings and corner monuments at each site and by a boundary map available for public inspection in the offices of the forest supervisor and district ranger in charge of the lands. Areas designated for mineral collecting are described as follows:

EMERALD CREEK GARNET AREA

Lying approximately 8 airline miles south of Fernwood and 4 airline miles west of Clarkia, on the East Fork of Emerald Creek, Clarkia Ranger District, St. Joe National Forest, Idaho.

MOAT MOUNTAIN SMOKY QUARTZ AREA

Lying approximately 2.5 airline miles southwest of North Conway and 1,000 feet south of Thompson Falls on Elm Brook, town of Hales Location, Saco Ranger District, White Mountain National Forest, N.H.

**§ 3541.2 Permit requirements.**

Any individual who desires to search for or remove mineral specimens on acquired National Forest System lands must first have a permit to do so on the lands involved, signed by the authorized representative of the Bureau of Land Management. Permits can be secured in person or by mail from the forest supervisor or district ranger in charge of the area.

**§ 3541.3 Fees for issuance of permits.**

Fees will be determined by the Director and will be based on charges for comparable privileges on private and State lands, including recognition of the costs of supervising the activities of permittees, maintaining and providing improvements, and rehabilitating and revegetating the lands disturbed by mineral collecting.

**§ 3541.4 Terms and conditions of permits.**

The permit will contain terms and conditions which are deemed necessary by the Director and by the Chief to achieve the objectives of the regulations in this subpart, including, but not limited to, the following:

(a) Limits on the amount of material that may be taken by a permittee per day, calendar year, or other period of time, and the total number of days per calendar year any permittee shall be permitted to collect on any site.

(b) Prohibition or restriction of the use of explosives.

(c) Specifications as to the type of tools and equipment which may be used.

(d) Measures to be taken to prevent destruction of other natural resources or antiquities, to rehabilitate the land after removal of mineral specimens, and to protect the environment in any other respect deemed desirable.

(e) Use of fire.

(f) Cleanup.

(g) Avoidance of hazards.

**§ 3541.5 Penalty for violations.**

Permits are subject to immediate cancellation if any of the terms and conditions are violated. In such case no portion of the fee will be refunded. The Director may refuse to issue a permit to any individual who violated the terms and conditions of any prior permit.

**§ 3541.6 Trespass.**

Removal of mineral specimens from any National Forest System lands described in § 3541.1 without, or in violation of, a permit issued under the regulations in this subpart is a trespass against the United States. Trespassers will be liable in damages to the United States and may be subject to criminal prosecution.

HARRISON LOESCH,
*Assistant Secretary of the Interior.*

JANUARY 10, 1973.

[FR Doc.73-841 Filed 1-15-73;8:45 am]

## DEPARTMENT OF LABOR

### Employment Standards Administration

### [ 20 CFR Part 726 ]

### BLACK LUNG BENEFITS

### Requirements for Coal Mine Operators Insurance

Pursuant to authority contained in sections 422 and 423 of title IV of the

Federal Coal Mine Health and Safety Act of 1969 as amended (83 Stat. 742, 86 Stat. 156; 30 U.S.C. 901, et seq.) it is proposed to amend Chapter VI of Title 20, Code of Federal Regulations, by adding thereto a new Part 726 as set forth below. The proposed new part will implement and effectuate provisions of the Act requiring coal mine operators to take prescribed action to secure the payment of any black lung benefits to coal miners and their survivors, for periods after December 31, 1973, to which such individuals may be entitled as a result of employment of such miners in mines operated by such operators.

Interested persons are invited to submit written data, views, or arguments concerning the proposed Part 726 to the Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210, on or before February 15, 1973.

The proposed Part 726 reads as follows:

# PART 726—BLACK LUNG BENEFITS: REQUIREMENTS FOR COAL MINE OPERATORS' INSURANCE

Subpart A—General



AUTHORITY: 83 Stat. 742, 86 Stat. 156; 30 U.S.C. 901, et seq.

## Subpart A—General

### 726.1 Statutory insurance requirements for coal mine operators.

Section 423 of title IV of the Federal Coal Mine Health and Safety Act requires each coal mine operator who is operating a coal mine in a State which is not included in the list published by the Secretary (see Part 722 of this subchapter) to secure the payment of benefits for which he may be found liable under section 422 of the Act and the provisions of this subchapter by either (a) qualifying as a self-insurer, or (b) by subscribing to and maintaining in force a commercial insurance contract.

### § 726.2 Purpose and scope of this part.

(a) This Part 726 provides rules directing and controlling the circumstances under which a coal mine operator shall fulfill his insurance obligations under the Act.

(b) This Subpart A sets forth the scope and purpose of this Part 726 and generally describes the statutory framework within which this part is operative.

(c) Subpart B of this part sets forth the criteria a coal mine operator must meet in order to qualify as a self-insurer.

(d) Subpart C of this part sets forth the rules and regulations of the Secretary governing contracts of insurance entered into by coal operators and commercial insurance sources for the payment of black lung benefits under Part C of the Act.

### § 726.3 Relationship of this part to other parts in this subchapter.

(a) This Part 726 implements and effectuates responsibilities for the payment of black lung benefits placed upon coal operators by sections 415 and 422 of the Act and the regulations of the Secretary in this subchapter, particularly those set forth in 20 CFR Part 725. All definitions, usages, procedures, and other rules affecting the responsibilities of coal operators prescribed in Parts 715 and 725 of this subchapter are hereby made applicable, as appropriate, to this Part 726.

(b) Part 703 of this chapter sets forth the rules and regulations of the Secretary in respect to the obligations of employers to secure workmen's compensation benefits payable under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U.S.C. 901 et seq., as amended from time to time, hereinafter referred to as the Longshoremen's Act). The provisions of Part 703 of this chapter are hereby made applicable to this Part 726 to the extent prescribed herein.

(c) In the event that an apparent conflict arises between the interpretation of any provision in this Part 726 and the interpretation of some provision appearing in a different incorporated part of this chapter, the conflicting provisions shall be read harmoniously to the fullest extent possible. In the event that a harmonious interpretation of the provisions is impossible the provision or provisions of this Part 726 shall govern insofar as the question is one which arises out of a dispute over the responsibilities and obligations of coal mine operators to secure the payment of black lung benefits as prescribed by the Act. No provision of this Part 726 shall be operative as to matters falling outside the purview of this part.

### § 726.4 Forms, submission of information.

Any information required by this Part 726 to be submitted to the Office of Workmen's Compensation Programs or any other office or official of the Department of Labor, shall be submitted on such forms or in such manner as the Secretary deems appropriate and authorizes from time to time for such purposes.

## Subpart B—Authorization of Self-Insurers

### § 726.101 Procedure and qualifications for self-insurer.

In order to qualify as a self-insurer under this part a coal mine operator shall follow the procedures and meet the qualifications prescribed in Part 703 of this chapter governing the certification of self-insurers under the Longshoremen's Act, insofar as and to the extent that Part 703 of this chapter may be made applicable within the context of title IV of the Federal Coal Mine Health and Safety Act as amended. Revocation of the privilege of self-insurance shall also be governed by the provisions of Part 703 of this chapter.

### § 726.102 Prior authorization to self-insure.

(a) Any corporation or other business entity which is presently authorized to self-insure under the Longshoremen's Act and the regulations promulgated thereunder may, without formal application, be permitted to self-insure for purposes of title IV of the Act, provided that such corporation or other business entity has deposited or deposits sufficient security to insure the payment of benefits and the discharge of its other obligations under the Act. The amount of any additional deposits of security shall be determined by the Office in accordance with the provisions of Part 703 of this chapter.

(b) In the case of self-insurance permitted under paragraph (a) of this section, the revocation of the privilege of self-insurance granted for purposes of the Longshoremen's Act shall constitute the revocation of such privilege for purposes of the Federal Coal Mine Health and Safety Act (see Part 703 of this chapter).

## Subpart C—Contracts of Insurance

### § 726.201 Who may underwrite an operator's liability.

Each coal mine operator who is not authorized to self-insure shall insure and keep insured the payment of benefits as required by the Act with an authorized insurance carrier. Such a carrier, for purposes of this part, shall include any stock company or mutual company or association, any other person or fund, including any State fund, while such company, association, person or fund is authorized under the laws of any State to insure workmen's compensation.

### § 726.202 Insurance contracts—required provisions.

(a) Every contract of insurance entered into for purposes of fulfilling an operator's obligations under the Act shall contain:

(1) A provision to pay benefits required under section 422 of title IV of the Act, notwithstanding the provisions of a State workmen's compensation law which may provide for lesser payments; and,

(2) A provision that insolvency or bankruptcy of the operator or discharge therein or both shall not relieve the carrier from liability for the full payment of benefits predicated upon a disability or death occurring during the life of the insurance contract; and,

(3) A provision that notification of the responsible operator or potentially responsible operator pursuant to § 725.151 of this Subchapter B shall constitute notification of the insurance carrier; and,

(4) A provision that jurisdiction over the operator by a deputy commissioner, an administrative law judge, the Bene-

fits Review Board, the Secretary, or any court under the Act shall constitute jurisdiction over the insurance carrier; and.

(5) A provision that any ruling or order made by a deputy commissioner, an administrative law judge, the Benefits Review Board, the Secretary, or any court shall be binding upon the insurance carrier in the same manner and to the same extent as upon the coal mine operator.

(b) No policy or contract of insurance issued by a carrier to comply with the requirements of this subpart shall be canceled prior to the date specified in such policy or contract for its expiration until at least thirty days have elapsed after notice of cancellation has been sent by registered or certified mail to the Secretary and to the insured operator at his last known place of business. Each policy or contract of insurance issued for purposes of this subpart shall contain a provision requiring notice of cancellation as prescribed in this paragraph.

(c) Nothing in this section shall relieve any operator of the duty to comply with any State workmen's compensation law, except insofar as such State law is in conflict with the provisions of this section.

§ 726.203 Terms of policies.

A policy or contract of insurance shall be issued for the term of not less than 1 year from the date that it becomes effective, but if such insurance be not needed except for a particular contract or operation, the term of the policy may be limited to the period of such contract or operation.

Signed at Washington, D.C., this 11th day of January 1973.

RICHARD J. GRUNEWALD,
*Assistant Secretary for Employment Standards.*

[FR Doc.73-914 Filed 1-15-73;8:45 am]

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## Occupational Safety and Health Administration

## [ 29 CFR Part 1910 ]

[S-73-1]

## CERAMIC PERMANENT MAGNETS

### Proposed Modification of Certain Machine Brake Standards To Allow Use as Setting Devices

Sections 1910.68(c)(1)(i), 1910.217(b)(2), and 1910.263(h)(2) of Title 29 of the Code of Federal Regulations presently require the use of mechanically set brakes for certain kinds of equipment. A petition has been received for the modification of the three sections so as to allow the use of ceramic permanent magnets as setting devices. It is argued in the petition that magnetically set brakes of this type are at least as effective as those presently required, because the former have a braking force comparable to that of the latter and do not depend on an external source of power. It is also pointed out that if electrical power is available in an emergency application of the brakes, magnetic brakes are two-to-three times more effective than mechanical brakes.

It appears that the petition has merit. Accordingly, pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655), Secretary of Labor's Order No. 12-71 (36 FR 8754), and 29 CFR Part 1911, it is hereby proposed to revise 29 CFR 1910.68(c)(1)(i), 1910.217(b)(2) and 1910.263(h)(2) to read as set forth below.

Written data, views, and arguments concerning the proposal may be mailed to the Office of Standards, Room 504, 400 First Street NW., Washington, DC 20210. All written submissions received before February 17, 1973, will be considered. The data, views, and arguments will be available for public inspection and copying at the Office of Standards.

Pursuant to 29 CFR 1911.11 (b) and (c), interested persons may, in addition to filing written matter as provided above, file objections to the proposal requesting an informal hearing with respect thereto in accordance with the following conditions:

(1) The objections must include the name and address of the objector;

(2) The objections must be postmarked on or before February 17, 1973;

(3) The objections must specify with particularity the provision of the proposed rule to which objection is taken, and must state the grounds therefor;

(4) Each objection must be separately stated and numbered; and

(5) The objections must be accompanied by a summary of the evidence proposed to be adduced at the requested hearing.

1. In § 1910.68, paragraph (c)(1)(i) is proposed to be revised to read as follows:

§ 1910.68 Manlifts.

* * * * *

(c) *Mechanical requirements*—(1) *Machines, general*—(i) *Brakes.* A ceramic permanent magnet-set brake or a mechanically-set, electrically released brake shall be applied to the motor shaft for direct-connected units or to the input shaft for belt-driven units. The brake shall be capable of stopping and holding the manlift when the descending side is loaded with 250 pounds on each step.

* * * * *

2. In § 1910.217, paragraph (b)(2) is proposed to be revised to read as follows:

§ 1910.217 Mechanical power presses.

* * * * *

(b) * * *

(2) *Brakes.* Friction brakes provided for stopping or holding the slide movement shall be set with compression springs or ceramic permanent magnets. Brake capacity shall be sufficient to stop the motion of the slide quickly and to hold the slide and its attachments at any point in its travel.

* * * * *

3. In § 1910.263, paragraph (h)(2) is proposed to be revised to read as follows:

§ 1910.263 Bakery equipment.

* * * * *

(h) * * *

(2) *Emergency stop bar.* An emergency stop bar shall be provided, so located that the body will press against it if the operator slips and falls toward the rolls, or if the operator gets his hand caught in the rolls. The bar shall be such that this pressure will positively open a circuit which will deenergize the drive motor. In addition, a magnetic spring-set brake or a ceramic permanent magnet-set brake shall be activated at the same time, causing the rolls to stop instantly. The emergency stop bar shall be checked every 30 days.

* * * * *

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655; 29 CFR 1910.4)

Signed at Washington, D.C., this 10th day of January 1973.

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

[FR Doc.73-877 Filed 1-15-73;8:45 am]

# DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## [ 14 CFR Part 39 ]

[Docket No. 12493]

## BRITISH AIRCRAFT CORPORATION VISCOUNT 810 SERIES AIRCRAFT

### Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to British Aircraft Corporation (BAC) Viscount 810 series airplanes. There has been a report of the discovery of a restriction in a power plant fire extinguisher pipe caused by the collapse of the rubber seal sleeve in the pipe connector assembly located at the engine fireproof bulkhead. Such a restriction could result in a fire hazard to the aircraft. Since the condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require the repetitive replacement of the rubber seal sleeves, installed in the power plant fire extinguisher system, at 5-year intervals on BAC Viscount 810 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, DC 20591. All communications re-

ceived on or before February 15, 1973, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

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

BRITISH AIRCRAFT CORPORATION. Applies to Viscount Series 810 airplanes.

Compliance is required as indicated.

To prevent a possible restriction in a power plant fire extinguisher pipe accomplish the following:

Within the next 500 hours' time in service after the effective date of this AD, unless already accomplished within 5 years prior to the effective date of this AD, and thereafter at intervals not to exceed 5 years from the last replacement, replace the rubber seal sleeves P/N FRS.-F-Series 1, installed in the power plant fire extinguisher system in the pipe connector assembly located at the engine fire-proof bulkhead, with seal sleeves of the same part number.

(BAC Alert Preliminary Technical Leaflet No. 149, Issue 1, dated July 30, 1971, covers this same subject.)

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

Issued in Washington, D.C., on January 8, 1973.

C. R. MELUGIN, Jr.,
*Acting Director,*
*Flight Standards Service.*

[FR Doc.73-856 Filed 1-15-73;8:45 am]

# Notices

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

### HIGH-SPEED TOOL STEEL FROM SWEDEN

#### Withholding of Appraisement Notice

Information was received on October 12, 1971, that high-speed tool steel from Sweden was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of November 25, 1971, on page 22607. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the exporter's sales price (section 204 of the Act; 19 U.S.C. 163) of high-speed tool steel from Sweden is less, or likely to be less, than the foreign market value or constructed value (sections 205 and 206) of the Act; (19 U.S.C. 164, 165).

*Statement of Reasons.* The information currently before the Bureau tends to indicate that the probable basis of comparison for fair value purposes will be between exporter's sales price and the adjusted home market price or constructed value, where appropriate, of such or similar merchandise.

Preliminary analysis suggests that the exporter's sales price will probably be calculated by deducting from the resale price of the related firm to unrelated purchasers in the United States, processing costs, selling expenses, and other distribution costs incurred in the United States as appropriate. Deductions will probably be made for cash discounts, transportation charges in the United States and Sweden, ocean freight and insurance, Customs brokerage clearance charges and U.S. duty.

The home market price probably will be calculated on the basis of a weighted-average price to purchasers in the home market or a constructed value, where appropriate. Deductions probably will be made for quantity discounts, inland freight, and insurance with adjustments for differences in packing costs, where applicable.

Using the above criteria, there are reasonable grounds to believe or suspect that exporter's sales price will be lower than adjusted home market price.

Customs officers are being directed to withhold appraisement of high-speed tool steel from Sweden in accordance with § 153.48, Customs regulations (19 CFR 153.48).

High-speed tool steel produced by Stora Kopparberg of Falun, Sweden, is excluded from this withholding of appraisement since 100 percent of Swedish export sales during the period under consideration were examined and the home market prices or constructed value of Stora Kopparberg's merchandise were found to be lower than the exporter's sales price of identical merchandise in every instance.

In accordance with §§ 153.32(b) and 153.37, Customs regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20229, in time to be received by his office not later than January 26, 1973. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than February 15, 1973.

This notice, which is published pursuant to § 153.34(b), Customs regulations (19 CFR 153.34(b)), shall become effective January 16, 1973. It shall cease to be effective June 18, 1973, unless previously revoked.

Dated: January 12, 1973.

[SEAL] EUGENE T. ROSSIDES,
*Assistant Secretary of the Treasury.*

[FR Doc.73-1040 Filed 1-15-73;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Office of Hearings and Appeals

[Docket No. M-73-14]

### INLAND STEEL CO.

#### Petition for Modification of Mandatory Safety Standard

*Notice.* In regard petition of Inland Steel Co. for modification of mandatory safety standard, Docket No. M-73-14.

In accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), notice is given that Inland Steel Co., Sesser, Ill., has filed a petition to modify the application of section 309(a) of the Act and 30 CFR 75.900 of the Secretary's implementing regulations to its mine in Jefferson County, Ill.

Section 309(a) of the Act provides as follows:

> Low- and medium-voltage power circuits serving three-phase alternating current equipment shall be protected by suitable circuit breakers of adequate interrupting capacity which are properly tested and maintained as prescribed by the Secretary. Such breakers shall be equipped with devices to provide protection against undervoltage, grounded phase, short circuit and overcurrent.

Inland Steel Co. makes the following statement in support of its petition:

> Our breakers are equipped with shunt trip instead of undervoltage releases. Undervoltage protection is provided on the high voltage circuit entering the mine, and this will provide protection for the low and medium voltage circuits should this condition develop on the high voltage circuit.
>
> In event the voltage should decrease in the low and medium voltage circuits, protection is provided by the operating coils on the starters, which are so designed as to drop out the circuit well above the required 40-60 percent of rated voltage. These breakers are of adequate interrupting capacity, they are properly tested and maintained and are equipped with grounded phase, short circuit and overcurrent protection.
>
> It is thought the protection in use on this equipment is superior to that stipulated in the regulations.

Parties interested in this petition shall file their answer or comment and their request for a hearing if they wish one, on or before February 15, 1973, 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.

JAMES M. DAY,
*Director,*
*Office of Hearings and Appeals.*

JANUARY 5, 1973.

[FR Doc.73-846 Filed 1-15-73;8:45 am]

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### Office of the Secretary

### INDIAN EDUCATION FOR HEALTH COMMITTEE

#### Establishment, Charter, and Functions

*Purpose.* The Secretary, Department of the Interior, and the Secretary's delegate are charged under 25 U.S.C. 13; 42 Stat. 208, with the responsibility for the care and assistance of Indians throughout the United States and in developing and administering educational programs to improve their quality of life and education. The Secretary, Department of Health, Education, and Welfare and by

delegation the Administrator, Health Services and Mental Health Administration, and the Director, Indian Health Service are charged under Public Law 568, 83d Cong., First session, 42 U.S.C. 2001 et seq., with the responsibility to maintain and operate health care facilities and to deliver health care and services to Indians.

The purpose of the Indian Education for Health Committee is to advise and assist in coordinating and improving the education and health programs for Indians throughout the United States in a joint venture by the Department of the Interior and the Department of Health, Education, and Welfare.

*Authority.* 25 U.S.C. 13; 42 Stat. 208 and 42 U.S.C. 217a, section 222 of the Public Health Service Act, as amended. This committee is established in accordance with and governed by provisions of Executive Order 11671, which sets forth standards for the formation and use of advisory committees.

*Function.* The committee will advise and make recommendations to the Secretary, Department of the Interior and the Secretary's delegate; the Secretary of Health, Education, and Welfare and the Director, Indian Health Service, Health Services and Mental Health Administration on guidelines, standards and evaluation techniques concerning the recruitment and provision of additional training for native Americans in education and health; the introduction of comprehensive health curricula in Indian schools; the production of health education materials, especially in maternal and child care; and in dealing with other crucial issues relating to education and health for Indian people in the United States.

*Structure.* The committee will consist of seven members, including the chairman. Two public members and two members who are full-time Federal employees, will be selected by the Secretary of the Interior and three members who are full-time Federal employees will be selected by the Secretary of Health, Education, and Welfare, or his designee, from leading authorities in the fields of education and health and who have wide knowledge of the needs for these services to better the life style of American Indians and Alaska natives. The chairman shall be designated by the Secretary of the Interior.

Members who are regular Government employees will be invited to serve for overlapping terms of 4 years, which in the case of initial members, shall be staggered to permit orderly rotation of members. Terms of more than 2 years are contingent upon a formal determination at the end of 2 years that continuance of the committee is in the public interest. The two public members shall be appointed for periods not to exceed 1 year; however, they may be reappointed for additional 1-year periods.

Management and staff services will be provided by the Department of the Interior.

*Meetings.* Meetings will be held quarterly, at the call of the chairman, with the advance approval of a Government official, who shall also approve the agenda. A Government official will be present at all meetings.

Meetings shall be open to the public and notice of all meetings will be given to the public.

Meetings shall be conducted, and records of the proceedings kept, as required by Executive Order 11671 and applicable Office of Management and Budget, Department of the Interior, and Department of Health, Education, and Welfare regulations.

*Compensation.* Members who are not full-time Federal employees will be paid at the rate of $75 per day, plus per diem and travel expenses in accordance with Standard Government Travel Regulations.

*Annual cost estimate.* Estimated annual cost for operating the committee, including compensation and travel expenses for members but excluding staff support is $8,000. Estimate of annual man-years of staff support required is one-sixth, at an estimated annual cost of $5,000. The Department of the Interior shall bear the costs for operation of the Committee.

*Reports.* A report will be submitted to the Secretary of the Interior through the delegate of the Secretary of the Interior and to the Secretary of Health, Education, and Welfare through the Administrator, Health Services and Mental Health Administration and the Director, Indian Health Service on July 15 of each year, which shall contain as a minimum, a list of members and their business addresses, the dates and places of meetings, and a summary of the committee's activities and recommendations during the fiscal year. A copy of the report shall be provided to the Department of the Interior Committee Management Officer and the Department of Health, Education, and Welfare Committee Management Officer.

*Duration.* The Indian Education for Health Committee will terminate 2 years from the date of its establishment unless extension beyond that date is found to be in the public interest.

FORMAL DETERMINATION

It is hereby determined that the formation of the Indian Education for Health Committee is in the public interest in connection with the performance of duties imposed on the Department of the Interior and the Department of Health, Education, and Welfare by law, and that such duties can best be performed through the advice and counsel of such a group.

Dated: January 4, 1973.

ROGERS C. B. MORTON,
*Secretary of the Interior.*

Dated: January 8, 1973.

ELLIOT P. RICHARDSON,
*Secretary of Health, Education and Welfare.*

[FR Doc.73-845 Filed 1-15-73;8:45 am]

# DEPARTMENT OF AGRICULTURE

## Animal and Plant Health Inspection Service

## HUMANELY SLAUGHTERED LIVESTOCK

### Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 391.1, the lists (37 FR 23853 and 25550) of establishments which are operated under Federal inspection pursuant to the Federal Meat Inspection Act, as amended (21 U.S.C. 601 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to goats with respect to Dexter Packing Co., Inc., establishment 5845, is deleted. The reference to Lamb Specialties, Inc., establishment 6018, and the reference to sheep with respect to such establishment, are deleted. The reference to swine with respect to Geneva Meats and Processing Service, establishment 8979, is deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

ESTABLISHMENTS SLAUGHTERING HUMANELY

| Name of establishment | Establishment No. | Cattle | Calves | Sheep | Goats | Swine | Equines |
|---|---|---|---|---|---|---|---|
| Golden West Meat Co., Inc. | E1796 | | | | | | (*) |
| B. & E. Meat Processing | 2952 | (*) | | | | (*) | |
| Mister Meat | 2957 | (*) | (*) | (*) | (*) | (*) | |
| Mid-Continent Meats, Inc. | 5523 | | | | | (*) | |
| Gaines Packing Co. | 5767 | (*) | (*) | | | | |
| Sikeston Food Lockers | 5825 | (*) | | | | | |
| Rocking V Beef, Inc. | 7054 | (*) | | (*) | | (*) | |
| Wright Slaughter | 8553 | (*) | | | | | |
| McKillip Bros. Meat | 9274 | (*) | | | | | |
| Shaw Bros., Inc. | 9390 | (*) | (*) | (*) | (*) | | |
| Elwood D. Metzler | 9428 | (*) | | | | | |
| Louis Kline, Inc. | 9589 | (*) | (*) | (*) | | | |
| Keek's Meat Plant | 9684 | (*) | (*) | (*) | | | |
| Holland Bros. Meat | 9701 | (*) | (*) | (*) | | | |
| George E. Garner | 9828 | (*) | (*) | (*) | | | |
| Francis Bonanno Packing Co. | 9842 | (*) | (*) | (*) | | (*) | |
| Hughey (Bobby) Welyandt III | 9849 | (*) | (*) | (*) | (*) | (*) | |
| New establishments reported: 17: | | | | | | | |
| Alco Packing Co. | 885A | | | | (*) | | |
| Cuyamaca Meat Co. | 6126 | | | (*) | | | |
| Slade's Meat Packers, Inc. | 8054 | | | (*) | | | |
| Geneva Meats & Processing Service | 8979 | | | (*) | | | |
| Le Duc Packing Co. | 9387 | | | (*) | | (*) | |
| Species added: 6. | | | | | | | |

Done at Washington, D.C., on January 5, 1973.

KENNETH M. MCENROE,
*Associate Administrator, Meat and Poultry Inspection Program.*

[FR Doc.73-770 Filed 1-15-73;8:45 am]

# DEPARTMENT OF COMMERCE

## Office of Import Programs

## LONG ISLAND JEWISH-HILLSIDE MEDICAL CENTER

### Notice of Application for Duty-Free Entry of Scientific Articles; Correction

In the notice of application for duty-free entry of scientific articles appearing at pages 69-71 in the FEDERAL REGISTER of Wednesday, January 3, 1973. F.R. Doc. 73-00259-33-07700 should be corrected to read:

Docket No. 73-00259-33-07700. Applicant: Tulane Medical School, Department of Ophthalmology, 1430 Tulane Avenue, New Orleans, LA 70112. Article: Fundas Camera. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to take photographs of the retina in humans both with and without the injection of fluorescein dye to demonstrate the blood flow in the retina. The article will be used for studying various disease conditions such as diabetes in the way they affect the vasculature of the eye. The photograph taken will be used to teach both residents and medical students in ophthalmology. Application received by Commissioner of Customs: November 27, 1972.

B. BLANKENHEIMER,
*Acting Director, Office of Import Programs.*

[FR Doc.73-859 Filed 1-15-73;8:45 am]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Office of the Secretary

## INDIAN EDUCATION FOR HEALTH COMMITTEE

### Establishment, Charter, and Functions

CROSS REFERENCE: For a document concerning the establishment of a new Indian Education for Health Committee, issued jointly by the Departments of the Interior, and Health, Education, and Welfare, see FR Doc. 73-845, *supra*.

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-73-214]

## ASSISTANT SECRETARY FOR ADMINISTRATION AND DEPUTY ASSISTANT SECRETARY FOR ADMINISTRATION

### Designation and Delegation of Authority Regarding Certain Oaths Required in Connection With Employment

SECTION A. *Designation and delegation.* The Assistant Secretary for Administration and the Deputy Assistant Secretary for Administration each is hereby:

1. Designated to administer the oath of office required by 5 U.S.C. 3331 incident to entrance into the executive branch, or any other oath required by law in connection with employment in the executive branch, as authorized under 5 U.S.C. 2903(b).

2. Authorized to:

a. Designate the Director, Office of Personnel, the Deputy Director, Office of Personnel, each Regional Administrator, and each Deputy Regional Administrator to administer oaths as authorized under 5 U.S.C. 2903(b).

b. Empower the Director and the Deputy Director, Office of Personnel, each Regional Administrator, and each Deputy Regional Administrator to:

i. Designate in writing subordinate employees by position to administer oaths as authorized under 5 U.S.C. 2903(b); and

ii. Redelegate to subordinate employees the authority to designate in writing subordinate employees by position to administer oaths as authorized under 5 U.S.C. 2903(b).

SEC. B. *Supersedure.* This designation and delegation supersedes unpublished designation and delegation effective May 19, 1967.

(5 U.S.C. 2903; sec. 7(d) of Department of HUD Act, 42 U.S.C. 3535(d))

*Effective date.* This delegation of authority is effective as of October 15, 1972.

GEORGE ROMNEY,
*Secretary of Housing and Urban Development.*

[FR Doc.73-870 Filed 1-15-73;8:45 am]

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## Office of Interstate Land Sales Registration

[Docket No. N-73-135; Administrative Division Docket No. Z-151]

## HIDDEN VALLEY SUNRISE DEVELOPMENT CORP. ET AL.

### Notice of Hearing

Notice is hereby given that:

1. Sunrise Development Corp., its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Public Law 90-448) (15 U.S.C. 1701 et seq.), received a notice of proceedings and opportunity for hearing dated November 21, 1972, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the developer's statement of record for Hidden Valley and the failure of the developer to amend the pertinent sections of the statement of record and property report.

2. The respondent filed an answer postmarked December 13, 1972, in answer to the allegations of the notice of proceedings and opportunity for a hearing.

3. In said answer the respondent requested a hearing on the allegations contained in the notice of proceedings and opportunity for a hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), *It is hereby ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in the notice of proceedings and opportunity for hearing will be held before David Knight in Room 7233, Department of HUD Building, 451 Seventh Street SW., Washington, DC, on January 31, 1973, at 10 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410, on or before January 24, 1973.

5. Respondent is hereby notified that failure to appear at the above-scheduled hearing shall be deemed a default and the proceeding shall be determined against respondent, the allegations of which shall be deemed to be true, and an order suspending the statement of record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

GEORGE K. BERNSTEIN,
*Interstate Land Sales Administrator.*

[FR Doc.73-869 Filed 1-15-73;8:45 am]

# DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## FIFTH ANNUAL NATIONAL AVIATION SYSTEM PLANNING REVIEW CONFERENCE

### Notice of Conference and Agenda

The purpose of this notice is to announce the Fifth Annual National

Aviation System Planning Review Conference. (The establishment of annual consultative planning procedures was originally documented and publicized in 33 FR 19205, dated December 24, 1968, and 35 FR 17798, dated November 19, 1970.)

The Department of Transportation announces that the Fifth Annual National Aviation System Planning Review Conference will be held May 21–23, 1973, at the Washington Hilton Hotel, Washington, D.C.

The following topics were developed in meetings with representatives of industry and user groups through the consultative planning process. The Department of Transportation encourages comments that assist in the development of agenda topics. These suggestions should be submitted not later than January 30, 1973 to:

Associate Administrator for Plans, Attention: AAV–1, 800 Independence Avenue SW., Washington, DC 20591.

A list of topics is provided for use as guidance:

(1) Community Involvement in Planning.
(2) Landing Systems.
(3) Navigation.
(4) Air Traffic Control.
(5) Airports.
(6) Short Haul.
(7) Performance Assurance.

A registration fee of $15, payable either in advance or at the conference, is required. Additionally, a fee of $5 is required of those who wish to receive the 1973 edition of the National Aviation System Ten Year Plan, Policy Changes, and Summary Report. (Those persons who do not register may purchase the National Aviation System Policy Summary (1972 edition) and Ten Year Plan directly from the Government Printing Office.)

To register for the Fifth Annual National Aviation System Planning Review Conference, please write to the following address giving: (1) Name, (2), address, (3) company/association if any, (4) area of interest (airports, air traffic control, navigation, or specify), and (5) enclose a check (if preregistration or publications are desired), payable to:

Federal Aviation Administration, Attention: AHQ–200, 800 Independence Avenue SW., Washington, DC 20591.

Issued in Washington, D.C., on December 12, 1972.

RONALD W. PULLING,
*Acting Associate Administrator for Plans.*

[FR Doc.73–857 Filed 1–15–73;8:45 am]

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## National Transportation Safety Board

## AIRCRAFT ACCIDENT AT CHICAGO, ILL.

### Notice of Investigation Hearing

In the matter of investigation of accident involving United Airlines, Inc., Boeing 737 of U.S. Registry N9031U, Chicago, Ill., December 8, 1972, Docket No. SA–435.

Notice is hereby given that an accident investigation hearing on the above matter will be held commencing at 9:30 a.m. (local time), on February 27, 1973, at the Sheraton-O'Hare Motor Hotel, Rosemont, Ill.

Dated this 5th day of January 1973.

[SEAL] WILLIAM HENDRICKS,
*Senior Hearing Officer.*

[FR Doc.73–858 Filed 1–15–73;8:45 am]

# FEDERAL POWER COMMISSION

[Docket No. CP72–9]

## ARKANSAS LOUISIANA GAS CO.

### Notice of Petition To Amend

JANUARY 10, 1973.

Take notice that on December 12, 1972, Arkansas Louisiana Gas Co. (petitioner), P.O. Box 1734, Shreveport, LA 71151, filed in Docket No. CP72–9 a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on November 1, 1971 (46 FPC 1110) as amended on July 17, 1972 (48 FPC ——), by authorizing petitioner to exchange gas with Cities Service Gas Co. (Cities) at a fourth point of delivery, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the Commission's initial order issued in subject docket, petitioner was authorized to exchange gas with Cities under an agreement dated June 11, 1971, at two points of delivery. The order of July 17, 1972 authorized petitioner and Cities to exchange gas at a third point of delivery for the mutual operating convenience of the parties.

Petitioner states that on October 27, 1972, its exchange agreement with Cities was amended by adding a fourth point of delivery and that authorization of such a fourth point will benefit the mutual operating convenience of both parties. Under the requested authorization petitioner purposes to install and operate approximately 1,000 feet of gathering line, a dehydrator, and related facilities costing approximately $9,700. Petitioner further states that Cities will install and operate the necessary tap and sidegate on Cities' existing pipeline, together with measurement facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 29, 1973, 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 leavé 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.73–891 Filed 1–15–73;8:45 am]

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[Docket No. E–7918]

## CAROLINA POWER & LIGHT CO.

### Notice of Proposed Changes in Rates and Charges

JANUARY 10, 1973.

Take notice that Carolina Power and Light Co. (Carolina) on December 18, 1972, tendered for filing proposed changes in its FPC rate schedules, with a proposed effective date of February 16, 1973. The proposed changes would increase jurisdictional sales and service by approximately $2,889,000 based on a volume of sales for the 12-month period ending December 31, 1971.

The proposed changes increase the rates for wholesale electric service rendered by Carolina to municipal and private electric systems, and provide general terms and conditions for wholesale electric power service to those customers. The filing also contains a new form of service agreement and attachment thereto. All of these proposed changes are embodied in FPC Electric Tariff Original Volume No. 1.

Carolina maintains the increase is necessary because the present rates do not provide a rate of return sufficient to attract new capital.

Carolina further states that the filing seeks to establish a uniformity of terms and conditions and to provide a tariff form of filing in lieu of the present individual contract type filings. However, it is not proposed that new contracts be entered into at the present time but that the general terms and conditions be made applicable to existing contracts. All contracts executed in the future would conform to the tariff in all respects. Special

provisions are contained in the general terms and conditions for application to existing contracts.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 30, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene.

Copies of this filing have been served on Carolina's affected customers and interested state commissions. Copies are on file with the Federal Power Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-893 Filed 1-15-73;8:45 am]

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[Docket No. CP73-163]

## CONSOLIDATED GAS SUPPLY CORP.

### Notice of Application

JANUARY 10, 1973.

Take notice that on December 22, 1972, Consolidated Gas Supply Corp. (Applicant), 445 West Street, Clarksburg, WV 26301, filed in Docket No. CP73-163 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas transportation facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to construct and operate approximately 1.4 miles of 8-inch transmission pipeline extending from Way Farm, Wood County, W. Va., to a point of connection with the facilities of the River Gas Co. in Washington County, Ohio; the proposed facilities will cross the Ohio River parallel to the existing 8-inch rivercrossing in Line No. TL-290.

Applicant states that 40 percent of the gas that it delivers to the River Gas Co. is delivered through the 23-year-old bare, welded Line No. TL-290 rivercrossing. Additional deliveries by Applicant to the River Gas Co. are made through the double rivercrossing in Line H-51; it is stated that one of these rivercrossings has developed leaks. Applicants contend that the proposed facilities are necessary to ensure continuity of service to the River Gas Co.

It is stated the estimated cost of the proposed facilities will be $174,174 and will be financed from funds on hand and from funds obtained from Applicant's parent corporation, Consolidated Natural Gas Co.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-898 Filed 1-15-73;8:45 am]

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[Docket No. CP73-172]

## GARDNER PIPELINE, INC.

### Notice of Application for Exemption

JANUARY 10, 1972.

Take notice that on December 29, 1972, Gardner Pipeline, Inc. (Applicant), 133 Pleasant Street, Gardner, Mass., filed in Docket No. CP73-172 an application pursuant to section 1(c) of the Natural Gas Act for exemption from the provisions of said Act, 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 transports gas over an approximate 8-mile distance between a point near the intersection of Route 2A and the Fitchburg-Westminster Town Line, Worcester County and the Gardner Gas, Fuel and Light Co.'s facilities in Gardner Mass. Applicant further states that it transports gas exclusively for Gardner Gas, Fuel and Light Co., which sells and delivers gas to its retail customers within the Commonwealth of Massachusetts, that Applicant has no retail customers, and that Applicant is authorized to do business only within the Commonwealth.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 2, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-895 Filed 1-15-73;8:45 am]

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[Docket No. CI73-150]

## H & H GAS CO.

### Order Vacating Certificate and Rescinding Rate Schedule

JANUARY 9, 1973.

By order issued November 1, 1972, the Commission issued a limited-term certificate of public convenience and necessity to H & H Gas Co. (H&H) in Docket No. CI73-150 authorizing the sale of natural gas in interstate commerce to United Gas Pipe Line Co. (United) from the Bayou Portuguese Field, Lafourche Parish, La., pursuant to § 2.70 of the Commission's general policy and interpretations (18 CFR 270).

By telegram filed November 14, 1972, H & H rejected the subject certificate because the gas could not be produced against United's line pressure. By letter filed November 30, 1972, United confirmed that H & H could not meet United's line pressure and as a result the well went dead because of watering.

The Commission finds:

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate issued in Docket No. CI73-150 should be vacated and the acceptance for filing of the related rate schedule should be rescinded.

The Commission orders:

The certificate of public convenience and necessity issued in Docket No. CI73-150 is vacated and the acceptance for filing of the related rate schedule is rescinded.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-905 Filed 1-15-73;8:45 am]

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[Docket No. E-7843]

## KANSAS GAS AND ELECTRIC CO.

### Notice of Application

JANUARY 10, 1973.

Take notice that Kansas Gas and Electric Co. (Applicant) on November 28,

1972, filed an application pursuant to section 204 of the Federal Power Act seeking approval of an agreement to guaranty repayment of $15 million in pollution control revenue bonds, which the city of La Cygne, Kans., intends to issue.

The city intends to issue $30 million in pollution control revenue bonds to pay for construction of air pollution control facilities to be installed at Unit #1 at La Cygne Station located near La Cygne, Kans., which is jointly owned by Kansas Gas and Electric Co. and Kansas City Power & Light Co. as tenants in common. Final completion of these facilities is expected to be in September 1973 or thereafter.

The facilities will be owned by the companies and the financing for the facilities will be arranged under a lease-sublease arrangement between the city and Kansas Gas & Electric Co. and Kansas City Power & Light Co. with the companies making payments under the sublease sufficient to pay the principal, premium, if any, and interest due on the bonds together with related expenses.

The bonds would not be issued by Kansas Gas & Electric Co., and no payments would be required under the guaranty if the utility makes all the payments under the sublease.

Any person desiring to be heard or to make any protest with reference to such application should on or before January 22, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and 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 rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-899 Filed 1-15-73;8:45 am]

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[Docket No. CI73-430]

## McCULLOCH OIL CORPORATION OF TEXAS

### Notice of Application

JANUARY 10, 1973.

Take notice that on December 21, 1972, McCulloch Oil Corporation of Texas (Applicant), 10880 Wilshire Boulevard, Suite 1500, Los Angeles, CA 90024, filed in Docket No. CI73-430 an application pursuant to section 7(c) of the Natural Gas Act and § 2.75 of the Commission's general policy and interpretations (18 CFR 2.75) for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Arkansas Louisiana Gas Co. (Arkla), from the Southwest Mathers Ranch Area, Hemphill County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes under the optional gas pricing procedure to sell approximately 301,500 Mcf of natural gas per month to Arkla; 187,500 Mcf pursuant to an August 14, 1972, contract between Applicant and Arkla, and 114,000 Mcf pursuant to an August 9, 1972, contract between J. M. Huber Corporation, as predecessor in interest to Applicant, and Arkla. The proposed sale will be at an initial rate of 35 cents per Mcf until October 1, 1976, with a 1-cent-per-Mcf price escalation every 4 years thereafter, to a maximum price of 39 cents per Mcf, subject to upward and downward B.t.u. adjustment, at 14.65 p.s.i.a. The subject contracts, which shall continue in effect until October 1, 1992, and from year to year thereafter, also provide for price adjustments allowing for the recovery of compression and dehydration charges, and price escalations reflecting changes in state production taxes.

Applicant asserts that the 35-cents-per-Mcf initial price proposed herein is lower than any number of alternative sources of energy including the importation of liquefied natural gas, and the cost of synthetic gas, and is lower than prices of natural gas in the intrastate market, as evidenced by reported sales of gas at 42.5 cents and 73 cents in Texas and Oklahoma, respectively. Applicant further asserts that the 35-cents-per-Mcf price is in line with limited term certificates that have been issued by the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 29, 1973, 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.73-892 Filed 1-15-73;8:45 am]

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[Dockets Nos. CI72-834, CP72-274]

## NAVARRO GAS PRODUCTION CO. ET AL.

### Order Rejecting Notice of Withdrawal, and Order to Show Cause

JANUARY 9, 1973.

Navarro Gas Production Co. and Louisiana Gas Production Co., a division of Commercial Solvents Corp., Docket No. CI72-834; Georgia Pacific Corp., Docket No. CP72-274.

By orders issued October 20 and November 10, 1972, we consolidated proceedings, granted interventions, and provided for hearing on the application of Georgia Pacific Corp. (GP) for a certificate of public convenience and necessity which requests authorization to construct and operate facilities required to attach additional supplies of natural gas in the Monroe Field, La. By means of said facilities, GP proposes to transport gas purchased from Navarro Production Co. and Louisiana Gas Production Co., a division of Commercial Solvents Corp. (Navarro) to its Crossett, Ark., plant.

Navarro has been selling gas, which is the subject of the application in Docket No. CP72-274, to Mid-Louisiana Gas Co. through existing facilities pursuant to a limited term certificate issued August 10, 1972. Said limited term certificate required Navarro to terminate its sale to Mid-Louisiana on December 1, 1972.

Subsequent to the issuance of our orders on October 20, 1972, providing for hearing, GP moved for reconsideration or in the alternative issuance of a temporary certificate and rescheduling procedural dates. By order issued November 10, 1972, we reiterated that "an evidentiary record should be made to develop the public interest issues involved in issuing a certificate of public convenience and necessity to GP, including the proposed end use of natural gas". We also referred therein to an issue raised by intervenor Mid-Louisiana that dwindling sources of natural gas in the Monroe Field might not justify the authorization of the new industrial pipeline into the area in view of the reduction in available supplies.

Subsequent to the order of November 10, GP on November 21 filed a notice of withdrawal of its application in Docket No. CP72-274 pursuant to the provisions of § 1.11(d) of the Commission's rules of practice and procedure. GP advised the Commission therein that Navarro served GP with a purported notice of termination of the gas sales

contract and that a dispute exists between GP and Navarro with respect to Navarro's rights to the gas. GP further stated that it does not propose to construct or operate the 2.4 miles of 12¾-inch pipeline which GP had requested authorization for in Docket No. CP72-274 as it now proposes to install and operate certain other facilities to utilize its existing system in order to transport gas from Navarro to GP's plant in Crossett. On November 29, 1972, GP by telegram advised the Commission that it proposes to utilize its existing facilities certificated in Docket No. CP72-50 for the transportation of gas to be purchased from Navarro.

In Docket No. CP72-50, the Commission issued an order on November 15, 1971, authorizing GP to construct its initial facilities from Crossett, Ark., into the North Bastrop Area at an initial cost of $669,000, 46 FPC 1209. Said facilities were to be used by GP only during emergency conditions in order to provide 5,000-6,000 Mcf/d natural gas indispensably required as ignition fuel, for alternative fuel use in the drying operation in paper manufacturing where there was no practical alternative fuel suitable for this use, and only in the event that GP's regular natural gas supplier, Mississippi River Transmission Corp. (MRT) was totally curtailing GP (p. 1210).

GP's notice and telegram referred to previously in this order, indicates the intention of GP to proceed and to construct and operate facilities to connect gas supplies not specifically authorized by the certificate issued in Docket No. CP72-50. The construction and operation of facilities by GP to connect gas supply from Navarro may not be within the actual or legal contemplation of the certificate issued to GP and may be an unauthorized action. A pipeline connecting Navarro reserves to an interstate system, such as GP, may be a jurisdictional facility requiring prior Commission authorization (30 FPC 1477). Good cause therefore has not been shown to permit the effectuation of Notice of Withdrawal filed November 21, 1972. The hearing hereafter ordered should, as we have previously directed, develop an evidentiary record on the public interest issues involved in issuing a certificate of public convenience and necessity to GP to connect Navarro gas supplies, including the proposed end-use of natural gas. The resumed hearings hereinafter ordered should cure any deficiencies in preparation of a complete evidentiary record and provide all parties an opportunity to present their views.

The Commission finds:

(1) The grant of permission to withdraw the application of GP in Docket No. CP72-274 is not in the public interest.

(2) GP should be required to show cause why it should not first obtain a certificate of public convenience and necessity as required by section 7(c) of the Natural Gas Act prior to extension of facilities or transportation of additional gas supplies through existing facilities to its Crossett plant.

(3) An order to show cause should hereinafter issue, pursuant to § 1.6(d) of the rules.

(4) The record in these proceedings should be completed without undue delay in view of the circumstances.

The Commission orders:

(A) The notice of withdrawal filed November 21, 1972, by GP in Docket No. CP72-274 is rejected.

(B) GP is required to show cause why it is not required to first obtain a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act and the rules and regulations thereunder, before extending its facilities.

(C) Orders previously issued in these dockets are amended to provide participants an opportunity to complete the evidentiary record commencing on February 5, 1973, at 10 a.m., e.s.t., in a hearing room at Federal Power Commission, 441 G Street NW., Washington, DC 20426, at which time GP shall respond to these orders through appropriate witnesses.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-901 Filed 1-15-73;8:45 am]

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[Docket No. E-7690]

## NEPOOL POWER POOL AGREEMENT

### Notice of Further Extension of Time

JANUARY 10, 1973.

On December 29, 1972, the Northeast Public Power Association filed a motion for extension of time to file prepared testimony as required by the Commission's order issued on September 21, 1972 (37 FR 20278, Sept. 28, 1972), and amended by notices issued October 27, 1972 (37 FR 23666, Nov. 7, 1972) and December 13, 1972 (37 FR 28217, Dec. 21, 1972). The motion states that the NEPOOL Executive Committee and other interveners do not oppose the request.

Upon consideration, notice is hereby given that the time is extended to and including January 12, 1973, within which the Northeast Public Power Association shall file its prepared testimony and exhibits.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-896 Filed 1-15-73;8:45 am]

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[Docket No. CP73-162]

## SEA ROBIN PIPELINE CO.

### Notice of Application

JANUARY 10, 1973.

Take notice that on December 21, 1972, Sea Robin Pipeline Co. (Applicant), Post Office Box 1407, Shreveport, LA 71158, filed in Docket No. CP73-162 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and delivery of natural gas from Block 225, Ship Shoal Area, and Block 262 Eugene Island Area, offshore Louisiana, for Southern Natural Gas Co. (Southern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a November 29, 1972, agreement between Applicant and Southern, Applicant will receive up to 25,200 Mcf of Southern's gas per day from Southern and transport such gas to Erath, Virmilion Parish, La., for delivery to United Gas Pipe Line Co. for exchange. United and Southern have filed in Docket No. CP69-305 a petition to amend the order issuing a certificate in said docket by authorizing the exchange of additional gas.

Applicant will charge Southern a monthly demand charge determined by multiplying $1.21 by the contract demand and by the ratio of the number of days such contract demand was in effect during such month to the total days in the month. Said rate is subject to adjustment for overruns and underruns.

Applicant states that the proposed service does not require the construction of additional facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-890 Filed 1-15-73;8:45 am]

[Project 382]

## SOUTHERN CALIFORNIA EDISON CO.

### Notice of Application for New License

JANUARY 9, 1973.

Public notice is hereby given that application was filed on February 4, 1972, under section 15 of the Federal Power Act (16 U.S.C. 791a–825r) by Southern California Edison Co. (correspondence to: Mr. Rollin E. Woodbury, vice president and general counsel, Southern California Edison Co., 2244 Walnut Grove Avenue, Rosemead, CA 91770) for a new license for constructed Project No. 382, known as the Borel Project, located on the North Fork of the Kern River in Kern County, Calif.

The installed capacity of the Borel Project is 9,200 kw. (14,400 hp.). The project consists of: (1) Diversion works consisting of a 4-foot high, 158-foot long concrete dam across the east river channel, a 61-foot long intake structure with three 10 by 10-foot radial gates across the west river channel and a 200-foot long earth dike extending from the east channel dam to the abutment; (2) a settling basin, immediately downstream of the intake, formed in the west river channel by a 2,850-foot long earth dike having an overflow concrete section with two 8 by 10-foot radial gates; (3) a canal intake structure with three 10 by 10-foot radial gates and a sluice gate section; (4) a conduit system which includes the 3,240-foot long settling basin, 50,551 feet of open concrete-lined canal, 453 feet of rectangular section concrete canal, 2,898 feet of siphon, a 632-foot overflow weir and auxiliary intake structure at the Corps of Engineers Isabella Auxiliary Dam, a 518-foot double barreled conduit through this dam, six concrete and four steel flumes with a total length of 2,601 feet and four tunnels (total length—1,998 feet); (5) a small forebay with a spillway; (6) four 522-foot long steel penstocks; (7) a powerhouse containing three generating units with a total installed capacity of 9,200 kw.; (8) 38 miles of 66 kv. transmission line extending from the powerhouse to a point near Tehachapi; and (9) all other facilities and interests in land appurtenant to the operation of the project.

The project as originally constructed had a diversion dam with insignificant storage. In 1954 the Corps of Engineers completed Isabella Dam and Reservoir and the regulation of flows provided by that reservoir has increased the generation by the Borel plant.

According to the application, the net investment as of the end of the license term will be $2,475,000, which is less than the fair market value. Applicant estimates that the project increases local and state tax revenues by $123,700 annually. In the event of federal takeover, Applicant estimates severance damages to be not less than $7,746,000.

The Borel Project has no recreation facilities. Recreation facilities are provided, however, at the Corps of Engineers Isabella Reservoir which include fishing, sailing, boating, swimming, water skiing, camping, picnicking, and hiking.

The power generated at the Borel Powerhouse is supplied to the Applicant's interconnected power system for the use of its customers.

Any person desiring to be heard or to make protest with reference to said application should on or before March 9, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-900 Filed 1-15-73;8:45 am]

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[Docket No. CP73-136]

## SOUTHERN NATURAL GAS CO.

### Notice of Amendment to Application

JANUARY 10, 1973.

Take notice that on December 26, 1972, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, AL 35202, filed in Docket No. CP73-136 an amendment to its application filed in said docket pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain metering and regulating facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

In the original application Applicant proposed to abandon metering and regulating facilities located on its Tinsley Branch Line in Yazoo County, Miss., which have been used for the sale of natural gas to various petroleum companies, including Sohio Petroleum Co. (Sohio), because of the cancellation of its contracts with all but one of the subject purchasers.

In its amended application, Applicant states that it has agreed to disregard Sohio's October 10, 1972, letter requesting cancellation of service, and to continue Sohio's service as originally provided for in the original gas sales agreement, as authorized by the Commission in Docket No. CP66-161, on March 8, 1966 (35 FPC 369). Applicant therefore requests the Commission to delete that portion of its original application requesting authorization to abandon service to Sohio.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before January 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-897 Filed 1-15-73;8:45 am]

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[Docket No. CP73-4]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

### Order Setting Date for Formal Hearing Prescribing Procedures, and Permitting Interventions

JANUARY 9, 1973.

On July 3, 1972, Transcontinental Gas Pipe Line Corp. (Transco) filed in Docket No. CP73-4 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the transportation of natural gas on an interruptible basis from Texas and Louisiana to New Jersey for the Elizabethtown Gas Co. (Elizabethtown). The gas to be transported will be sold to Elizabethtown by its wholly owned production affiliate, National Exploration Corp. (Exploration), and gathered, measured and delivered to Transco's system for the account of Elizabethtown by either Exploration or another wholly owned subsidiary, National Gas Gathering Co. (Gathering). Transco alleges that the proposed interruptible transportation service is to provide sufficient quantities of gas to Elizabethtown to offset certain curtailments in service which Transco is now required to make due to deficiencies in flowing gas supplies in its system. According to Transco's application, Elizabethtown's affiliate, Exploration, currently has wells already drilled in the McCaskill Field located in Karnes and Goliad Counties, Tex., which are capable of delivering enough gas to meet a daily curtailment of Elizabethtown's services of 12.02 Mcf and an annual curtailment of 2.856 Bcf.

We believe that Transco's application presents several issues warranting the benefit of a formal evidentiary hearing. The overriding policy issue, with respect to the sale of the gas which Transco is to convey, is the same policy issue raised by the Commission Staff and others in Northern Michigan Exploration Co. et al., Docket No. CI72-301 et al.[1]

[1] We remanded Docket No. CI72-301 et al., for further hearings on Dec. 6, 1972.

The issue, simply stated, is whether it is in the public interest to authorize proposals which encourage natural gas distributors to enter the production business and tie whatever gas is found and produced to their systems. The question of end-use is also of primary concern herein. We consider all agreements between Elizabethtown and Exploration with respect to the gas which Transco proposes to transport herein, to be relevant and material to the issues in this proceeding.

Petitions requesting leave to intervene in Docket No. CP73–4 were timely filed by the following petitioners:

Elizabethtown Gas Co.
National Exploration Co.
Public Service Electric & Gas Co.
Brooklyn Union Gas Co.
Board of Public Utility Commissioners of the State of New Jersey.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held on the issues presented by the application filed in Docket No. CP73–4.

(2) It is desirable to allow all petitioners who have so requested to intervene in Docket No. CP73–4, in order that they may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The above named petitioners are permitted to intervene in the proceedings in Docket No. CP73–4 subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such interveners shall be limited to matters affecting rights and interests expressly asserted in the petition to intervene: *And provided, further,* That the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders entered in these consolidated proceedings.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing on the issues presented by the application filed in the proceedings in Docket No. CP73–4 will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, commencing at 10 a.m., on February 27, 1973. Applicant and supporting intervenors shall file with the Commission and serve on all parties, the Commission Staff and the Presiding Law Judge its proposed direct presentation in support of its application, including the prepared testimony of witnesses and exhibits, on or before February 2, 1973.

(C) A Presiding Law Judge to be designated by the Chief Law Judge for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in these proceedings and prescribe relevant procedural matters not herein provided.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-903 Filed 1-15-73;8:45 am]

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[Docket No. CP73–179]

## UNITED GAS PIPE LINE CO.

### Notice of Application

JANUARY 10, 1973.

Take notice that on January 12, 1972, United Gas Pipe Line Co. (Applicant), 1500 Southwest Tower, Houston, Tex. 77002, filed in Docket No. CP73–179 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas services, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks permission and approval for the abandonment of natural gas services to Monsanto Textiles Co. (Monsanto) at Monsanto's synthetic textile fiber manufacturing plant located near Pensacola, Fla., being made in accordance with a contract dated September 15, 1967, and to abandon in place 0.3 mile of 12-inch pipeline, and to abandon and remove a sale meter and regulator station, as authorized in Docket No. CP60–14.

Applicant states that its agreement with Monsanto was subject to a rate schedule with a stated monthly rate that expired on January 1, 1973, although said contract would have expired by its own terms on January 1, 1983. It is stated that Applicant submitted a new monthly rate schedule for the period January 1, 1973, through January 1, 1978, and two alternative proposals, all of which were rejected by Monsanto, thereby, Applicant states, effectively terminating the agreement between the parties. Applicant contends that since Monsanto would agree only to a new monthly rate that would not enable Applicant to acquire the new reserves necessary to enable continuing industrial service during a time of gas shortage, and because the subject contract is in effect terminated, the Commission should grant Applicant's request to discontinue service to Monsanto and to abandon facilities supporting such service.

Applicant states further that Monsanto is an industrial customer utilizing the gas it purchases from Applicant as feedstock and boiler fuel for the manufacture of synthetic textile fiber, and that Monsanto will most likely utilize natural gas from another source, butane, or fuel oil, upon the cessation of sales of natural gas by Applicant. It is further stated that since Applicant has been forced to curtail deliveries on its system of natural gas, Monsanto, as an industrial customer, should have a lower priority than other non-industrial customers of Applicant.

Applicant asserts that authorization of the termination of service requested herein will not result in a loss of gas to interstate commerce.

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 January 25, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-839 Filed 1-15-73;8:45 am]

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[Docket No. CP69–305]

## UNITED GAS PIPE LINE CO. AND SOUTHERN NATURAL GAS CO.

### Notice of Joint Petition To Amend Order

JANUARY 10, 1973.

Take notice that on December 21, 1972, United Gas Pipe Line Co. (United), 1500 Southwest Tower, Houston, TX 77002, and Southern Natural Gas Co. (Southern), Post Office Box 2563, Birmingham, AL 35202, filed in Docket No. CP69–305 a petition to amend the order of the Commission heretofore, issued on August 19, 1969 (42 FPC 556), in said docket pursuant to section 7(c) of the

Natural Gas Act by authorizing an increase in the volumes of natural gas to be exchanged, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The Commission's order of August 19, 1972, authorizes petitioners to exchange up to 400,000 Mcf per day of natural gas under an exchange agreement dated April 25, 1969. Pursuant to a supplemental agreement dated November 29, 1972, amending the April 25, 1969, agreement, petitioners propose to exchange up to an additional 25,200 Mcf of gas per day.

Pursuant to a transportation agreement dated November 29, 1972, Sea Robin Pipeline Co. (Sea Robin) will deliver the additional volumes of southern's gas to United at Erath, Vermilion Parish, La.; United will deliver to Southern an approximately equivalent amount of gas at the Bayou Sale Compressor Station, St. Mary Parish, La. Sea Robin has filed in Docket No. CP73-162 an application for a certificate of public convenience and necessity authorizing the transportation of Southern's gas.

Petitioners state that no additional facilities will be needed to implement the proposed additional exchange and that the additional exchange of natural gas between their respective pipeline systems will afford them greater flexibility in their daily operations enabling them to meet better their respective natural gas requirements.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-894 Filed 1-15-73;8:45 am]

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[Docket No. E-7865]

## WEST PENN POWER CO.

### Notice of Proposed Changes in Rates and Application for Fuel Adjustment Clause

JANUARY 9, 1973.

Take notice that West Penn Power Co. (West Penn) on November 14, 1972, tendered for filing proposed changes in its FPC Rate Schedule No. 60. The filing consists of an electric service agreement between West Penn and Somerset Rural Electric Cooperative, Inc., which incorporates the proposed fuel adjustment clause and would increase West Penn's revenues from jurisdictional sales and services by an estimated $1,016 based on the 12-month period beginning November 15, 1972. The filing is also applicable to Southwest Rural Electric Cooperative Corp. and the proposed fuel adjustment clause would increase West Penn's revenues from jurisdictional sales and services by an estimated $582 based on the 12 months succeeding August 11, 1972.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 18, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-902 Filed 1-15-73;8:45 am]

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[Docket No. R-427]

## CONNECTICUT LIGHT & POWER CO.

### Order Denying Application for Rehearing

DECEMBER 1, 1972.

Statement of policy implementing the Economic Stabilization Act of 1970 (Public Law 91-15, 84 Stat. 799, as amended by Public Law 92-15, 85 Stat. 38), and Executive Orders Nos. 11615 and 11627.

On November 1, 1972, the Connecticut Municipal Group[1] (CMG) applied for rehearing of Commission Order No. 437A-12, issued October 12, 1972. In that order, we found that since the fuel clause of Connecticut Light & Power (CL&P) is in conformity with § 35.14 of the regulations and that CL&P had certified that clause to the Commission in accordance with our Order No. 437A-5, the fuel clause was consistent with the purposes of the Economic Stabilization Act of 1970, as amended. We therefore authorized CL&P to implement the clause as of November 14, 1971, subject to authorization of the Price Commission.

CMG has alleged in their application that such authorization to CL&P constitutes an illegal retroactive rate increase. CMG also alleges that application of CL&P fuel clause is a direct violation of our Order 437A-5, in that it is equivalent to certifying a defective clause. Finally, CMG alleges that the fuel clause has been superseded by a proposed clause filed June 16, 1972, as part of a general rate increase and that our order of August 14, 1972, suspending the increases for 5 months also suspends the fuel adjustment clause.

The certification of CL&P's fuel adjustment clause in our Order No. 437A-12 on October 12, 1972 is not retroactive rate making as CMG alleges. This fuel clause was operative prior to August 15, 1971, and would have remained operative but for Executive Order Nos. 11615 and 11627. In certifying this clause we did not make new rates, we merely satisfied ourselves that the clause was in conformity with the Economic Stabilization Program of the United States. CMG's position is that the price freeze terminated CL&P's fuel clause rather than suspended its operation, and, as pointed out above, this conclusion is incorrect.

CMG is in error in insisting on the fact that the fuel adjustment clause in effect on August 14, 1971 was not in conformity with § 35.14 of the rules and regulations. Again, this results from confusing the certification process set out in Order No. 437A-5 with the issues that may arise in a general rate case. Contrary to CMG's assertions, we have not found that CL&P's fuel clause, as it existed on August 14, 1971, is inconsistent with § 35.14 of our regulations. However, with the changes agreed to by the company to be effective on November 14, 1971, the fuel clause more accurately allocates transmission and distribution losses to the wholesale customers.

Finally, the fuel clause in question is not affected by our suspension order of August 14, 1972, in Docket No. E-7743. Although that proceeding may result in the utilization of a new fuel clause after January 16, 1973, the date the suspension period specified in Docket No. E-7743 terminates, the fuel clause we certified in our Order No. 437A-12 is presently operational until replaced.

The Commission finds:

(1) For the reasons stated herein and in our Order No. 437A-12, the fuel clause of CL&P has been properly certified pursuant to Order No. 437A-5.

(2) The instant application for rehearing should be denied.

The Commission orders:

(A) The application for rehearing, filed by CMG on November 1, 1972, is hereby denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-884 Filed 1-15-73;8:45 am]

[1] The city of Groton, borough of Jewett City, second and third taxing districts of the city of Norwalk, city of Norwich, town of Wallingford, and the Connecticut Municipal Electric and Gas Association.

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[Docket No. E-7810]

## KANSAS GAS & ELECTRIC CO.

### Order Accepting Rate Schedules for Filing; Order To Show Cause

JANUARY 9, 1973.

Kansas Gas & Electric Co. (KG & E), on November 8, 1972, tendered for filing proposed changes in its rates and charges applicable to private and municipal electric distribution utilities and

to rural electric cooperative associations. The changes which would increase annual revenues approximately $367,000 (9.89 percent) based upon 1972 operations, are proposed to become effective on January 10, 1973. The tendered rate filing consists of rate schedules proposed to supersede PMW–268, public utility resale, REA–369, service to nonprofit rural electric cooperative associations and electric interconnection contracts or agreements and service schedules to various municipalities.

KG & E states that the increased rates are needed to permit it to earn a more equitable return from its service to resale customers, and that under present rates KG & E earned 5.39 percent overall from these services in 1971. The 5.39 percent includes 3.95 percent from rural electric, 7.38 percent from small municipalities without generation, and 4.91 percent from municipalities with generation. The proposed rates would provide rate of return of 6.09 percent from rural electric, 7.61 percent from systems (municipalities and private systems) without generation, and 6.86 percent from municipalities with generation, based upon 1971 test year operations. KG & E further states that without the proposed rate increase, the company cannot attract on reasonable terms the new capital necessary to finance its $141 million construction program through 1976, needed to provide a continued supply of electricity, including the growth in requirements. KG & E requests that in view of its supporting statements reflecting declining earnings, the rate filing be permitted to become effective on January 10, 1973, without suspension.

Our review of KG & E's cost of service included with its filing indicates that the rates are not excessive. Accordingly, we shall accept the filing without suspension.

In addition to the increases in rates and charges, the rate filing includes changes in the fuel adjustment clause contained in KG & E's rate schedules, revised to update the base cost of fuel and to reflect increased system efficiency. The clause is formulated in such a way that the company's own fuel expense variations would be imputed to its purchased energy and interchange receipts. In this respect, the fuel clause appears to be inconsistent with the principles enunciated in the Commission's Opinion No. 633, issued October 30, 1972, in New England Power Co., Docket No. E–7541, 48 FPC ——, and § 35.14 of the Commission's regulations under the Federal Power Act. KG & E, therefore, should be required to show cause why its fuel adjustment clause should not be made to conform to those principles. There we stated that sound long-term regulatory policy should require a "fuel clause design which would adjust for variations in the cost of the fuel which is consumed to generate purchased power (i.e., the seller's fuel costs), as distinguished from the cost of fuel attributable to such power (i.e., the purchaser's fuel costs)" (mimeo., p. 12).

The filing also contains a provision for an increase or decrease in rate level to coincide with a change in taxes. We shall provide that upon invocation of such change KG & E shall submit to the Commission the appropriate data and computations showing the basis for the calculations of change in rate.

Notice of the filing was issued on December 13, 1972, and was published in the FEDERAL REGISTER on December 19, 1972 (37 FR 27556). Notice of intervention was filed by State Corporation Commission of Kansas. Comments were filed by the Caney Valley Electric Cooperative Association, Inc., and by the Sedgwick County Electric Cooperative Association, Inc. Neither the notice nor the comments raises any factual issue, and neither requests a hearing. The cooperatives do not request leave to intervene.

The Commission finds:

It is reasonable and appropriate and in the public interest pursuant to the provisions of the Federal Power Act that KG & E's filing tendered on November 8, 1972, be accepted for filing and be permitted to be effective without suspension as hereinafter ordered and conditioned.

The Commission orders:

(A) The proposed rates tendered herein on November 8, 1972, are accepted for filing to be effective as of January 10, 1973, subject to the terms and conditions of this order.

(B) Pursuant to sections 205, 206, and 309 of the Federal Power Act, the Commission's regulations issued thereunder, and the Commission's rules of practice and procedure, KG & E on or before February 7, 1973, shall show cause why its fuel adjustment clause should not be made to conform to the principles set forth in the Commission's Opinion No. 633.

(C) Prior to KG & E's effecting any change in rate pursuant to the tax clause described herein, KG & E shall submit appropriate data and computations showing the basis for the change in rate.

(D) This order is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in this or any other proceeding instituted by or against KG & E or any other person or party affected by the rates hereby permitted to become effective.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

CERTIFICATION OF RATE INCREASE, KANSAS GAS & ELECTRIC CO.—E–7810

(1) The former price, before the increase granted herein, the new price as granted, and the percentage increase in price are as follows (based on test year operations, 12 months ended December 31, 1971):

| | Former price | New price | Percent increase |
|---|---|---|---|
| Revenues | $3,416,708 | $3,756,308 | 9.9 |

(2) The rate increase is expected to provide increased annual revenues of $339,600 from the wholesale customers.

(3) The increase in the company's profits will be $164,672, or stated in terms of percentage of its total jurisdictional sales, will be 2.0 percent.

(4) The increase in the company's overall rate of return on capital (rate base) will be from 8.13 percent to 8.28 percent, 0.15 percentage point or 1.85 percent.

(5) Sufficient evidence was taken during the course of this proceeding to determine whether or not the criteria set forth in paragraphs (d) (1) through (4) of § 300.16 of the rules and regulations of the Price Commission have been met.

(6) The rate increase granted in this proceeding meets the criteria set out in paragraphs (d) (1) through (4) of § 300.16 of the rules and regulations of the Price Commission.

[FR Doc.73–883 Filed 1–15–73;8:45 am]

[Dockets Nos. RP71–107, RP72–127]

## NORTHERN NATURAL GAS CO.

### Order Accepting for Filing and Suspending Proposed Revised Tariff Sheet and Consolidating Proceedings

JANUARY 5, 1973.

Northern Natural Gas Co. (Northern), on December 7, 1972, tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, First Revised Sheet No. 6a, which has the effect of combining presently effective operational areas E and F into one new operational area designated E–F. The tendered filing was given Docket No. RP71–107. An effective date of January 5, 1973, is requested.

Northern states that with the advent of a new supply of gas authorized pursuant to Commission Opinion No. 618 which is now flowing into the northern end of Northern's system, the system operations do not require two operational areas. Northern further states that the combining of these operational areas will give more operating flexibility to Northern's utility customers that have communities located in both the currently effective operational areas E and F.

Northern requests waiver to the extent necessary of the notice requirements of § 154.22 under § 154.51 of the regulations.

Northern's operational areas formally demarcate the areas covered by various customer billing groups. By our order issued October 2, 1972, in Docket No. RP71–107 (Phase I), we deferred decision on the issue of group billing and directed that the issue be considered in Docket No. RP72–127. Since a determination of the justness and reasonableness of consolidation of operational areas E and F is predicated on a determination of the justness and reasonableness of group billing, it is reasonable and appropriate to suspend the use of First Revised Sheet No. 6a to Northern's FPC Gas Tariff Third Revised Volume No. 1 for 1 day, subject to refund, and to consolidate the instant filing in Docket No. RP71–107 with Docket No. RP72–127 for purposes of hearing and decision.

The Commission finds:

It is reasonable and proper in the public interest and to aid in the enforcement of the Natural Gas Act that Northern's

First Revised Sheet No. 6a tendered for filing on December 7, 1972, be accepted for filing, suspended, and the use thereof be deferred as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Chapter I), a public hearing shall be held concerning the lawfulness of the rates, charges, classifications, and services contained in Northern's FPC Gas Tariff, as proposed to be amended herein.

(B) The issues raised in the December 7, 1972, tendered filing in Docket No. RP71-107 are hereby consolidated for hearing and decision with Docket No. RP72-127.

(C) Pending hearing and a final decision in these consolidated proceedings, First Revised Sheet No. 6a to Northern's FPC Gas Tariff, Third Revised Volume No. 1 is accepted for filing, suspended for 1 day, and the use thereof deferred until January 6, 1973, and until such further time as it is made effective in the manner provided in the Natural Gas Act.

(D) The notice requirements of § 154.22 of the Commission's regulations under the Natural Gas Act are hereby waived.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-885 Filed 1-15-73;8:45 am]

[Docket No. RP71-119]

## PANHANDLE EASTERN PIPE LINE CO.

### Motion of Commonwealth Edison Co. for Extraordinary Relief

JANUARY 9, 1973.

Take notice that on December 29, 1972, Commonwealth Edison Co. (Commonwealth) filed a motion in Docket No. RP71-119 petitioning the Commission for extraordinary relief in the form of an order temporarily modifying Panhandle Eastern Pipe Line Co.'s (Panhandle) deliveries as contemplated under the interim curtailment plan heretofore approved by the Commission.[1] Commonwealth requests that Panhandle be ordered to provide it with a delivery volume of 1,920 Mcf per day and 10,500 Mcf per month of natural gas at such times as those volumes are required by Commonwealth during that period of time during which the aforementioned interim curtailment plan continues in effect.

Commonwealth alleges that it is a major public utility generating and distributing electricity throughout the northern one-fifth of the State of Illinois, including the City of Chicago. The natural gas it purchases from Panhandle is consumed at its Kincaid electric generating station and this station provides approximately 10 percent of Commonwealth's generating capacity.

Commonwealth states that the natural gas consumed at the Kincaid Station is used to ignite coal in its cyclone burners when bringing up the boilers from a cold start and for flame stabilization during periods of light load.

Commonwealth alleges that it does not have alternate facilities that can utilize oil or propane to ignite the coal that is consumed in these boilers. Hence, it strongly urges that these small amounts of natural gas are essential to assure the continued operation of the station. It further notes that the inability to offer adequate and reliable electric service to a large part of Illinois could have a significant human needs impact since electric power is a basic need of the consuming public.

Commonwealth stresses that it does not seek total exemption from the effects of Panhandle's curtailment plan. However, it contends that it will not be able to operate its Kincaid facilities in the event that Panhandle delivers only 1,664 Mcf per day and 7,290 Mcf per month as is currently projected for January 1973.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 17, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 5, 15, and 16 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the request 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.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.73-886 Filed 1-15-73;8:45 am]

[Dockets Nos. G-10426, CP70-137]

## EL PASO NATURAL GAS CO.

### Findings and Order Issuing Temporary Certificate of Public Convenience and Necessity, Providing for Hearing, and Establishing Procedure

JANUARY 8, 1973.

On September 6, 1972, and on September 22, 1972, El Paso Natural Gas Co. (Petitioner) filed in Dockets Nos. CP70-137 and G-10426, respectively, petitions to amend the orders of the Commission issuing certificates of public convenience and necessity in said dockets on May 12, 1970 (43 FPC 723), and November 21, 1957 (18 FPC 690), as amended, respectively, by authorizing an increase in its contract demand service for certain of its Northwest Division customers, all as more fully set forth in the appendix and in the petitions to amend in this proceeding.

By certain Commission orders,[1] Petitioner is authorized to import, in increments, into the United States from Canada, an additonal 300,000 Mcf of natural gas per day purchased from its Canadian supplier, Westcoast Transmission Co., Ltd., at Sumas, Wash., and to construct and operate the facilities necessary to transport the additional gas to its customers. Petitioner herein seeks authorization to allocate 65,000 Mcf of the final increment of 75,000 Mcf of natural gas per day to its Northwest Division customers in the manner described in the attached appendix. Petitioner on September 29, 1972 and October 16, 1972, filed a total of 18 superseding service agreements providing for the proposed service. Petitioner proposes to reserve the remaining 10,000 Mcf of natural gas per day for itself to assure a margin of service reliability.

"In response to Commission Staff inquiry, Petitioner, on November 16, 1972, filed supplemental data reflecting the contemplated peak day and annual end-use of the additional volumes proposed to be allocated as a result of this proceeding. The supplemental data reflect that a portion of the peak day require-
Commission's rules.
on an annual basis, over 50 percent of the incremental volumes will be for industrial use. Accordingly, during this period of critical gas supply shortage, we believe that a full evidentiary record should be developed to explore the public convenience and necessity issues involved in this proceeding. That record should include, inter alia, a full market review (including end-use) through the submission of evidence by Petitioner, its customers, and where appropriate, its customers' customers. The inquiry should establish, inter alia, the ultimate use of the natural gas proposed to be sold by Petitioner in order to permit us to evaluate the public interest issues of whether to grant the certificate as requested during this period of national gas supply shortages.

Petitioner has requested the Commission to permit its proposal to become effective as of November 1, 1972. However, Petitioner has not shown any good cause for granting waiver of our regulations to permit the grant of the proposed effective date. In its supplemental data

[1] Order issued June 20, 1972.

[1] Docket No. G-8923 et al., on Jan. 20, 1970 (43 FPC 87), and May 12, 1970 (43 FPC 723); Docket G-10426 on Nov. 21, 1957 (18 FPC 690), and Nov. 4, 1971 (46 FPC ——); Docket No. CP70-137 on May 12, 1970 (43 FPC 723), and July 28, 1971 (FPC 232); and Docket No. CP70-138 on Feb. 9, 1971 (45 FPC 252).

filing. Petitioner alleges that several of its distributor customers have been unable to cover their growth in residential and commercial peak day requirements with their prorata allocations. Thus, there exists the possibility of a shortage of supply to meet the needs of residential and commercial consumers. Accordingly, an emergency within the meaning of section 7(c) of the Natural Gas Act exists and we will issue a temporary certificate pending determination of this proceeding to assure maintenance of adequate service to the residential and commercial consumers on Petitioner's system. However, El Paso should specifically advise all of its recipient customers herein that, because of the temporary grant, a firm reliability cannot be placed on the instant volume, and that their respective operations should be conducted accordingly.

After due notice by publication in the FEDERAL REGISTER of the petitions to amend on October 7, 1972 (37 FR 21379), a notice of intervention was filed in Docket No. G-10426 by The People of the State of California and the Public Utilities Commission of the State of California; however said notice of intervention was subsequently withdrawn. No petitions to intervene, protests to the granting of the petitions to amend or further notices of intervention have been filed.

The Commission finds:

(1) Good cause exists for issuing a temporary certificate of public convenience and necessity to Petitioner as hereinafter conditioned.

(2) Good cause exists for the Commission to enter upon a hearing and for establishing the procedures for that hearing.

The Commission orders:

(A) Upon the terms and conditions of this order, a temporary certificate of public convenience and necessity is issued authorizing Petitioners to render the service as requested and hereinbefore described and as more fully set out in the application filed in this proceeding.

(B) The temporary certificate issued above is conditioned as follows:

(1) The temporary certificate shall take effect upon the date of the issuance of this order and shall remain in effect pending final resolution of the issues involved in this proceeding.

(2) The issuance of this temporary certificate is without prejudice to the final disposition of the application for the certificate requested herein as the record may require.

(C) Pursuant to the authority of the Natural Gas Act, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held commencing on February 14, 1973, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, on the issues involved in determining whether the public convenience and necessity require the issuance of a permanent certificate as proposed in Petitioner's application.

(D) On or before January 29, 1973, Petitioner shall prepare and file with the Commission and serve on all parties, including Staff, its testimony and exhibits on the issues set forth in the body of this order and all other issues in support of its requested certificate.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for the purpose [see Delegation of Authority, 18 CFR 3.5(d)] shall preside at the hearing in this proceeding pursuant to the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX

| Customer | Contract demand, in therms[4] | |
|---|---|---|
| | Present | Proposed |
| Town of Buckley, Wash | 23,545 | 24,685 |
| California-Pacific Utilities Co | 294,455 | 308,710 |
| Cascade Natural Gas Corp | 1,881,500 | 1,951,730 |
| Colorado Interstate Gas Co | [1] 1,501,769 | [1] 1,575,494 |
| Columbia Gas Co | 51,220 | 53,630 |
| City of Ellensburg, Wash | 42,265 | [3] 55,000 |
| City of Enumclaw, Wash | 24,455 | 25,715 |
| Intermountain Gas Co | 1,554,800 | 1,630,225 |
| Mountain Fuel Supply Co | [1] 750,884 | [1] 787,303 |
| City of Naturita, Colo | 3,300 | 3,525 |
| Northwest Natural Gas Co | 2,583,265 | 2,708,440 |
| Northern Natural Gas Co. operating as Peoples Natural Gas Division | 50,870 | 52,965 |
| Rocky Mountain Natural Gas Co., Inc | 5,400 | [5] 5,400 |
| Southwest Gas Corp | 1,143,710 | 1,199,130 |
| Utah Gas Service Co | 63,550 | 66,560 |
| Washington Natural Gas Co | 2,771,000 | 2,905,330 |
| The Washington Water Power Co | 1,220,000 | 1,279,065 |
| Western Slope Gas Co | 30,000 | 31,455 |
| Wyoming Industrial Gas Co | 24,000 | 25,270 |
| Total | 14,000,078 | 14,680,632 |

[1] Deliveries to Colorado Interstate Gas Co. and Mountain Fuel Supply Co. are made on an Mcf basis. Such therm quantities shown equate to 143,710 Mcf and 150,675 Mcf, respectively, for Colorado Interstate and 715,85 Mcf and 75,340 Mcf, respectively, for Mountain Fuel. Authorization to increase these volumes was requested in Docket No. G-10426. All other authorization was requested in Docket No. CP70-137.

[2] The actual allocated pro rata share for the city of Ellensburg is 44,225 therms; however, by agreement reached among the other customers, an additional 10,775 therms has been allocated for service to Central Washington State College.

[3] Rocky Mountain Natural Gas Co., Inc., does not require nor desire an increase in contract demand quantities.

[4] 10 therms are equivalent to 1 Mcf of natural gas at 1,000 B.t.u.'s per cubic foot.

[FR Doc.73-784 Filed 1-12-73;8:45 am]

[Docket No. E-7815, et al.]

## OHIO EDISON CO. ET AL.

### Notice of Applications

JANUARY 8, 1973.

Take notice that each of the applicants listed herein has filed an application pursuant to section 205 of the Federal Power Act and part 35 of the regulations issued thereunder.

Any person desiring to be heard or to make any protest with reference to said applications should on or before January 19, 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. The applications are on file with the Commission and available for public inspection.

APPLICATIONS FOR INTERCONNECTION RATE SCHEDULES AND AMENDMENTS THERETO

| Docket Nos. | Date filed | Name of applicant | Action |
|---|---|---|---|
| E-7815 | 11- 2-72 | Ohio Edison Co | Amendment to interconnection agreements, dated Jan. 1, 1970 (rate schedule FPC 71 and rate schedule FPC 21). Company requests accompanying rate adjustment. |
| E-7816 | 10-30-72 | Dayton Power & Light Co. | Company requests interconnection agreement, establishing 1 point of delivery with the city of Piqua, Ohio. |
| E-7822 | 11-10-72 | NEPOOL | NEPOOL participants submit requests modifying effective date of NEPOOL interconnection agreements (rate schedule FPC 27, 41, 74, and 12) from Nov. 1, 1972 to Oct. 1, 1972. |
| E-7835 | 7- 7-72 | Florida Power Corp | Interconnection agreement between company and 8 operating utilities in Florida. |
| E-7837 | 11- 2-72 | Arkansas Power & Light. | Amendment to interconnection agreement (rate schedule FPC 67) and transmission agreement (rate schedule FPC 52). Company requests transfer of 7 points of delivery served under rate schedule FPC 52 to be served under rate schedule FPC 67, effective July 1, 1972. |
| E-7848 | 11-22-72 | Southern Services, Inc | Proposed amendment to interchange agreement, dated Oct. 16, 1950 (rate schedule FPC Nos. 40, 126, 782, 55, and 107). Amendment is to take effect Jan. 1, 1973. |
| E-7859 | 9-29-72 | Iowa Public Service Co. | Amendment to interconnection agreement, dated Dec. 21, 1962 (rate schedule FPC 19). |
| E-7857 | 9- 7-72 | Idaho Power Co | Amendment to interconnection agreement, dated Apr. 23, 1958 (rate schedule FPC 28). Company requests incorporation of wheeling agreement under rate schedule FPC 28. |
| E-7858 | 9-15-72 | Utah Power and Light Co. | Amendment to interconnection agreement, dated July 8, 1963 (rate schedule FPC 26). |
| E-7860 | 9-25-72 | do | May 15, 1972, agreement, designated service schedule H-2, amends interconnection agreement dated Mar. 4, 1941 (rate schedule FPC Nos. 19 and 3) between Utah Power & Light and Montana Power Co. |
| E-7871 | 8-11-72 | Union Electric Co | Amendment to interconnection agreement (rate schedule FPC 76). Company requests 2 amendments to filed rate schedule, to be effective Oct. 1, 1972. |
| E-7872 | 8-15-72 | Cleveland Electric Illuminating Co. | Company files interim interconnection agreement, dated July 25, 1972. The interconnection agreement is to take effect under the CAPCO transmission facilities agreement, filed with the Commission on Nov. 30, 1971. |

APPLICATION FOR INTERCONNECTION RATE SCHEDULES AND AMENDMENTS THERETO—Continued

| Docket Nos. | Date filed | Name of applicant | Action |
|---|---|---|---|
| E-7874 | 9-13-72 | Indiana and Michigan Electric Co. | Company submits modification agreement No. 4, dated Sept. 1, 1972, to interconnection agreement, dated Dec. 30, 1960 (rate schedule FPC 21). |
| E-7881 | 5-30-72 | Jersey Central Power & Light Co. | Amendment, dated May 30, 1972, to GPU system power pooling agreement, effective Oct. 1, 1969 (rate schedule FPC Nos. 62, 40, 23, 31). Amendment provides for Jersey Central Power & Light Co. and New Jersey Power & Light Co. to be treated as a single party under the GPU agreement. |
| E-7884 | 9-29-72 | Delmarva Power & Light Co. | Amendment, dated Sept. 22, 1972, to interconnection agreement, dated Oct. 15, 1970 (rate schedule FPC 11). |

APPLICATIONS FOR PURCHASE AND SALE AGREEMENT RATE SCHEDULES AND AMENDMENTS THERETO

| Docket Nos. | Date filed | Name of applicant | Action |
|---|---|---|---|
| E-7814 | 11- 1-72 | Oklahoma Gas and Electric Co. | Purchase and sale amendment to interconnection agreement, dated Feb. 25, 1957 (rate schedule FPC 32), and service schedule I thereto, dated Mar. 11, 1969 (supplement No. 12 to rate schedule FPC 32). |
| E-7849 | 11-20-72 | Iowa-Illinois Gas and Electric Co. | Sale of participation power under negotiated rates, pursuant to interconnection coordinating agreement dated Jan. 7, 1965. |
| E-7850 | 11-21-72 | New England Power Co., et al. | Group of 8 utilities (sellers) file initial rate schedule with respect to composite purchase contracts dated as of various dates in 1971 between sellers and each of 27 utility company purchasers. |
| E-7851 | 11-21-72 | Connecticut Light and Power Co., et al. | Group of 13 electric utilities (transmitting companies) file initial rate schedule in regard to composite transmission agreement dated Apr. 1, 1971 between transmitting companies and each of 31 utility company purchasers. |
| E-7852 | 11-21-72 | New England Power Co., et al. | Group of 8 electric utilities (sellers) file initial rate schedule in regard to composite purchase contracts dated as of various dates in 1971 between sellers and each of 25 utility company purchasers. |
| E-7861 | 9- 5-72 | Pacific Power & Light Co. | Installation and transfer of power agreement dated Mar. 13, 1972, involving 1 point of delivery, service to commence Oct. 1, 1972. |
| E-7862 | 5- 5-72 | Connecticut Light & Power Co. | Company files purchase agreement, dated Apr. 1, 1972, between company and Hartford Electric Light Co., Western Mass. Electric Co., and Public Service Co. of New Hampshire. Rate Schedule to become effective May 1, 1972. |
| E-7863 | 5- 5-72 | Connecticut Light & Power Co. | Company files purchase agreement, dated Apr. 1, 1972, between company and Public Service Co. of New Hampshire. Rate schedule is to take effect May 1, 1972. |
| E-7864 | 6-29-72 | Connecticut Light & Power Co. | Company requests amendment of previously filed rate schedule. Amendment, dated May 1, 1972, relates to purchase agreement of Apr. 1, 1972. |
| E-7873 | 8- 7-72 | Central Maine Power Co. | Amendment, effective May 1, 1972, to supplement No. 1, rate schedule FPC 26, dated Feb. 13, 1970. |
| E-7877 | 5-17-72 | Connecticut Light & Power Co. | Company files rate schedule, dated Apr. 1, 1972, proposed purchase agreement to become effective as of May 1, 1972. |
| E-7878 | 5-23-72 | Green Mountain Power Corp. | Company files generation contract dated May 15, 1972. |

APPLICATIONS FOR WHEELING AGREEMENT RATE SCHEDULES AND AMENDMENTS THERETO

| Docket Nos. | Date filed | Name of applicant | Action |
|---|---|---|---|
| E-7822 | 11-13-72 | New England Utilities | Transmitting companies request initial rate schedule implementing composite Wheeling agreement dated Mar. 1, 1972. |
| E-7880 | 9-27-72 | Pennsylvania Electric Co. | Company submits 2 amendments, dated Mar. 21 and 22, 1972, to Wheeling and supplemental power agreement, dated July 22, 1965 (rate schedule FPC 46). |

NOTICE OF APPLICATION FOR TRANSFER SERVICE AGREEMENT RATE SCHEDULE

| Docket Nos. | Date filed | Name of applicant | Action |
|---|---|---|---|
| E-7846 | 10-16-72 | Washington Water Power Co. | Company files transfer service agreement involving 4 points of delivery dated Aug. 3, 1972, which supersedes and terminates supplement Nos. 34, 35, 42, and 44 of rate schedule FPC 40. |

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.73-782 Filed 1-15-73;8:45 am]

# CIVIL AERONAUTICS BOARD

[Docket No. 25105; Order 73-1-31]

## KODIAK-WESTERN ALASKA AIRLINES, INC.

### Service Mail Rates; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of January 1973.

By this order the Board proposes to establish a final service mail rate which is necessitated by Board approval of the merger of Kodiak Airways, Inc., and Western Alaska Airlines, Inc., and the reissuance of the certificate of public convenience and necessity and all operating authority of each carrier to a single carrier under the name of Kodiak-Western Alaska Airlines, Inc.[1] The record in the merger case shows that the merged operations will result in improved mail service, inasmuch as the routes formerly flown by Western Alaska will receive daily rather than 6-days-per week service.[2]

Order 72-1-103, dated January 28, 1972, established separate final service mail rates for Kodiak and Western Alaska for the period on and after May 2, 1970. Each rate consists of a scale of terminal charges for originating mail pounds and a scale of line-haul charges based on mail ton-miles which are expressed as unit rates per pound or per ton-mile, respectively. The rates are payable to each carrier by 28-day accounting periods in accordance with a payment formula which scales down the unit rates for block increases in pounds originated and mail ton-miles flown. Unless new rates are established, the merger of Western Alaska into Kodiak will result in the surviving carrier's receiving service mail pay based on Kodiak's rate for the combined mail volume previously transported by the two carriers individually.

Application of Kodiak's unit rates to the increased mail volume without making a proportionate revision in the number of mail pounds originated and mail ton-miles flown in each pound and ton-mile block would result in transportation of a large portion of the mail volume at succeedingly lower rates. As there is nothing to indicate any appreciable change in the cost of the mail service since the recent establishment of rates for these carriers, it is appropriate to revise the rate structure so that the surviving carrier will receive approximately the same dollars of service mail pay as the sum of the dollars of service mail pay received by Kodiak and Western Alaska under their individual rate formulas. In order to accomplish this revision, we have combined the originating mail pounds and mail ton-miles in each pound and ton-mile block, in each carrier's rate formula, to which Kodiak's respective unit rates will apply.[3]

*Proposed findings and conclusions.* On the basis of the foregoing, the Board tentatively finds that:

1. The fair and reasonable rate of compensation to be paid Kodiak-Western Alaska Airlines, Inc., pursuant to the provisions of section 406 of the Federal Aviation Act of 1958, for the transportation of mail by aircraft over its entire system, the facilities used and useful therefor, and the services connected therewith, for future annual periods on and after the date of institution of services by Kodiak-W.A. pursuant to the certificate to be issued as provided in Order 72-11-71, is a service mail rate consisting of the following charges:

[1] Kodiak-Western Alaska Merger, Docket 23760, Order 72-11-71, dated Nov. 16, 1972.

[2] Western Alaska has not provided service over its routes on Saturdays.

[3] The revised formula would have produced service mail pay of $187,541 for the 12 months ended June 30, 1972, the latest period for which the Postmaster General has furnished certified mail volume data. For the same period, the estimated combined total service mail payment to Kodiak and Western Alaska, on the basis of their individual rate formulas, is $189,325.

(a) Terminal charges of 7.5 cents per pound for the first 400,000 originating mail pounds per year, of 5 cents per pound for the second 400,000 originating mail pounds per year, and of 2.5 cents per pound for any mail pounds in excess of 800,000 pounds originating during the year.

(b) Line-haul charges of $4 per ton-mile for the first 20,000 mail ton-miles per year, and of $2 per ton-mile for the additional mail ton-miles in excess of 20,000 ton-miles per year.

(c) The foregoing charges would be made payable to Kodiak-W.A. by 28-day postal accounting periods, beginning on the date of institution of services by Kodiak-W.A. pursuant to the certificate to be issued as provided in Order 72-11-71, in accordance with the following formula:

PAYMENT FORMULA PER 28-DAY POSTAL ACCOUNTING PERIOD

| | *Unit Rate* |
|---|---|
| Terminal charges: | *Cents* |
| First 30,800 pounds originated | 7.5 |
| Second 30,800 pounds originated | 5.0 |
| All other pounds originated | 2.5 |
| Line-haul charges: | *Dollars* |
| First 1,540 ton-miles | 4.00 |
| All other ton-miles | 2.00 |

2. The mail ton-miles used in computing the service mail payments at the foregoing rates shall be based upon the great circle airport-to-airport mileage between points served for the carriage of mail.

3. The final service mail rate here fixed and determined is to be paid in its entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the Board's procedural regulations, 14 CFR, Part 302, *It is ordered*, That:

1. All interested persons and particularly Kodiak-Western Alaska Airlines, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above.

2. Further procedures herein shall be in accordance with 14 CFR, Part 302, and, if there is any objection to the rate or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days after the date of service of this order, and if notice is filed, written answer and supporting documents shall be filed on or before February 12, 1973.

3. If notice of objection is not filed on or before January 22, 1973, or if notice is filed and if answer is not filed on or before February 12, 1973, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein.

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable rate herein shall be limited to those specifically raised by such answers except as otherwise provided in 14 CFR 302.307.

5. This order shall be served upon Kodiak-Western Alaska Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
*Secretary.*

[FR Doc.73-912 Filed 1-15-73;8:45 am]

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[Docket No. 25106; Order 73-1-32]

## KODIAK-WESTERN ALASKA AIRLINES, INC.

### Subsidy Mail Rates; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of January 1973.

By this order, the Board proposes to establish a final subsidy rate for Kodiak-Western Alaska Airlines, Inc., which is made necessary by Board approval of the merger of Kodiak Airways, Inc., and Western Alaska Airlines, Inc.[1] The operations of Kodiak and Western Alaska are to be merged, and the certificate and all operating authority of each carrier are to be reissued in the name of Kodiak-Western Alaska Airlines, Inc., as the surviving carrier, when all of the conditions attached to the merger are met. Ordering paragraph No. 4 of Order 72-11-71 provides for the institution of a proceeding to establish a final subsidy rate for the merged carrier, and withholds final approval of the merger until conclusion of the rate proceeding. The Board has reviewed all available facts bearing on the merged carrier's need for subsidy support and by this order proposes to establish a final subsidy rate.

Orders E-23085, January 5, 1966, and E-24725, February 7, 1967, established a final rate of mail compensation for Kodiak for periods on and after July 1, 1965, of $165,962 annually. This amount included both the compensation for the carrier's mail services, which is paid by the Postmaster General at rates established by the Board (service mail rates), and subsidy, payable by the Board. Order E-17469, September 19, 1961, established a final rate of mail compensation for Western Alaska for periods on and after April 1, 1961, of $186,775 annually, consisting of a subsidy element payable by the Board, and a service-rate element payable by the Postmaster General.

[1] Kodiak-Western Alaska Merger, Docket 23760, Order 72-11-71, dated Nov. 16, 1972.

The two carriers' total mail pay, including subsidy, amounts to $353,906 annually.[2] However, based upon the facts developed at the hearing in the merger case, the Administrative Law Judge found, and the Board adopted his finding, that the merged carrier should realize a $36,856 increase in net profit for calendar year 1973, and that the subsidy need of the merged carrier would thus be reduced. The resulting amount is $317,050. Additionally, the Board by Order 73-1-31, issued contemporaneously herewith, is proposing to establish service mail rates for the merged carrier which are estimated to yield $187,541 in service mail pay.[3] Deducting this amount from the total mail pay need of $317,050 produces a subsidy requirement of $129,509.[4]

On the basis of our review of all available information, we are satisfied that the rate proposed by this order meets the standards of section 406(b) of the Act. Both carriers are now operating under final rates. We have examined their Form 41 reports for the latest period and it is clear that neither carrier is realizing excess earnings. Moreover, neither carrier has claimed inadequate earnings or subsidy. We have no reason to believe at this juncture that a full-scale review of the surviving carrier's operations as projected in the merger case would result in the establishment of a subsidy requirement significantly different from the subsidy element in the current rates of the merger partners, less the $36,856 reduction in need we are here proposing to take into consideration. In view of these circumstances, the Board tentatively finds that the final rate proposed herein will meet the need of the carrier and is fair and reasonable.

The Board therefore concludes that the fair and reasonable mail compensation for Kodiak-W.A.'s system, for annual periods on and after the date of institution of services by Kodiak-W.A. pursuant to the certificate to be issued as provided in Order 72-11-71, is the sum of (1) the carrier's service mail pay as established in other orders of the

[2] In order to be consistent with the estimate of service mail pay developed in Order 73-1-31, the total mail pay has been computed on the basis of 366 days. This accounts for the difference between the total stated here and the total for the two carriers stated in the preceding paragraph.

[3] Kodiak and Western Alaska are the last Alaskan carriers to receive mail pay under total rates of mail compensation. Orders E-23085, Jan. 5, 1966, and E-24725, Feb. 7, 1967, for Kodiak, and Order E-17469, Sept. 19, 1961, for Western Alaska. Under the so-called total rates, the subsidy element varies from month to month depending on the amount of service mail pay actually received, so that the total mail compensation remains the same. Consistency of treatment requires that separate subsidy rates be established for the merged carrier. The subsidy rates proposed herein will not vary with fluctuations in the service mail pay received.

[4] $129,082 for a 365-day year.

Board,[5] and (2) subsidy of $129,509 for a 366-day year and $129,082 for a 365-day year.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the Board's Procedural regulations, 14 CFR Part 302, *it is ordered*, That:

1. Kodiak-Western Alaska Airlines, Inc., is directed to show cause why the Board should not fix, determine, and publish as the fair and reasonable final rate or compensation to be paid Kodiak-W.A. for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between the points between which the carrier hereafter may be authorized to transport mail by its certificates of public convenience and necessity, the sum of (a) the carrier's service mail pay as established in other orders of the Board, and (b) subsidy as follows:

For each calendar month on and after the date of institution of services by Kodiak-W.A., in which miles designated by the Postmaster General for the transportation of mail are flown, an amount determined by multiplying the appropriate rate stated below by the scheduled miles flown during the month, or the appropriate base mileage times the number of days in the month, whichever is lower:

| Period of operation [1] | Rate per mile | Daily base mileage |
|---|---|---|
| Date service instituted through Apr. 30, 1973 | *Cents* 53.37 | 800 |
| May 1, 1973, through Oct. 31, 1973, and the like 6-month period in each succeeding year | 28.15 | 1,000 |
| Nov. 1, 1973, through Apr. 30, 1974, and the like 6-month period in each succeeding year | 53.37 | 800 |

[1] In accordance with normal practice with regard to Alaskan carriers, the rate is designed to provide Kodiak-W.A. with 60 percent of the annual payment for services during the low-revenue, higher-subsidy-need months of November through April.

*Provided*, That the rate set forth above shall be reduced by any adjusted annual capital gain in accordance with the provisions set forth in Appendix B to the *Capital Gains Proceeding*, 29 CAB 384 (1959), as such Appendix B may be amended from time to time, and said Appendix B is incorporated by reference herein.

The scheduled revenue plane-miles flown shall be computed on the direct airport-to-airport mileage between the points actually served on each revenue trip operated over Kodiak-W.A.'s authorized routes pursuant to its flight schedules filed with the Board, including all revenue trips operated as extra sections thereto.

2. All further procedures herein shall be in accordance with the rules of practice, particularly Rule 302, et seq., and if there is any objection to the rate specified in this order, notice thereof shall be filed on or before January 22, 1973, and, if notice is filed, written answer and supporting documents shall be filed on or before February 12, 1973.

3. If notice of objection is not filed on or before January 22, 1973, or, if notice is filed, and answer is not filed on or before February 12, 1973, all parties shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order fixing the rate specified in this order.

4. If answer is filed, the issues involved in determining the fair and reasonable rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice.

5. This order shall be served upon Kodiak-Western Alaska Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

NOTE: An appendix showing computation of the subsidy mail rate for Kodiak-W.A. during fiscal year 1972 is filed as part of the original document.

[SEAL] HARRY J. ZINK,
*Secretary.*

[FR Doc.73-913 Filed 1-15-73;8:45 am]

[5] This order is not intended to affect Kodiak-W.A.'s service mail rates as established in other applicable orders of the Board.

# COMMISSION ON CIVIL RIGHTS

## MICHIGAN STATE ADVISORY COMMITTEE

### Notice of Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Michigan State Advisory Committee will convene at 12 noon on January 18, 1973, at the Michigan Civil Rights Commission, Cadillac Square and Bates, Detroit, Mich. 48504. Persons wishing to attend this meeting should contact the Committee Chairman, or the Midwestern Regional Office of the Commission at 219 South Dearborn Street, Room 1428, Chicago, IL 60604. The purpose of this meeting will be (1) to discuss Revenue Sharing and the Commission's forthcoming Human Relations Conference and (2) to hear a subcommittee report on the possibility of forming a Watchdog Committee on Racial Extremes.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 10, 1973.

ISAIAH T. CRESWELL, JR.,
*Advisory Committee Management Officer.*

[FR Doc.73-1041 Filed 1-15-73;8:45 am]

# FEDERAL MARITIME COMMISSION

## CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

### Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

| *Certificate No.* | *Owner/Operator and Vessels* |
|---|---|
| 01014 | Robert Bornhofen Reederei: Naxos. |
| 01233 | Burles Markes, Ltd.: La Cordillera. |
| 01638 | Sademar Veneziana Di Armamento S.P.A.: Mare Aegeum. |
| 01641 | The Bank Line, Ltd.: Fleetbank. |
| 02038 | Polskie Linie Oceaniczne: Hanoi. |
| 02332 | Lykes Bros. Steamship Co., Inc.: LY-112. LY-113. LY-114. LY-115. LY-116. LY-117. LY-118. LY-119. LY-120. LY-121. LY-122. LY-123. LY-124. LY-803. |
| 02363 | Rederiet Otto Danielsen: Jeanette Helleskov. |
| 02939 | Kristiansands Tankrederi A/S, A/S Kristiansands Tankrederi II, A/S Kristiansands Tankrederi III, Aksjeselskapet Avant, Aksjeselskapet Skjoldheim and Aksjeselskapet Songvaar: Polyhymnia. |
| 02958 | Kawasaki Kisen K.K.: Bay Bridge. Harbour Bridge. Tower Bridge. |
| 03044 | Bouchard Transportation Co., Inc.: B No. 95. |
| 03438 | Inui Kisen Kabushiki Kaisha: Kengo Maru. August Moon. |
| 03478 | Nitta Kisen K.K.: Shinkawa Maru. |
| 03499 | El-Yam Bulk Carriers (1967) Ltd.: Har Carmel I. |
| 03507 | Taiseimaru Kaiun K.K.: Taiseimaru No. 52. |
| 03521 | Tokushima Kisen K.K.: Tokusho Maru. |
| 03532 | Zuisei Kaiun Kabushiki Kaisha: Rhein Maru. |
| 03534 | Zapata Naess (Holland) B.V.: Trachodon. Doceriver Naess Pride. Armand Hammer. Naess Spirit. |

| Certificate No. | Owner/Operator and Vessels |
|---|---|
| | Naess Norseman. |
| | Frances Hammer. |
| | Russell H. Green. |
| | Naess Leader. |
| | Naess Mariner. |
| | Naess Courier. |
| | Naess Liberty. |
| | Anco Norness. |
| | Carbo Dragon. |
| | Stolt Norness. |
| | Stolt Sydness. |
| | Naess Ranger. |
| | Naess Enterprise. |
| 03883--- | Ohio Barge Line, Inc.: 900. |
| 04070--- | Frota Oceanica Brasileira S.A.: Frotaleste. |
| 05577--- | Far-Eastern Shipping Co.: Putyatin. Baku. |
| 05580--- | Kamchatka Shipping Co.: Sernovodsk. |
| 05607--- | Hannah Inland Waterways Corp.: Hannah 3601. |
| 05684--- | Epirotiki Steamship Co., George Potamianos S.A.: Neptune. |
| 05858--- | Interislands Shipping Co. Ltd.: Onyx Island. Marble Islands. |
| 06029--- | Associated Container Transportation (Australia) Ltd.: Act 6. |
| 06248--- | Commercial Corp. "Sovrybflot": Promyslovik. Laminaria. Molnia. |
| 06359--- | Malaysian International Shipping Corp. Berhad: Bunga Tembusu. |
| 06435--- | Dampskibsaktieselskabet Den Norske Afrika-OG Australielinie, Wilhelmsens Dampskibsaktieselskab, A/S Tonsberg, A/S Tankfart I, A/S Tankfart IV, A/S Tankfart V, A/S Tankfart VI: Toyama. |
| 06509--- | Philon Special Shipping Societe Anonyme: Clyde Ore. Suzanne. |
| 06608--- | ETA Fishing Co., Inc.: Jacqueline Marie. |
| 06739--- | Laomedon Shipping Co. Ltd.: Windjammer. |
| 06776--- | Nelson Seeschiffahrts-Agentur & Reederei GES.M.B.H. & Co. K.G.: Salzachtal. |
| 06821--- | Anglo-Eastern Bulkships Ltd.: Naess Viking. |
| 06877--- | Societe Francaise De Transports Maritimes-Paris: Ivolina. |
| 06995--- | Novorossiisk Shipping Co.: Palmiro Togliatti. Geroi Bresta. Likhoslavl. |
| 07171--- | Flensburger Ubersee Schiffahrts-Gesellschaft Jacob MBH & Co. KG: Lutz Jacob. |
| 07230--- | Hassel Trading Corp.: Mexican Gulf. Silver Longevity. |
| 07255--- | Teh Tung Steamship Co., Ltd.: Oceanic Suez. Oceanic London. |
| 07364--- | Carlow Maritime Panama S.A.: Olympic Banner. |
| 07390--- | N.V. Nieuw Amsterdam: Nieuw Amsterdam. |
| 07404--- | Hanseatic Shipmanagement Ltd.: Esther Charlotte Schulte. Donata Schulte. |
| 07437--- | Seacrest Navigation Co. S.A.: Loucas N. |
| 07439--- | Overseas Navigation Co., Ltd.: Overseas Navigator. |
| 07464--- | Kosmos Navigation Co., Ltd.: Baroness. |
| 07481--- | Astro Naviero Compania Maritima S.A.: Calliope L. |
| 07484--- | Taurus Enterprises Corp.: Gigi. |
| 07485--- | Interessentakapet Nor.: Robin Hood. |
| 07487--- | Polttoaine Osuuskunta: Aspo. |
| 07488--- | Niho Senpaku Kabushiki Kaisha: Shinpo Maru. |
| 07491--- | Unimar Corp.: Unimar. |
| 07494--- | Cemco Carriers Corp.: New Providence. |
| 07495--- | Donald L. Ferguson Cruises Ltd.: Xanadu. |
| 07497--- | Metropolitan Products Carriers, Ltd.: Mando V. |
| 07504--- | Astroprospero Compania Naviera, S.A.: Aeinaftis. |
| 07505--- | Meridian Navigation Corp.: Pella. |
| 07507--- | Jun Navigation Inc., S.A.: Buntal. |
| 07514--- | Ogata Gyogyo Kabushiki Kaisha: Tenyu Maru No. 37. |
| 07515--- | Nitto Hogei Kabushiki Kaisha: Ryuhomaru No. 3. |
| 07516--- | Akitsu Gyogyo Kabushiki Kaisha: Akitsu Maru No. 7. |
| 07518--- | They & Co. Ltd.: Seahawk. |
| 07520--- | Newport Shipping Co.: Mardina Exporter. |
| 07521--- | Homeric Shipping Co.: Mardina Packer. |
| 07522--- | Faith Shipping Co.: Mardina Importer. |
| 07523--- | Harbert Construction Corp.: David Vickers. |
| 07524--- | Partrederiet Merc Groenlandia: Merc Groenlandia. |
| 07526--- | Marine Equipment Suppliers, Inc.: Santa Fe Mariner 2. |
| 07529--- | Cambridge Shipping Co., Ltd.: Shomron. |
| 07531--- | Seatide Shipping Co., Ltd.: Elenma. |
| 07533--- | Liquid carrier Navigation Co. Ltd.: Jan Jan. |
| 07534--- | Anesis Shipping Co., S.A. of Panama: Rio Doro. |
| 07539--- | Gomeigaisya Uyeno Unyu Shokai: Japan Tuna. |
| 07540--- | Aenia Shipping Co. Ltd.: Anna Maria. |
| 07541--- | Big Ben Shipping Co., Ltd.: Lavender. |
| 07542--- | Compania De Vapores Sistas S.A.: Frangiskos. |
| 07543--- | Compania De Vapores Stanic S.A.: Frossini. |
| 07544--- | Gaviota Naviera Co., S.A.: Long View. |
| 07545--- | Compania Topacio Navegacion S.A.: Fushimi. |
| 07546--- | Arthur Levy Do Brazil: Roncador. |
| 07549--- | Hamilton Shipping Corp.: Ocean Harmony. |
| 07550--- | Erato Shipping, Inc.: Diane Prosperity. |
| 07551--- | Drado Shipping Co., Ltd., S.A.: Silver Fern. Carretera. |
| 07553--- | Skitonas Enterprises, Ltd.: Giorgis Matheos. |
| 07554--- | Rosa Shipping Co., Ltd.: Kyravathia. |
| 07555--- | Terrytwo Shipping Corp.: Terrytwo. |
| 07559--- | United Overseas Bulk Carriers, Inc.: Pacific Insurer. |
| 07560--- | Argon Maritime, Ltd.: Thomas G. Chimples. |
| 07561--- | Gulf Atlantic Transport Corp.: Manila. Caribe. Gatco 102. H. G. Williams. |

By the Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.73-881 Filed 1-15-73;8:45 am]

## CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

### Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p)(1) of the Federal Water Pollution Control Act, as amended.

| Certificate No. | Owner/operator and vessel |
|---|---|
| 01005--- | Albrecht & Boserup: Ahmos. |
| 01011--- | Aktieselskabet Det Ostasiatiske Kompagni: Mombasa. |
| 01014--- | Robert Bornhofen Reederei: Robert Bornhofen. |
| 01039--- | Den Norske Amerikalinje A/S: Norefjord. |
| 01041--- | Liberian National Shipping Lines Inc.: James Benedict. |
| 01074--- | Sigval Bergesen and Associated Companies: Krossfonn. |
| 01099--- | Scottish Ore Carriers Ltd.: Arisaig. |
| 01103--- | Poseidon Schiffahrt GMBH: Transontario. |
| 01172--- | H. Clarkson & Co. Ltd.: Clarkavon. Jersey Bridge. |
| 01189--- | A/S Haanes Rederi: Gimleskog. |
| 01423--- | Charente Steamship Co. Ltd.: Diplomat. |
| 01427--- | The Pacific Steam Navigation Co.: Potosi. |
| 01447--- | Scotstoun Shipping Co., Ltd.: Scotstoun. |
| 01498--- | Vessel Operators, Inc.: B & M 1202. |
| 01502--- | Moore-McCormack Lines, Inc.: Brasil. Argentina. |
| 01513--- | Rederiaktiebolaget Dalen: Migolina. |
| 01562--- | G. W. Gladders Towing Co., Inc.: GWG 208. GWG 209. GWG 210. |

| Certificate No. | Owner/Operator and Vessels |
|---|---|
| 01569 | Salix Compania Naviera S.A.: Captain Xilas. |
| 01761 | Union Steam Ship Company of New Zealand Ltd.: Taveuni. |
| 01805 | Suisse Atlantique Societe D'Armement Maritime S.A.: Bregaglia. |
| 01843 | A. F. Harmstorf & Co.: Fahrmannsand. Medemsand. |
| 01845 | Kauffahrtei Seereederei Adolf Wiards & Co.: Diederika Wiards. Hedi Wiards. |
| 01877 | Carbocoke-Societa' Di Navigazione S.P.A.: Taormina. |
| 01905 | The Ben Line Steamers Ltd.: Benwyvis. |
| 01910 | Deutsche Dampfschifffahrts-Gesellschaft "Hansa": Freienfels. |
| 01959 | Artemis Cia. Nav. S.A. of Panama: Artemis. |
| 02198 | The Peninsular & Oriental Steam Navigation Co.: Shakla. |
| 02425 | Blidberg Rothchild Co., Inc.: Wellesley Victory. |
| 02506 | The Sheaf Steam Shipping Co., Ltd.: Sheaf Mount. |
| 02519 | S. A. Louis Dreyfus & Cie.: Alain L. D. |
| 02524 | Watergate Steam Shipping Co., Ltd.: Silksworth. |
| 02603 | Empresa Hondurena De Vapores, S.A.: Olancho. Orica. |
| 02626 | Ernst Russ on behalf of Partenreederei M.V. Hermann Russ: Hermann Russ. |
| 02655 | Reederei Jonny Wesch: Hilda Wesch. Kirsten Wesch. Heinrich Wesch. |
| 02754 | Maryland Ltd. S.A.: Olympic Rainbow. |
| 02873 | Eastern Sea Services, Inc.: Eastern Worker. Eastern Advocate. |
| 02877 | Nippon Yusen Kabushiki Kaisha: Akagi Maru. Settsu Maru. |
| 02888 | Stolt-Nielsons Rederi A/S: Stolt Artemis. |
| 02919 | Neptune Navigation Corp.: Malaga. |
| 02958 | Kawasaki Kisen K.K.: Oregon Maru. Colorado Maru. Montana Maru. Kimikawa Maru. |
| 02959 | Kokuyo Kaiun Kabushika K.: Fujikawa Maru. |
| 03415 | Chiyoda Kisen K.K.: Wakatake Maru. |
| 03438 | Inui Kisen Kabushiki Kaisha: Wakatosan Maru. |
| 03441 | Japan Line K.K.: Kosei Maru. Kohoh Maru. Japan Gran. Japan Alder. |
| 03479 | Okada Shosen Kabushiki Kaisha: Kyozui Maru. Toun Maru. |
| 03482 | Ryutsu Kaiun Kabushiki Kaisha: Ryuyo Maru. |
| 03506 | Taiheiyo Kaiun K.K.: Kiyo Maru. |
| 03549 | Interessentskapet Essi Camilla: Essi Camilla. |
| 03650 | Global Bulk Carriers, Inc., Liberia: Nadine. Caroline. |
| 03870 | Alexia Compania Naviera S.A. of Panama: Aros. |
| 03989 | Partenreederei M.S. "Magdalena Reith": Magdalena Reith. |
| 03996 | "Beteigeuze" Schiffahrtsgesellschaft Reith & Co.: Inalotte Blumenthal. |
| 04074 | Tankore Corp.: Santander. |
| 04356 | Pacific Far East Line, Inc.: Oregon Bear. California Bear. |
| 04564 | Yamashita-Shinnihon Kisen Kaisha: Kamoharu Maru. |
| 04573 | S.A. Pesquera Industrial Gallega: Andes. |
| 04625 | American Commercial Lines, Inc.: James L. Hamilton. |
| 04642 | South African Marine Corp., Ltd.: S.A. Trader. |
| 04679 | Ratnakar Shipping Co., Ltd.: Ratna Chandralekha. |
| 05036 | Companhia Nacional De Navegacao: Mocambique. |
| 05104 | Teh Hu Steamship Co., Ltd.: New Teh Hu. |
| 05193 | The Crawford Shipping Co., Ltd.: Vulcain. |
| 05769 | Kassini Compania Maritima S.A.: Wurttemberg. |
| 05802 | Partenreederei MS "Brunsholm": Brunsholm. |
| 05892 | Luedtke Engineering Co.: Dredge Duluth. |
| 06306 | West Cruise Lines, Inc.: Pacific Star. |
| 06437 | Kommandittselskapet A/S Tibetan & Co.: Tibetan. |
| 06570 | Tenax Steamship Co. Ltd.: Bolnes. |
| 06653 | Franz Scheidbauer: Murtal. |
| 06936 | Peninsula Navigation Co. S.A.: Panamanian Star. |

By the Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.73-882 Filed 1-15-73;8:45 am]

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[Independent Ocean Freight Forwarder License 1055]

## SARA SANDFORD DODD

### Order of Revocation

Sara Sandford Dodd, Post Office Box 1115, Mobile, AL 36601, voluntarily surrendered her Independent Ocean Freight Forwarder License No. 1055 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972);

*It is ordered*, That Independent Ocean Freight Forwarder License No. 1055 of Sara Sandford Dodd be and is hereby revoked effective August 23, 1972, without prejudice to reapply for a license at a later date.

*It is further ordered*, That a copy of this order be published in the FEDERAL REGISTER and served upon Sara Sandford Dodd.

AARON W. REESE,
*Managing Director.*

[FR Doc.73-880 Filed 1-15-73;8:45 am]

# FEDERAL COMMUNICATIONS COMMISSION

[Report 630]

## COMMON CARRIER SERVICES INFORMATION [1]

### Domestic Public Radio Services Applications Accepted for Filing [2]

JANUARY 8, 1973.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth below alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

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[1] All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

4759–C2–TC–73—Sweeny-Old Ocean Telephone Company, consent to transfer of control from Brazos Cattle Co., Ltd., Transferor, to: Sugarland Telephone Co., Transferee. KLB574 Sweeny, Tex.

4760–C2–AL–73–Sweeny-Old Ocean Telephone Co., consent to assignment of license from Sweeny-Old Ocean Telephone Co., Assignor, to T.C. Inc., Assignee. Station: KLB574 Sweeny, Tex.

4793–C2–P–73—Dunkirk and Fredonia Telephone Co. (New), for a new one-way station to operate on 158.10 MHz at 0.83 mile northeast of Stockton, N.Y.

4794–C2–P–73—Florida Telephone Corp. (KIQ509), replace transmitter operating on 152.63 MHz, add facilities to operate on 152.78 MHz and change the antenna system at 319 East Broadway, Ocala, FL.

4795–C2–TC–73—Westchester Mobilfone Systems Inc., consent to transfer of control from estate of Norman W. Medlar, Transferor, to Madeline J. Medlar, Transferee. Station: KEA274 Mount Pleasant, N.Y.

4796–C2–AL–73—Tel-Missouri, Inc., consent to assignment of license from Tel-Missouri, Inc., Assignor, to Ram Broadcasting of Missouri, Inc., Assignee. Station: KAA888 St. Louis, Mo.

4791–C2–P–73—South Central Bell Telephone Co. (KLB711), change the antenna system operating on 152.51 MHz at the corner of Ninth and Willard Streets, Morgan City, La.

4949–C2–P–(2)–73—General Telephone Company of the Southwest (KLB790), change the antenna system operating on 152.54 and 152.66 MHz on Tate Street between Atkins and 15th Streets, Brownfield, Tex.

4850–C2–P–73—General Telephone Company of Pennsylvania (KGI779), change the antenna system operating on 35.58 MHz at 3514 State Street, Erie, PA.

RURAL RADIO SERVICE

4759–C1–TC–73—Sweeny-Old Ocean Telephone Co., consent to transfer of control from Brazos Cattle Co., Ltd., Transferor, to: Sugarland Telephone Co., Transferee. Station: KKK52 Temp-Fixed.

4760–C1–AL–73—Same as above, consent to assignment of license from Sweeny-Old Ocean Telephone Co., Assignor, to T.C. Inc., Assignee. KKK52 Temp-Fixed.

POINT-TO-POINT MICROWAVE RADIO SERVICE

4757–C1–P–73—The Mountain States Telephone and Telegraph Co. (KYC69), 12.1 miles southeast of Deming, N. Mex. Latitude 32°09'19" N., longitude 107°35'56" W. C.P. to replace transmitter and change power on frequencies 5945.2H and 6063.8H MHz toward Fairacres, N. Mex.

4758–C1–P–73—Same (KLU90), 13 miles west-northwest of Fairacres, N. Mex. Latitude 32°22'23" N., longitude 107°02'53" W. C. P. to replace transmitter and change power on frequencies 6197.2H and 6315.9H MHz toward Deming, N. Mex.

4761–C1–P–73—The Pacific Telephone and Telegraph Co. (KMA38), 434 South Grand Avenue, Los Angeles, CA. Latitude 34°03'02" N., longitude 118°15'06" W. C.P. to add frequency 4010H MHz toward Mount Gleason, Calif.

4762–C1–P–73—Same (KMQ30), 14800 Ventura Boulevard, Sherman Oaks, CA. Latitude 34°09'06" N., longitude 118°27'19" W. C.P. to add frequency 4090V MHz toward Mount Gleason, Calif.

4763–C1–P–73—Same (KNK48), Mount Gleason, 13 miles northeast of Sunland, Calif. Latitude 34°22'20" N., longitude 118°10'17" W. C.P. to add frequency 4050V MHz toward Sherman Oaks, Calif.; frequency 3970H MHz toward Los Angeles, Calif.

4764–C1–P–73—The Mountain States Telephone and Telegraph Co. (KOV63), 228 West Adams Street, Phoenix, AZ. Latitude 33°26'58" N., longitude 112°04'35" W. C.P. to add frequency 3890V MHz toward Towers Mountain, Ariz.

4765–C1–P–73—Same (WAY52), Tower Mountains, 2.6 miles northwest of Crown King, Ariz. Latitude 34°14'01" N., longitude 112°22'11" W. C.P. to add frequency 4010V MHz toward Wayside, Tex.; frequencies 6256.5V and 6375.2V MHz toward Hedley, Tex.

4766–C1–P–73—American Telephone and Telegraph Co. (KLN81), 2 miles north-northwest of Wayside, Tex. Latitude 34°49'27" N., longitude 101°33'36" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Paloduro, Tex.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4767–C1–P–73—Same (KLV93), 7.9 miles north-northwest of Paloduro, Tex. Latitude 34°55'01" N., longitude 101°15'18" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Wayside, Tex.; frequencies 6256.5V and 6375.2V MHz toward Hedley, Tex.

4768–C1–P–73—Same (KLV94) 3.3 miles west-southwest of Hedley, Tex. Latitude 34°51'53" N., longitude 100°42'39" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Paloduro, Tex.; frequencies 6004.5V and 6123.1V MHz toward Wellington, Tex.

4769–C1–P–73—Same (KLV95), 5.4 miles south-southeast of Wellington, Tex. Latitude 34°47'24" N., longitude 100°10'24" W. C.P. to add frequencies 6256.5H and 6375.2H MHz toward Hedley, Tex.; frequencies 6004.5H and 6123.1H MHz toward Reed, Okla.

4770–C1–P–73—American Telephone and Telegraph Co. (KLV96), 2.5 miles west of Reed, Okla., latitude 34°53'55" N., longitude 99°44'12" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Wellington, Tex.; frequencies 6256.5H and 6375.2H MHz toward Sentinel, Okla.

4771–C1–P–73—Same (KLV97) 5.6 miles southwest of Sentinel, Okla., latitude 35°05'55" N., longitude 99°15'13" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Reed, Okla.; frequencies 6004.5H and 6123.1H MHz toward Mountain View, Okla.

4772–C1–P–73—Same (KLV98) 5.5 miles north-northwest of Mountain View, Okla., latitude 35°10'07" N., longitude 98°47'37" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Sentinel, Okla.; frequencies 6256.5H and 6375.2H MHz toward Washita, Okla.

4773–C1–P–73—Same (KLV99), 3.9 miles north-northeast of Washita, Okla., latitude 35°08'48" N., longitude 98°18'09" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Mountain View, Okla.; frequencies 6004.5H and 6123.1H MHz toward Middleberg, Okla.

4774–C1–P–73—Same (KLW20), 1.0 mile north-northeast of Middleberg, Okla., latitude 35°07'01" N., longitude 97°43'30" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Washita, Okla.; frequencies 6256.5H and 6375.2H MHz toward Noble, Okla.

4775–C1–P–73—Same (KLW21), 1.7 miles northeast of Noble Okla., latitude 35°09'39" N., longitude 97°22'07" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Middleberg, Okla.; frequencies 6004.5H and 6123.1H MHz toward Asher, Okla.

4776–C1–P–73—Same (KLD87), 1.5 miles north-northeast of Asher, Okla., latitude 35°00'45" N., longitude 96°54'50" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Noble, Okla.; frequencies 6256.5H and 6375.2H MHz toward Spaulding, Okla.

4777–C1–P–73—Same (KVD85), 2.9 miles north of Stuart, Okla., latitude 34°56'43" N., longitude 96°05'20" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Spaulding, Okla.; frequencies 6256.5H and 6375.2H MHz toward Hartshorne, Okla.

4778–C1–P–73—Same (KVD86), 3.8 miles west-northwest of Spaulding, Okla., latitude 35°01'48" N., longitude 96°30'02" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Asher, Okla.; frequencies 6004.5H and 6123.1H MHz toward Stuart, Okla.

4779–C1–P–73—Same (KVD84), 5.2 miles south of Hartshorne, Okla., latitude 34°45'46" N., longitude 95°34'28" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Stuart, Okla.; frequencies 6004.5H and 6123.1H MHz toward Talihina, Okla.

4780–C1–P–73—Same (KVD83), 6.9 miles west of Talihina, Okla., latitude 34°44'59" N., longitude 95°10'21" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Hartshorne, Okla.; frequencies 6256.5V and 6375.2V MHz toward Bates, Ariz.

4781–C1–P–73—American Telephone & Telegraph Co. (KVD82), 4 miles north-northeast of Bates, Ark., latitude 34°57'45" N., longitude 94°22'29" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Talihina, Okla.; frequencies 6004.5V and 6123.1V MHz toward Union Hill, Ark.

4782—C1–P–73—Same (KVD81), 8.2 miles south of Sugar Grove, Ark., latitude 34°57'41" N., longitude 93°49'08" W. C.P. to add frequencies 6256.5H and 6375.2H MHz toward Bates, Ark.; frequencies 6256.5V and 6375.2V MHz toward Danville, Ark.

4783–C1–P–73—Same (KVD80), 2.1 miles south-southwest of Danville, Ark., latitude 35°-00'58" N., longitude 93°24'40" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Union Hill, Ark.; frequencies 6004.5V and 6123.1V MHz toward Paron, Ark.

4784–C1–P–73—Same (KVD79), 8.2 miles west-northwest of Paron, Ark., latitude 34°50'13" N., longitude 92°52'54" W. C.P. to add frequencies 6256.5H and 6375.2H MHz toward Danville, Ark.; frequencies 6286.2H and 6404.8H MHz toward Alexander, Ark.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4785–C1–P–73—Same (KTG45), 1.7 miles south of Alexander, Ark., latitude 34°36'07" N., longitude 92°26'55" W. C.P. to add frequencies 6034.2V and 6152.8V MHz toward Paron, Ark.; frequencies 6004.5H and 6123.1H MHz toward Tucker, Ark.

4786–C1–P–73—Same (KTG44), 1.7 miles north of Tucker, Ark., latitude 34°27'38" N., longitude 91°57'12" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Alexander, Ark.; frequencies 6256.5H and 6375.2H MHz toward Stuttgart, Ark.

4787–C1–P–73—Same (KTG43), 5.4 miles east-southeast of Stuttgart, Ark., latitude 34°-28'33', longitude 91°27'02" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Tucker, Ark.; frequencies 6256.5V and 6375.2V MHz toward Palmer, Ark.

4788–C1–P–73—Same (KTG42), 4 miles east-northeast of Pine City, Ark., latitude 34°36'24" N., longitude 91°03'22" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Stuttgart, Ark.; frequencies 6004.5V and 6123.1V MHz toward West Helena, Ark.

4789–C1–P–73—Same (KTG41), 1.3 miles north-northeast of West Helena, Ark., latitude 34°34'02" N., longitude 90°37'37" W. C.P. to add frequencies 6256.5H and 6375.2H MHz toward Palmer, Ark.; frequencies 6256.5V and 6375.2V MHz toward Arkabutla, Miss.

4790–C1–P–73—Same (KTG40), 1 mile southwest of Arkabutla, Miss., latitude 34°41'08" N., longitude 90°08'18" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward West Helena, Ark.

4100–C1–MP–73—New York Telephone Co. (KZI47), 6 miles west of Windsor, N.Y., latitude 42°06'54" N., longitude 75°44'44" W., modification of C.P. to change antenna systems, add points of communication and change power on frequency 6152.8V MHz toward New Berlin, N.Y.; frequency 6152.8V MHz toward Bing (SUNY), N.Y.; frequency 6152.8V MHz toward Bing (WSKG), N.Y.

4101–C1–MP–73—New York Telephone Co. (WGI68), Lecture Hall Building, State University of New York at Binghamton, N.Y. Latitude 42°05'19" N., longitude 75°58'20" W. Modification of C.P. to change antenna system and delete point of communication on frequency 6404.8V MHz toward Windsor, N.Y.

4102–C1–P–73—Same (KZI46), 5.8 miles southwest of New Berlin, N.Y. Latitude 42°34'41" N., longitude 75°25'53" W. C.P. to add frequencies 11,405H and 11,645H MHz toward Franklin Mountain, N.Y., via passive reflector.

4103–C1–P–73—Same (New), 17 Elm Street, Oneonta, N.Y. Latitude 42°27'18" N., longitude 75°03'42" W. C.P. for a new station on frequencies 10,715H and 10,955H MHz toward Franklin Mountain, N.Y., via passive reflector.

4797–C1–ML–73—American Telephone & Telegraph Co. (KMC31), East Bay Hills, 3750 Grizzley Peak Boulevard, Oakland, CA. Latitude 37°52'25" N., longitude 122°13'08" W. Modification of license to cover the transfer of one Western Electric Co. type TD–2 transmitter and associated frequency from the Pacific Telephone & Telegraph Co. to American Telephone & Telegraph Co.

4798–C1–ML–73—Same (KMC32), Vaca Hill, 2.3 miles south of Vacaville, Calif. Latitude 38°-19'09" N., longitude 121°59'30" W. Modification of license to cover the transfer of two (2) Western Electric Co. type TD–2 transmitters and associated frequency from the Pacific Telephone & Telegraph Co. to American Telephone & Telegraph Co.

4799–C1–ML–73—Same (KMC33), 1407 "J" Street, Sacramento, CA. Latitude 38°34'45" N., longitude 121°29'11" W. Modification of license to cover the transfer of one (1) Western Electric type TD–2 transmitter and associated frequency from the Pacific Telephone & Telegraph Co. to American Telephone & Telegraph Co.

4800–C1–ML–73—Same (KMC67), East Bay Hills, 3750 Grizzley Peak Boulevard, Oakland, CA. Latitude 37°52'25" N., longitude 122°13'08" W. Modification of license for authorization for transfer of (1) Western Electric, Type TD–2 transmitter and associated frequency 3710 MHz from the Pacific Telephone & Telegraph Co. to the American Telephone & Telegraph Co. under call sign KMC31.

4801–C1–ML–73—Same (KMJ95), 1407 "J" Street, Sacramento, CA. Latitude 38°34'45" N., longitude 121°29'11" W. Modification of license to cover the transfer of (1) Western Electric, Type TD–2 transmitter and associated frequency 3710 MHz from the Pacific Telephone & Telegraph Co. to the American Telephone & Telegraph Co. under call sign KMC33.

4802–C1–ML–73—American Telephone & Telegraph Co. (KMM98), Vaca Hill, 2.3 miles south of Vacaville, Calif. Latitude 38°19'09" N., longitude 121°59'30" W. Modification of license to cover the transfer of (2) Western Electric, Type TD–2 transmitters and associated frequency 3750 MHz from the Pacific Telephone and Telegraph Co. to the American Telephone & Telegraph Co. under call sign KMC32.

4834–C1–P–73—The Mountain States Telephone & Telegraph Co. (KVD53), 58 North First East, Roosevelt, UT. Latitude 40°18'01" N., longitude 109°59'22" W. C.P. to add frequencies 11,405V and 11,645H MHz toward Ioka, Utah.

4835–C1–P–73—Same (New), 8.9 miles west of Roosevelt, Utah. Latitude 40°19'29" N., longitude 110°09'19" W. C.P. for a new station on frequencies 10,715H and 10,955V MHz toward Roosevelt, Utah via passive reflector; frequencies 10,755H and 10,995V MHz toward Duchesne, Utah via passive reflector.

4836–C1–P–73—Same (New), 55 South 100 West, Duchesne, UT. Latitude 40°09'46" N., longitude 110°24'01" W. C.P. for a new station on frequencies 11,445V and 11,685H MHz toward Ioka, Utah via passive reflector.

4821–C1–MP–73—MCI New York West, Inc. (WLI96), 2 miles south-southeast of Jefferson, Ohio. Latitude 41°42'24" N., longitude 80°44'43" W. Modification of C.P. to change radio path azimuth toward Hickernell, Pa. to 76°5'.

4822–C1–MP–73—Same (WLI98), modification of C.P. to change station location to 1.5 miles southwest of Hickernell, Pa. Latitude 41°47'02" N., longitude 80°19'29" W., and to change radio path azimuth toward Jefferson, Ohio to 256°22' and to 46°15' toward Erie South, Pa.

4823—C1–MP–73—Same (WLI99), modification of C.P. to change station location to 5.8 miles south of Erie South, Pa. Latitude 41°57'30" N., longitude 80°04'49" W., and to change radio path azimuth toward Hickernell, Pa. to 226°24' and to 359°22' toward Erie, Pa.

4824–C1–MP–73—Same (WLJ20), State and 10th Streets, Erie, PA. Latitude 42°07'31" N., longitude 80°04'58" W. Modification of C.P. to change radio path azimuth toward Erie South, Pa. to 179°22'.

4825–C1–MP–73—Same (WLJ23), modification of C.P. to change station location to 5.1 miles north of Zelienople, Pa. Latitude 40°52'18" N., longitude 80°07'56" W., and to change radio path azimuth toward Poland Center, Ohio to 239°50' and to 144°2' toward Glenshaw, Pa.

4826–C1–MP–73—Same (WLJ24), 7.2 miles southwest of Glenshaw, Pa. Latitude 40°37'16" N., longitude 79°53'38" W. Modification of C.P. to change radio path azimuth toward Zelienople, Pa. to 324°12'.

4827–C1–MP–73—MCI New York West, Inc. (WLJ27), 7 miles northwest of Boswell, Pa. Latitude 40°13'56" N., longitude 79°06'09" W. Modification of C.P. to change radio path azimuth toward Reels Corner, Pa. to 127°28'.

4828–C1–MP–73—Same (WLJ28), modification of C.P. to change station location to 3 miles southeast of Reels Corner, Pa. Latitude 40°02'27" N., longitude 78° 46'42" W. and to change radio path azimuth toward Boswell, Pa. to 307°40' and 57°28' toward Martinsburg, Pa.

4829–C1–MP–73—Same (WLJ29), modification of C.P. to change station location to 3 miles southeast of Martinsburg, Pa. Latitude 40°17'33" N., longitude 78°15'39" W. and to change radio path azimuth toward Reels Corner, Pa. to 237°48' and to 90°46' toward Butler, Knob, Pa.

4830–C1–MP–73—Same (WLJ30), Butler Knob, 7 miles north of Three Springs, Pa. Latitude 40°17'21" N., longitude 77°58'10" W. Modification of C.P. to change radio path azimuth toward Martinsburg, Pa. to 270°57'.

4831–C1–MP–73—Same (WLJ34), 1.3 miles south of Womelsdorf, Pa. Latitude 40°20'09" N., longitude 76°10'50" W. Modification of C.P. to change frequency to 6197.2V MHz toward a new point of communication at Boyertown, Pa.

4832–C1–MP–73—Same (WLJ35), modification of C.P. to relocate station at 2.9 miles west of Boyertown, Pa. Latitude 40°19'53" N., longitude 75°41'38" W. and to change frequency to 5945.2H MHz toward Womelsdorf, Pa. and to 6063.6V MHz toward Spinnerstown, Pa.

4833–C1–MP–73—Same (WLJ36), 3.1 miles north-northwest of Spinnerstown, Pa. Latitude 40°29'38" N., longitude 75°27'01" W. Modification of C.P. to change frequency to 6315.9V MHz toward a new point of communication at Boyertown, Pa.

4851–C1–P–73—The Pacific Telephone & Telegraph Co. (WHB68), 6.7 miles southwest of San Ardo, Calif. Latitude 35°57'14" N., longitude 120°59'23" W. C.P. to add frequency 4010V MHz toward Greenfield, Calif.; frequency 4010H MHz toward Tassajera, Calif.

4852-C1-P-73—Same (KMA38), 434 South Grand Avenue, Los Angeles, CA. Latitude 34°03'02" N., longitude 118°15'08" W. C.P. to add frequency 4170H MHz toward Topanga Ridge, Calif.

4853-C1-P-73—Same (KMJ93), Loma Prieta Mountain, Calif. Latitude 37°06'31" N., longitude 121°50'39" W. C.P. to add frequency 10,995V MHz toward San Jose, Calif.; frequency 3970H MHz toward Chualar, Calif.

4854-C1-P-73—Same (KMN91), 95 Almaden Avenue, San Jose, CA. Latitude 37°19'58" N., longitude 121°53'31" W. C.P. to add frequency 11,445H MHz toward Loma Prieta Mountain, Calif.

4856-C1-P-73—The Pacific Telephone & Telegraph Co. (KMX56), Santa Ynez Peak, 5 miles northeast of Captain, Calif. Latitude 34°31'36" N., longitude 119°58'16" W. C.P. to add frequency 3890V MHz toward Hall Canyon, Calif.; frequency 3890H MHz toward Santa Maria, Calif.

4857-C1-P-73—Same (KMX57), 308 West Cypress Street, Santa Maria, Calif. Latitude 34°57'02" N., longitude 120°26'19" W. C.P. to add frequency 3930H MHz toward Santa Ynez, Calif.; frequency 4010H MHz toward Tassajera, Calif.

4858-C1-P-73—Same (KMZ71), Tassajera, 5.5 miles west of Santa Margarita, Calif. Latitude 35°23'37" N., longitude 120°42'29" W. C.P. to add frequency 3970H MHz toward San Ardo, Calif.; frequency 3970H MHz toward Santa Maria, Calif.

4859-C1-P-73—Same (WDD99), Topanga Ridge, 2.3 miles west of Fernwood, Calif. Latitude 34°05'02" N., longitude 118°38'16" W. C.P. to add frequency 4130H MHz toward Los Angeles, Calif; frequency 4130V MHz toward Hall Canyon, Calif.

4860-C1-P-73—Same (WHB66), 6.8 miles north of Chular, Calif. Latitude 36°40'06" N., longitude 121°31'09" W. C.P. to add frequency 4010H MHz toward Loma Prieta Mountain, Calif.; frequency 4010H MHz toward Greenfield, Calif.

4861-C1-P-73—Same (WHB67), 716 miles south-southwest of Greenfield, Calif. Latitude 36°13'11" N., longitude 121°18'08" W. C.P. to add frequency 3970H MHz toward Chular, Calif.; frequency 3970V MHz toward San Ardo, Calif.

4862-C1-P-73—South Central Bell Telephone Co. (KYC49), approximately 2.3 miles southeast of Fern Creek, Ky. Latitude 38°07'32" N., longitude 85°34'44" W. C.P. to add frequency 10,875H MHz toward Hazelwood Hospital, Louisville, Ky.

4863-C1-P-73—American Telephone & Telegraph Co. (KKK80), 121 West Seventh Street, Little Rock, Ark. Latitude 34°44'31" N., longitude 92°16'18" W. C.P. to add frequency 3710V MHz toward Lonoke, Ark.

4864-C1-P-73—Same (KLK80), 3 miles south of Lonoke, Ark. Latitude 34°44'36" N., longitude 91°24'39" W. C.P. to add frequency 3710V MHz toward Hunter, Ark.

4865-C1-P-73—Same (KLK79), 0.5 mile west of Biscoe, Ark. Latitude 34°49'24" N., longitude 91°24'39" W. C.P. to add frequency 3710 V MHz toward Hunter, Ark.

4866-C1-P-73—Same (KLO93), 1 mile south of Hunter, Ark. Latitude 35°02'42" N., longitude 91°07'51" W. C.P. to add frequency 3750V MHz toward Forrest City, Ark.

4867—C1-P-73—Same (KGH83), 2.5 miles east-southeast of Lionville, Pa. Latitude 40°03'06" N., longitude 75°36'40" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Landenberg, Pa.

4868-C1-P-73—American Telephone & Telegraph Co. (KVU49), 1.9 miles northwest of Cedarbrook, N.J. Latitude 39°44'41" N., longitude 74°54'48" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Carmel, N.J.

4869-C1-P-73—Same (KGP41), 3 miles southeast of Avondale, Pa. Latitude 39°47'16" N., longitude 75°44'55" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Lionville, Pa.; frequencies 6004.5H and 6123.1H MHz toward Glasgow, Del.

4870-C1-P-73—Same (KGP43), 2.3 miles south of Glasgow, Del. Latitude 39°34'14" N., longitude 75°44'39" W. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Landenberg, Pa.; frequencies 6256.5V and 6375.2V MHz toward Quinton, N.J.

4871—C1-P-73—Same (KEM73), 2 miles southeast of Quinton, N.J. Latitude 39°31'49" N., longitude 75°22'53" W. C.P. to add frequencies 6004.5H and 6123.1H MHz toward Glasgow, N.J.; frequency 6004.5H MHz toward Mount Royal, N.J.; frequencies 6004.5V and 6123.1V MHz toward Carmel, N.J.

4872-C1-P-73—Same (KEM30), 1.1 miles southeast of Mount Royal, N.J. Latitude 39°47'56" N., longitude 75°11'55" W. C.P. to add frequency 6256.5V MHz toward Quinton, N.J.; frequency 6256.5V MHz toward Philadelphia, Pa.



4873-C1-P-73—Same (KGF64), 900 Race Street, Philadelphia, PA. Latitude 39°57'17" N., longitude 75°09'18" W. C.P. to add frequency 6004.5V MHz toward Mount Royal, N.J.

4874-C1-P-73—Same (KVU50), 1.6 miles north of Carmel, N.J. Latitude 39°27'23" N., longitude 75°06'49" W. C.P. to add frequencies 6256.5H and 6375.2H MHz toward Quinton, N.J.; frequencies 6256.5V and 6375.2V MHz toward Cedarbrook No. 2, N.J.

4875-C1-P-73—The Pacific Telephone & Telegraph Co. (WHT99), 221 West Winton Avenue, Hayward, CA. Latitude 37°39'35" N., longitude 122°05'45" W. C.P. to add frequency 11,505H MHz toward Walpert Ridge, Calif.

4876-C1-P-73—Same (KMN91), 95 Almaden Avenue, CA. Latitude 37°19'58" N., longitude 121°53'31" W. C.P. to add frequency 4010H MHz toward Walpert Ridge, Calif.

4877-C1-P-73—Same (KTG20), Walpert Ridge, 3.7 miles east-southeast of Hayward, Calif. Latitude 37°39'20" N., longitude 122°00'06" W. C.P. to add frequency 397H MHz toward San Jose, Calif.; frequency 11,015V MHz toward Hayward, Calif.

4878-C1-P/L-73—General Telephone Company of the Northwest, Inc. (New), in any temporary fixed location within the operating territory of General Telephone Company of the Northwest, Inc. C.P. & License to add frequencies 5925–6425 and 10,700–11,700 MHz Band.

4879-C1-P-73—The Bell Telephone Company of Pennsylvania (KIK88), 110 North Hall Street, Allentown, PA. Latitude 40°36'13" N., longitude 75°28'26" W. C.P. to add frequency 6093.5H MHz toward Farm Flats, Pa.

4880-C1-P-73—Same (KIL21), Farm Flats, 3.4 miles northeast of Jim Thorpe, Pa. Latitude 40°54'13" N., longitude 75°41'23" W. C.P. to add frequency 6345.5V MHz toward Allentown, Pa.; frequency 6345.5V MHz toward Lookout, Pa.

4881-C1-P-73—Same (KIL37), Lookout, 4.7 miles southeast of Dupont, Pa. Latitude 41°15'45" N., longitude 75°42'26" W. C.P. to add frequency 6093.5H MHz toward Farm Flats, Pa.; frequency 6093.5H MHz toward Scranton, Pa.

4882-C1-P-73—Same (KIL58), 121 Adams Avenue, Scranton, PA. Latitude 41°24'23" N., longitude 75°39'49" W. C.P. to add frequency 6345.5V MHz toward Lookout, Pa.

## SPECIAL NOTICE ON "PRIOR COORDINATION"

### POINT TO POINT MICROWAVE RADIO SERVICE

Federal Communications Commission rules and regulation Title 47, Chapter 1, § 21.100(d) specify that all applicants for regular authorization in the Point to Point Microwave Radio and Local Television Transmission Services shall, before filing an application, coordinate proposed frequency usage with existing users and applicants with previously filed applications where such facilities could be adversely affected by the proposed filing. Further coordination guidelines are contained in Public Notices issued September 20, 1971 and May 22, 1972.

A recommended comprehensive uniform system for the exchange of information for prior coordination has been developed by an informal committee composed of interested carriers and the FCC Common Carrier Staff. The purpose of this system is to improve the efficiency of exchanging, analyzing and recording coordination data. This system, including instructions and necessary coded lists, is available from Keuffel & Esser Co., 1521 North Danville Street, Arlington, VA 22201 at a cost of approximately $12 plus tax and postage. The document is entitled: "Recommended Uniform System for the Exchange of Information Required for Prior Coordination Pursuant to § 21.100(d)". All carriers are urged to obtain a copy of this document and to begin using the system as soon as possible in the exchange of prior coordination data. The coded lists of common carrier applicants, transmitters and antennas could possibly be made available on computer cards at the Clearinghouse for Federal and Technical Information if there is sufficient interest in purchasing the information in that form.

Full sized copies of the 3-page form (exclusive of instructions and coded lists) are available at the Commission's Washington offices and will be mailed to carriers requesting it (limit: one copy per carrier).

Alternatively, a copy of the entire document (approximately 100 pages) can be made available, as scheduling permits, at the Commission's offices (Room 542) for copying if it can be returned the same day.

*Major Amendments*

INFORMATIVE: Nebraska Consolidated Communications Corp. has filed amendments for the remaining portion of its original specialized carrier proposal filed April 14, 1970 for service throughout the mid-United States. On July 26, 1972, the Commission granted 109 of these applications, including one for a station at St. George, Mo. The remaining portion of this system, for which these amendments have been filed, runs from St. George, Mo. to Atlanta, Ga.

6267–C1–P–70—Nebraska Consolidated Communications Corp. (New), 4.6 miles east of Lepanto, Ark. Latitude 35°36'23" N., longitude 90°15'03" W. Change polarization of frequency 6226.9 to vertical toward Jonesboro, Ark., azimuth 308°09'.

6268–C1–P–70—Same (New), 100 Main Street, Memphis, TN. Latitude 35°08'36" N., longitude 90°03'11" W. Change frequency 5974.8V to 6004.5V toward Cockrum, Miss., azimuth 151°28'.

6269–C1–P–70—Same (New), 2 miles south of Cockrum, Miss. Latitude 34°46'24" N., longitude 89°48'34" W. Change frequency 6271.4H to 6226.9H toward Waterford, Miss., azimuth 105°11' and 6271.4V to 6256.5H toward Memphis, Tenn., azimuth 331°36'.

1091–C1–P–71—Same (New), Wallfield, 5 miles south of Houlka, Miss. Latitude 34°06'13" N., longitude 89°00'00" W. Change frequency 5974.8H to 6093.5H toward Keel, Miss., azimuth 320°57'.

889–C1–P–72—Same (New), 2 miles west-northwest of Tilden, Miss. Latitude 34°11'52" N., longitude 88°22'28" W. Change frequency 5974.8V to 6004.5H toward Sulligent, Ala., azimuth 143°43'.

6276–C1–P–70—Same (New), 2.9 miles southeast of Oakman, Ala. Latitude 33°40'20" N., longitude 87°21'03" W. Change frequency 6226.9H to 6315.9H toward Winfield, Ala., azimuth 308°57'.

1092–C1–P–71—Same (New), 0.5 mile south of Hopkins, Ala. Latitude 33°28'30" N., longitude 87°04'37" W. Add frequency 5974.8H to Signal Mountain, Ala., azimuth 100°45'.

6277–C1–P–70—Same (New), 1 mile east of North Birmingham, Ala. Latitude 33°36'40" N., longitude 86°39'20" W. Change frequency 6226.9H to 10,975H toward Hopkins, Ala., azimuth 249°01'.

6283–C1–P–70—Same (New), relocate station to 2 miles east of Douglasville, Ga. Latitude 33°44'40" N., longitude 84°47'16" W. Change azimuths of 6286.2V toward Atlanta, Ga., to 69°02' and 6226.9H toward Buchanan, Ga., to 279°54'.

6284–C1–P–70—Same (New), relocate station to 2911 Pharr Court South NW., Atlanta, GA. Latitude 3350'08" N., longitude 84°23'07" W. Change azimuth of 5945.2H to Douglasville, Ga., to 249°15'.

[FR Doc.73–805 Filed 1–15–73;8:45 am]

## RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

### Notice of Executive Committee Meeting

JANUARY 10, 1973.

In accordance with Public Law 92–463, "Federal Advisory Committee Act", announcement is made of the January meeting of the RTCM Executive Committee. This meeting will convene at 1:30 p.m., January 18, 1973, in Conference Room 847, 1919 M Street, NW., Washington, DC.

Principal agenda item for this meeting will be approval of the final report of Special Committee No. 62, "On-Board Communications."

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

[FR Doc.73–1038 Filed 1–15–73;8:45 am]

[Special Committee No. 66]

## RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

### Notice of Meeting

JANUARY 10, 1973.

In accordance with Public Law 92–463, "Federal Advisory Committee Act," announcement is made of the 8th meeting of RTCM Special Committee No. 66. This meeting will convene at 9 a.m., January 17, 1973, in Conference Room 205, 1229 20th Street NW., Washington, DC.

Principal agenda item for this meeting will be continued discussion and review of VHF–FM receiver standards for the Maritime Mobile Service.

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

[FR Doc.73–1037 Filed 1–15–73;8:45 am]

[Special Committee No. 64]

## RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

### Notice of Meeting

JANUARY 10, 1973.

In accordance with Public Law 92–463, "Federal Advisory Committee Act", announcement is made of the 32d meeting of RTCM Special Committee No. 64. This meeting will convene at 9:30 a.m., January 16, 1973, in Conference Room 205, 1229 20th Street NW., Washington, DC.

Principal agenda items for this meeting will be reports on digital selective calling systems and direct printing and data systems and consideration of FCC Docket No. 19325, "Preparation for the ITU World Administrative Radio Conference for maritime mobile telecommunications to be convened at the beginning of 1974."

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

[FR Doc.73–1036 Filed 1–15–73;8:45 am]

# ATOMIC ENERGY COMMISSION

## PROPOSED RADIOACTIVE LEVEL AMENDMENTS

### Availability of AEC Draft Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Atomic Energy Commission (the Commission) in 10 CFR Part 50, Appendix D, notice is hereby given that a draft environmental statement related to the issuance of proposed amendments to 10 CFR Part 50 of the Commission's regulations to provide numerical guidance defining "as low as practicable" levels of radioactive material in light-water-cooled nuclear power reactor effluents, has been prepared by the Commission and is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, DC 20545.

A notice concerning the proposed amendments to the Commission's regulations was published in the FEDERAL REGISTER on June 9, 1971 (36 FR 11113).

Copies of the Commission's draft environmental statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director of Regulatory Standards.

Interested persons may, on or before March 2, 1973, submit comments on the proposed action, and on the draft environmental statement for the Commission's consideration. Federal and State agencies and participants in the hearings (now recessed) held on the proposed amendments to the regulations are being provided with copies of the draft environmental statement and, when comments thereon are received, they will be made available for public inspection at the Commission's Public Document Room.

Comments on the draft environmental statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Secretary of the Commission.

Dated at Bethesda, Md., this 11th day of January 1973.

For the Atomic Energy Commission.

LESTER ROGERS,
*Director of Regulatory Standards.*

[FR Doc.73–1042 Filed 1–15–73;10:25 am]

# FEDERAL RESERVE SYSTEM

## BELLEVUE CAPITAL CO.

### Formation of One-Bank Holding Company

Bellevue Capital Co., Bellevue, Nebr., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 94 percent or more of the voting common stock of Bank of

Bellevue, Bellevue, Nebr. 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 Kansas City. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than February 1, 1973.

Board of Governors of the Federal Reserve System, January 10, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-865 Filed 1-15-73;8:45 am]

## BOONE COUNTY INSURANCE AGENCY, INC.

### Order Approving Acquisition of Additional Shares of Bank

Boone County Insurance Agency, Inc., Centralia, Mo., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire an additional 25.65 percent of the voting shares of the First National Bank of Centralia, Centralia, Mo. (Bank) through the acquisition of Centralia Insurance Agency, Inc., Centralia, Mo. (Centralia).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant and Centralia were organized in 1964 and are both registered one-bank holding companies, wholly owned by the same family. Both firms have approximately the same number of shares of Bank and the insurance agency activities of each firm are conducted at the same premises by the same individual.[1] Bank, with deposits of $8.5 million is the fifth largest of eight banks in Boone County with 5.54 percent of the County's commercial bank deposits. (Banking data are as of Dec. 31, 1971.) Since the present application is in the nature of a corporate reorganization whereby Centralia's assets are to be acquired and its liabilities are to be assumed by Applicant, approval of the present proposal will have no competitive effects.

Considerations relating to the financial and managerial resources and prospects of Applicant and Bank are consistent with approval as are considerations relating to the convenience and needs of the communities involved. It is the Board's judgment that consummation of the transaction is consistent with the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before February 7, 1973, or (b) later than April 9, 1973, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors,[2] effective January 8, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-921 Filed 1-15-73;8:45 am]

[1] Applicant may continue to engage in insurance agency activities under the exemption found in subsection 4(c)(11).

[2] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Sheehan, and Bucher. Absent and not voting: Chairman Burns and Governor Brimmer.

## BSB CORP.

### Formation of Bank Holding Company

BSB Corp., Boone, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 98 percent or more of the voting shares of Boone State Bank & Trust Co., Boone, Iowa. 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 Chicago. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than January 25, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-922 Filed 1-15-73;8:45 am]

## FIDELITY BANKSHARES, INC.

### Formation of One-Bank Holding Company

Fidelity Bankshares, Inc., Topeka, Kans., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of up to 100 per cent of the voting shares of Fidelity State Bank & Trust Co., Topeka, Kans. The factors that are considered in acting on the application are set forth in § 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 Chicago. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than January 26, 1973.

Board of Governors of the Federal Reserve System, January 10, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-866 Filed 1-15-73;8:45 am]

## FIRST ALABAMA BANCSHARES, INC.

### Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Ala., 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 80 percent or more of the voting shares of the City National Bank of Tuscaloosa, Tuscaloosa, Ala. 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 February 6, 1973.

Board of Governors of the Federal Reserve System, January 10, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-867 Filed 1-15-73;8:45 am]

## FIRST AMTENN CORP.

### Acquisition of Bank

First Amtenn Corp., Nashvile, Tenn., 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 the successor by merger to Volunteer-State Bank, Knoxville, Tenn. 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 February 6, 1973.

Board of Governors of the Federal Reserve System, January 10, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-868 Filed 1-15-73;8:45 am]

## FIRST FREEPORT CORP.

### Formation of One-Bank Holding Company

First Freeport Corp., Freeport, Tex., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to

become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of First Freeport National Bank, Freeport, Tex. 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 Dallas. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than January 29, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-924 Filed 1-15-73;8:45 am]

## FIRST GEORGIA BANCSHARES, INC.

### Formation of Bank Holding Company

First Georgia Bancshares, Inc., Atlanta, Ga., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of all of the voting shares of Bank of Fulton County, East Point, Ga., which would then acquire the assets and assume the liabilities and name of First Georgia Bank (formerly Peoples American Bank of Atlanta), Atlanta, Ga., for which transaction an application under the Bank Merger Act has been filed. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc. 73-923 Filed 1-15-73;8:45 am]

## FIRST UNITED BANCORPORATION, INC.

### Acquisition of Bank

First United Bancorporation, Inc., Fort Worth, Tex., 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 Cleburne National Bank, Cleburne, Tex. 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 Dallas. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board*

[FR Doc.73-925 Filed 1-15-73;8:45 am]

## HIBERNIA CORP.

### Formation of One-Bank Holding Company

Hibernia Corp., New Orleans, La., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the Hibernia National Bank in New Orleans, New Orleans, La. 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 Reserve Bank to be received not later than January 29, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-926 Filed 1-15-73;8:45 am]

## MANUFACTURERS HANOVER CORP.

### Order Approving Acquisition of Bank

Manufacturers Hanover Corp., Dover, Del., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)), to acquire 100 percent (less directors' qualifying shares) of the voting shares of Citizens Bank of Monroe, Monroe, N.Y. (Bank).

Notice of the application affording opportunity for interested persons to submit comments and views has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is the third largest banking organization in New York, controlling three banks with aggregate deposits of $9.2 billion representing approximately 9 percent of all deposits of commercial banks in the State.[1] Acquisition of Bank (deposits of $25 million) would not change Applicant's ranking among banking organizations in New York and would not significantly increase the concentration of banking resources in the State.

Bank is the eighth largest of 15 banks in the Middletown banking market, controlling about 5 percent of total deposits in that market.[2] Applicant's nearest banking subsidiary to Bank is 32 miles distant and it appears that there is no significant existing competition between this subsidiary or the other banking subsidiaries of Applicant and Bank.[3] Nor is there a reasonable probability of significant future competition developing between Applicant's banking subsidiaries and Bank since these subsidiaries are prohibited until 1976 from branching into the Middletown market. On the other hand, Applicant could open a de novo bank in the Middletown market. However, this is unlikely as that market is relatively undesirable as measured by the ratios of per capita income and population per banking office compared to the respective statewide averages. The acquisition of Bank by Applicant would not foreclose entry by other bank holding companies into the Middletown market since eight independent banks remain as potential members of other bank holding companies. Further, entry by Applicant may have a procompetitive effect by enabling Bank to be a stronger competitor for the largest bank in the market, which is more than two-and-a-half times as large as the second ranking bank. On the basis of all facts before the Board, including those aforementioned, the Board concludes that consummation of the proposal herein would not have an adverse effect on competition in any relevant area.

The financial condition, managerial resources and future prospects of Applicant, its subsidiary banks and Bank appear satisfactory and are consistent with approval of the application. Considerations relating to the convenience and needs of the community to be served are also consistent with approval of the application. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before February 7, 1973, or (b) later than April 9, 1973, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of New York, pursuant to delegated authority.

[1] All banking data are as of June 30, 1972, except for those relating to the Middletown banking market which are as of June 30, 1970, and are adjusted to reflect bank holding company formations and acquisitions approved by the Board through Dec. 31, 1972.

[2] The Middletown banking market is approximated by Sullivan and Orange Counties, with the exclusion of the cities of Newburg, Newburg City, Montgomery, New Windsor, Cornwall, and Highlands, all located in Orange County.

[3] Applicant presently has pending two other applications to acquire banks. However, neither of these banks are in close proximity to Bank.

By order of the Board of Governors,[4] effective January 8, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-927 Filed 1-15-73;8:45 am]

## MICHIGAN FINANCIAL CORP.

### Formation of Bank Holding Company

Michigan Financial Corp., Marquette, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company (a) through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to First National Bank and Trust Co., Marquette, Mich., First National Bank & Trust Co., Escanaba, Mich., and the Miners' First National Bank and Trust Co., Ishpeming, Mich.; and (b) through acquisition of 90 percent or more of the voting shares of the Gwinn State Savings Bank, Gwinn, Mich., the First National Bank of Hermansville, Hermansville, Mich., and Trenary State Bank, Trenary, Mich. 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 Minneapolis. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-928 Filed 1-15-73; 8:45 am]

## PREFERRED INVESTMENT SHARES, INC.

### Acquisition of Bank

Preferred Investment Shares, Inc., Denver, Colo., 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 retain 63.4 percent of the voting shares of Center State Bank, Denver, Colo. Prior to its acquisition of these shares, Applicant held approximately 34 percent of the shares of Center State 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 shares of Center State Bank which Preferred Investment Shares, Inc., has applied to retain were acquired during 1972 without prior Board approval. By Order dated June 22, 1971 (36 FR 12331), the Board has provided a procedure whereby any company which, after December 31, 1970, has acquired an interest in a bank without obtaining prior Board approval may apply to the Board for subsequent approval of that action if certain circumstances are present. Whether these conditions are met in this case is currently under study.

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-929 Filed 1-15-73;8:45 am]

## TANIS INC.

### Formation of One-Bank Holding Company

Tanis Inc., Houghton, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 81.8 per cent or more of the voting shares of First National Bank of Calumet-Lake Linden, Calumet, Mich. 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 Minneapolis. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than January 29, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-930 Filed 1-15-73;8:45 am]

## UNITED MICHIGAN CORP.

### Formation of Bank Holding Company

United Michigan Corp., Flint, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 per cent of the voting shares of the successor by consolidation with Genesee Merchants Bank & Trust Co., Flint, Mich. 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 Chicago. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 9, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-931 Filed 1-15-73;8:45 am]

## FIRST SECURITY CORP.

### Acquisition of Bank

First Security Corp., Salt Lake City, Utah, 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 97.5 percent or more of the voting shares of First Security Bank of Logan, National Association, Logan, Utah, 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 San Francisco. 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 February 5, 1973.

Board of Governors of the Federal Reserve System, January 8, 1973.

[SEAL] TYNAN SMITH,
*Secretary of the Board.*

[FR Doc.73-840 Filed 1-15-73;8:45 am]

# DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

## DELAWARE DEVELOPMENTAL PLAN

### Notice of Submission of Plan and Availability for Public Comment

1. *Submission and description of Plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. section 667) and § 1902.11 of Title 29, Code of Federal Regulations, notice is hereby given that an Occupational Safety and Health Plan for the State of Delaware has been submitted to the Assistant Secretary of Labor for Occupational Safety and Health. The Assistant Secretary has preliminarily reviewed the Plan, and hereby gives notice that the question of approval of the Plan is in issue before him.

The Plan designates the Department of Labor as the agency responsible for administering the Plan throughout the State. It proposes to define the occupational safety and health issues covered by it as defined by the Secretary of Labor in 29 CFR 1902.2(c)(1). All safety and health standards and amendments thereto which have been adopted by the Secretary of Labor except those found in 29 CFR Parts 1915, 1916, 1917, and 1918 (Ship repairing, Ship building, Shipbreaking and Longshoring) as well

[4] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Sheehan, and Bucher. Absent and not voting: Chairman Burns and Governor Brimmer.

as certain vertical issues associated with the inspection of pressure vessels will, subsequent to public hearings, be adopted by the State. The Plan provides that changes in the Federal standards shall be automatically adopted by the State.

Included in the Plan is proposed draft legislation to be considered by the Delaware legislature during its January 1973 session. Under the proposed legislation the Department of Labor will have full authority to enforce and to administer laws respecting safety and health of employees; the draft legislation provides for the coverage of all employees within the State including employees of the State and its political subdivisions. There are provisions which grant the Secretary of Labor the authority to inspect workplaces and to issue citations for the abatement of violations and there is also included a prohibition against advance notice of any such inspection. In addition, there is a provision made for judicial review as well as for the creation of an Occupational Safety and Health Review Commission. Provision for prompt restraint of imminent danger situations and a system of penalties for violations of standards are also included in the draft legislation. Included in the Plan is a statement of the Governor's support for the proposed legislation and a statement of legal opinion that it will meet the requirements of the Occupational Safety and Health Act of 1970.

Set forth in the proposed Plan is a timetable providing for the future drafting of various administrative rules, regulations and procedures. The Plan contains a provision for coverage of personnel under the existing merit system. Also included are assurances for the protection of trade secrets and a provision to protect employees against discharge and discrimination in terms and conditions of employment.

2. *Location of Plan for inspection and copying.* A copy of the Plan may be inspected and copied during normal business hours at the following locations: Office of Federal and State Operations, Occupational Safety and Health Administration, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210; Regional Administrator, Occupational Safety and Health Administration, U.S. Department of Labor, Suite 410, Penn Square Building, 1317 Filbert Street, Philadelphia, PA 19107; Department of Labor, Division of Industrial Affairs, Wilmington, Del. 19805.

3. *Public participation.* Interested persons are hereby given until February 17, 1973, in which to submit to the Assistant Secretary written data, views, and arguments concerning the Plan. The submissions are to be addressed to the Director, Office of Federal and State Operations, Room 305, Railway Labor Building, 400 First Street NW., Washington, DC 20210. The written comments will be available for public inspection and copying at the above address.

Any interested person(s) may request an informal hearing concerning the proposed Plan, or any part thereof, whenever particularized written objections thereto are filed by February 17, 1973. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved.

The Assistant Secretary 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.

Signed at Washington, D.C. this 10th day of January 1973.

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

[FR Doc.73-876 Filed 1-15-73;8:45 am]

# INTERSTATE COMMERCE COMMISSION

[Notice 156]

## ASSIGNMENT OF HEARINGS

JANUARY 11, 1973.

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. No amendments will be entertained after the date of this publication.

MC 35628 Sub 334, Interstate Motor Freight System, now assigned February 7, 1973, at Kansas City, Mo., is canceled and application dismissed.

MC 115841 Sub 438, Colonial Refrigerated Transportation, Inc., now assigned February 26, 1973, at Washington, D.C. is postponed indefinitely.

MC 134922 Sub 28, B. J. McAdams, Inc., Extension—Twenty-Four States, now being assigned February 26, 1973, at San Francisco, Calif., in a hearing room to be later designated.

MC 134068 Sub 13, Kodiak Refrigerated Lines, Inc., now being assigned February 28, 1973, at San Francisco, Calif., in a hearing room to be later designated.

MC 134884 Sub 4, Farwest Furniture Transport, Inc., now being assigned March 12, 1973, at Seattle, Wash., in a hearing room to be later designated.

MC 115162 Sub 212, Poole Truck Line, Inc., now assigned January 15, 1973, at Mobile, Ala., is postponed indefinitely.

MC 133316 Sub 7, Frank R. Givigliano doing business as Givigliano Transport, now assigned January 22, 1973, at Denver, Colo., is postponed indefinitely.

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

[FR Doc.73-909 Filed 1-15-73;8:45 am]

[Ex Parte 241; Rule 19, Exemption No. 30, Amdt. 1]

## BESSEMER AND LAKE LINE RAILROAD CO. ET AL.

### Exemption from Mandatory Car Service Rules

Upon further consideration of Exemption No. 30 issued December 20, 1972 (38 FR 92, January 3, 1973).

*It is ordered,* That, under authority vested in me by Car Service Rule 19, Exemption No. 30 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby, amended to expire January 20, 1973.

This amendment shall become effective January 10, 1973.

Issued at Washington, D.C., January 8, 1973.

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

[FR Doc.73-906 Filed 1-15-73;8:45 am]

[Notice 193]

## MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

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

No. MC-FC-73998. By order of December 13, the Motor Carrier Board approved the transfer to Redhage Truck Lines, Inc., St. Louis, Mo., of the operating rights in Certificate No. MC-2442 issued July 7, 1972, to Martin E. Davis, Donald R. Gardner, and Billy G. Gist, a partnership, doing business as Redhage Truck Line, St. Louis, Mo., authorizing the transportation of general commodities, with exceptions, between Richwoods, Mo., and National Stock Yards, Ill., serving all intermediate points and specified off-route points. Arthur Friedman, 1910 Boatmen's Bank Building, St. Louis, MO 63102, attorney for applicants.

No. MC–FC–74034. By order entered December 4, 1972, the Motor Carrier Board approved the transfer to Eagle Foods, Inc., doing business as Rutherford's, New Britain, Pa., of the operating rights set forth in Certificate No. MC–75584, issued by the Commission August 31, 1950, to William Earl Rutherford, Doylestown, Pa., authorizing the transportation of general commodities, with the usual exceptions and except livestock, between Doylestown, Pa., and Riegelsville, N.J., over specified routes, serving intermediate points, and the off-route points of Stockton and Milford, N.J., and those within 5 miles of Doylestown, Pa.; between Philadelphia, Pa., and Riegelsville, Pa., serving all intermediate points between Doylestown and Riegelsville, Pa., including Doylestown, and the off-route points within 5 miles of Doylestown, and those in Pennsylvania within 3 miles of U.S. Highway 611 between Doylestown and Riegelsville, Pa. J. Franklin Hartzel, 110 N. Main St., Doylestown, PA 18901, attorney for applicants.

No. MC–FC–74059. By order of December 4, 1972, the Motor Carrier Board approved the transfer to Hygrade Messenger Service, Inc., New York, N.Y., of the operating rights in Certicate No. MC–113968 (Sub-No. 2), issued December 11, 1956, to Grandview Trucking Corp., Brooklyn, N.Y., authorizing the transportation of used upholstered furniture for repair and reupholstering, from points in Connecticut and New Jersey to New York, N.Y., and repaired and reupholstered furniture, from New York, N.Y., to points in Connecticut and New Jersey. Morris Honig, 150 Broadway, New York, NY 10038, attorney for applicants.

No. MC–FC–74076. By order of December 14, 1972 the Motor Carrier Board approved the transfer to Blair Transport, Inc., Blair, Nebr., of the operating rights in Certificate No. MC–2052 issued July 23, 1953, to Harvey V. Simpson and Richard D. Zimmerman, a partnership, doing business as Blair Transfer and Fairway Transfer, Blair, Nebr., authorizing the transportation of general commodities, with exceptions, between Blair, Nebr., and Council Bluffs, Iowa, with service to and from intermediate points and the off-route point of Orum, Nebr.; livestock, and household goods, as defined by the Commission, radially between Blair, Nebr., and Missouri Valley and Sioux City, Iowa; portable grain elevators, tractor disc harrows, and other related farm machinery from Blair, Nebr., to points in North Dakota, South Dakota, Minnesota, Iowa, Missouri, and Kansas; livestock, agricultural commodities, and household goods, as defined by the Commission, radially between Florence, Nebr., and points in Nebraska within 30 miles of Florence, and Iowa and Missouri; and feed, farm machinery and machine parts, from Council Bluffs, Iowa, to points in Nebraska on and within 10 miles of U.S. Highway 73 between Blair, Nebr., and Omaha, Nebr. Arnold J. Stern, 1166 Woodmen Tower, Omaha, NE 68102, attorney for applicants.

No. MC–FC–74080. By order entered December 7, 1972, the Motor Carrier Board approved the transfer to Philadelphia Merchants Delivery Service, Inc., Philadelphia, Pa., of the operating rights set forth in Certificate No. MC–119210, issued March 18, 1960, to Cal Cartage, Inc., Camden, N.J., authorizing the transportation of new furniture, from Philadelphia, Pa., to New York, N.Y., and points in Maryland, Delaware, and New Jersey, restricted against service from, to, or between Philadelphia, Pa., and Bordentown, N.J., or any points of service on the following route between said points, including intermediate points thereon and the off-route points of Merchantville, Maple Shade, Bridgeboro, and Mount Holly, N.J.; from Philadelphia across the Delaware River to Camden, N.J., thence over unnumbered highway via Riverton, Riverside, and Beverly, N.J., to Burlington, N.J., and thence over U.S. Highway 130 to Bordentown. Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102, attorney for applicants.

No. MC–FC–74113. By order of December 14, 1972 the Motor Carrier Board approved the transfer to Mullikin Transfer, Inc., Arcola, Ill., of the operating rights in Certificate No. MC–68283 issued November 17, 1954 to Mason R. Mullikin, doing business as Mullikin Transfer, Arcola, Ill., authorizing the transportation of various commodities from, to, and between specified points and areas in Illinois, Minnesota, Indiana, Iowa, Ohio, Missouri, New York, Pennsylvania, North Carolina, Kentucky, and Michigan. Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701, attorney for applicants.

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

[FR Doc.73-908 Filed 1-15-73;8:45 am]

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[Notice 2]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 10, 1973.

The following are notices of filing of applications[1] for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 1759 (Sub-No. 29 TA), filed December 5, 1972. Applicant: FROEHLICH TRANSPORTATION CO., INC., 31 Victory Street, Stamford, CT 06902. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, CT 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Hauppauge, N.Y., to points in Connecticut, points in New Jersey within 25 miles of Newark, including Newark and Totowa, N.J., points in Bennington and Rutland Counties, Vt., points in Erie County, N.Y., points in Pittsfield, Mass.; and points within 25 miles of Pittsfield, Mass., and *stale, rejected, and returned bakery products on return*, for 150 days. Supporting shipper: Koster Bakeries, Inc., 265 Marcus Boulevard, Hauppauge, NY 11787. Send protests to: David J. Kiernan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 High Street, Room 324, Hartford, CT 06101.

No. MC 1977 (Sub-No. 16 TA), filed December 22, 1972. Applicant: NORTHWEST TRANSPORT SERVICE, INC., 5231 Monroe Street, Denver, CO 80216. Applicant's representative: Leslie R. Kehl, 1600 Lincoln Center, Denver, CO 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, petroleum products in bulk and commodities requiring the use of special equipment), between Salt Lake City, Utah, and Denver, Colo., serving no intermediate points, from Denver north over Interstate Highway 25 to junction Colorado Highway 14, thence west on Colorado Highway 14 to junction U.S. Highway 287, thence north on U.S. Highway 289 to junction Interstate Highway 80, thence west on Interstate Highway 80 to Salt Lake City and return over the same routes; including the right to use highways generally paralleling the specified interstate highways where the designated interstate highways are not completed. From Denver west over Interstate Highway 70 to Green River, Utah, thence north on U.S. Highways 6 and 50 to junction U.S. Highway 89, thence north on U.S. Highway 89 to Provo, Utah, thence north on Interstate Highway 15 to Salt Lake City and return over the same routes; including the right to use highways generally paralleling the specified

[1] Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

interstate highways where the designated interstate highways are not completed, for 180 days. NOTE: Applicant states it does intend to interline at Denver, Colo., and Salt Lake City, Utah. Supporting shippers: Jerry D. McMorris, President, Northwest Transport Service, Inc., Chevron Oil Co., Post Office Box 599, Denver, CO 80201; Will Soder, Manager of Maintenance, Northwest Transport Service, Inc., James H. Anderson, Arthur L. Davis, and Fred Hartle, drivers for Northwest Transport Service, Inc., Denver, Colo. Send protests to: Roger L. Buchanan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC 2860 (Sub-No. 120 TA), filed December 22, 1972. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, NJ 08360. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends, metal, and accessories and material, equipment and supplies* used in connection with manufacture, sale and distribution of containers (except commodities in bulk), from Baltimore, Md., Pennsauken, Paterson, and Hillside, N.J., and Maspeth, N.Y., to the plantsite and warehouse of Anheuser-Busch at or near Williamsburg, Va., for 180 days. Supporting shippers: Continental Can Co., Inc., 633 Third Avenue, New York, NY 10017; American Can Co., American Lane, Greenwich, Conn. 06830. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 50307 (Sub-No. 61 TA), filed December 5, 1972. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 25th Street, New York, NY 10001. Applicant's representative: Arthur Liberstein, 1 World Trade Center, New York, NY 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture thereof, between the New York, N.Y., commercial zone, on the one hand, and, on the other, Edinburg, Va., for 150 days. Supporting shipper: Edinburg Manufacturing Corps., Edinburg, Va. 22824, Attention: Mr. Jerome Rolun. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, Room 1807, New York, NY 10007.

No. MC 59117 (Sub-No. 39 TA), filed December 5, 1972. Applicant: ELLIOTT TRUCK LINE, INC., 101 East Excelsior, Post Office Box 1, Vinita, OK 74301. Applicant's representative: Vincent Elliott, (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa pellets*, from Holdredge, Nebr., to Vinita, Okla., for 180 days. Supporting shipper: Vinita Hay & Grain, Inc., R. L. Kresyman, 202 South Vann Street, Vinita, OK 74301. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 95084 (Sub-No. 91 TA), filed December 19, 1972. Applicant: HOVE TRUCK LINE, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refuse containers and compactors, hoists, and truck bodies and boxes*, from Grundy Center, and Nevada, Iowa, to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Mid Equipment, Inc., Grundy Center, Iowa 50638. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 104675 (Sub-No. 32 TA), filed December 6, 1972. Applicant: FRONTIER DELIVERY, INC., 620 Elk Street, Buffalo, NY 14210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum wax*, in bulk, in tank vehicles, from Congo, W. Va., to points in New York State and points of entrance into Canada. *Returned, rejected and refused shipments of the same commodity* in the reverse direction, for 180 days. Supporting shipper: L. R. Cross, Inc., 525 North Salina Street, Syracuse, NY 13208. Send protests to: George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 612 Federal Building, 111 West Huron Street, Buffalo, NY 14202.

No. MC 109542 (Sub-No. 2 TA), filed December 29, 1972. Applicant: ELLIS TRANSFER & STORAGE, INC., 1953 West Evans Street, Florence, SC 29501. Applicant's representative: M. A. Ellis (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies, including tools*, used in the construction and maintenance of telephone system and communication, between Florence, S.C., and points in the counties of Chesterfield, Clarendon, Darlington, Dillon, Florence, Georgetown, Horry, Lancaster, Lee, Marion, Marlboro, Sumter, and Williamsburg, S.C., for 180 days. Supporting shipper: Western Electric, 6701 Roswell Road NE., Atlanta, GA 30328. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, SC 29201.

No. MC 114097 (Sub-No. 3 TA), filed December 29, 1972. Applicant: NIEDFELDT TRUCKING SERVICE, INC., 821 South Front Street, La Crosse, WI 54601. Applicant's representative: Fred C. Niedfeldt (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers*, sheet iron or sheet, liquid capacity not exceeding 1 gallon from the plantsite of the Continental Can Co., La Crosse, Wis., and the G. Heileman Brewing Co., Inc., Warehouse, La Crosse, Wis., to the G. Heileman Brewing Co., Inc., St. Paul, Minn., for 180 days. Supporting shipper: G. Heileman Brewing Co., Inc., 925 South Third Street, La Crosse, WI 54601. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 202, Madison, WI 53703.

No. MC 118959 (Sub-No. 104 TA), filed December 6, 1972. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, MO 63701. Applicant's representative: Axelrod, Goodman, Steiner & Bazelon, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, plastic and plastic products*, products produced or distributed by manufacturers and convertors of paper and paper products, plastic and plastic products; *materials and supplies* used in the manufacture and distribution of the aforegoing commodities (except commodities which because of size or weight require the use of special equipment and commodities in bulk), between the plantsites and facilities of the Mead Corp., at or near Chillicothe, Ohio; Schooleys, Ohio; Kingsport, Tenn., on the one hand, and, on the other, points in Florida, for 180 days. Supporting shipper: The Mead Corp., Talbott Tower, Dayton, Ohio 45402. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, 210 North 12th Street, Room 1465, St. Louis, MO 63101.

No. MC 120615 (Sub-No. 13 TA), filed December 5, 1972. Applicant: AMERICAN INTERNATIONAL DRIVEAWAY, INC., 2000 West 16th Street, Long Beach, CA 90813. Applicant's representative: E. D. Helmer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes and campers* by driveaway and truckaway service, between points in Collin and Hopkins County, Tex., and Snohomish County, Wash., on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Fleetwood Enterprises, Inc., 3125 Myers Street, Post Office Box 7638, Riverside, CA 92503. Send protests to: John E. Nance, Officer-in-Charge, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles Street, Room 7708, Los Angeles, CA 90012.

No. MC 124373 (Sub-No. 13 TA), filed December 6, 1972. Applicant: NELMAR TRUCKING CO., Route 1 and Duncan Avenue, Jersey City, N.J. 07306. Appli-

cant's representative: Walter B. Blanken (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, in containers, and *beverage preparations*, other than malt, and *equipment, materials, and supplies* used in the manufacture and sale of beverages, between points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, North Carolina, Kentucky, and the District of Columbia, under contract with Coca Cola Bottling Company of New York, Inc., for 180 days. Supporting shipper: Coca Cola Bottling Company of New York, Inc., 425 East 34th Street, New York, NY 10016. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 126276 (Sub-No. 71 TA), filed December 6, 1972. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, IL 60463. Applicant's representative: James C. Hardman, 127 North Dearborn Street, Suite 1133, Chicago, IL 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and container ends*, from Paterson, N.J., to Cincinnati, Ohio, under contract to Continental Can Co., Inc., for 180 days. Supporting shipper: Thomas J. Raill, Assistant Eastern Regional Traffic Manager, Continental Can Co., Inc., 633 Third Avenue, New York, NY 10017. Send protests to: Robert G. Anderson, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 127170 (Sub-No. 11 TA), filed December 5, 1972. Applicant: CENTRAL STATES TRUCKING, INC., Box 26, 1201 Main Street, Donnellson, IA 52625. Applicant's representative: Myrl D. Crowe (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural insecticides, fungicides, and herbicides*, in packages, from points in Kansas, Colorado, South Dakota, North Dakota, Minnesota, and Nebraska to Fort Dodge and Council Bluffs, Iowa, and Grand Island, Nebr. for 180 days. Supporting shipper: Chevron Chemical Co., Post Office Box 282, Ortho Way, Fort Madison, IA 52627. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 128404 (Sub-No. 7 TA), filed December 27, 1972. Applicant: BLACKWOOD CRANE & TRUCK SERVICE, INC., Post Office Box 3037, Knoxville, TN 37917. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Lenoir City, Tenn., to points in Georgia, North Carolina, South Carolina, and Virginia, for 180 days. Supporting shipper: Sheffield Southern Steel Products, Inc., Route 3, Box 5, Bussell Ferry Road, Lenoir City, Tenn. 37771. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 128772 (Sub-No. 8 TA), filed December 27, 1972. Applicant: STAR BULK TRANSPORT, INC., 827 North Front Street, New Ulm, MN 56073. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Rochester, Minn., to East Point, Ga., Woodlawn, Springdale, Solon, and Port Columbus, Ohio; Livonia and Grand Rapids, Mich.; Fort Wayne and Indianapolis, Ind., Louisville, Ky., Nashville, Tenn., East Peoria, Ill., Hazelwood, Mo., and Pittsburgh, Pa., restricted to traffic destined to warehouses and storage facilities owned, leased, or utilized by Kroger Co. at said destinations and the Allegheny Cold Storage Co. at Pittsburgh, Pa., for 180 days. Supporting shipper: Pace Dairy Foods Co., Rochester, Minn. Send protests to: District Supervisor A. N. Spath, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 129149 (Sub-No. 9 TA), filed December 26, 1972. Applicant: ELLIS HAINES, doing business as HAINES TRUCK LINES, 995 Washington Street, Bushnell, IL 61422. Applicant's representative: Robert T. Lawley, 4 West Old State Capitol Plaza, Springfield, IL 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed*, prepared, in bags, for the account of Lauhoff Grain Co., from Bushnell, Ill., to points in Arkansas, Iowa, Kansas, Missouri, Nebraska, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Gerald E. Stitt, Vice President-Traffic, Lauhoff Grain Co., Danville, Ill. 61832. Send protests to: District Supervisor Shullaw, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 133937 (Sub-No. 13 TA), filed December 29, 1972. Applicant: CAROLINA CARTAGE COMPANY, INC., 424 Airport Road 29607, Post Office Box 1075, Greenville, SC 29602. Applicant's representative: James A. Lanier (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), having a prior or subsequent movement by air, between airports located at or near Charlotte, N.C., and Atlanta, Ga., for 180 days. Supporting shippers: Shulman Air Freight, Inc., Post Office Box 20873, Atlanta, GA 30320; Overseas National Airlines, Atlanta Airport, Atlanta, Ga. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1200 Main Street, 300 Columbia Building, Columbia, SC 29201.

No. MC 135032 (Sub-No. 3 TA), filed December 7, 1972. Applicant: HIAWATHA PRODUCE COMPANY, 3850 Fourth Street, Winona, MN 55987. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Alexandria and Browerville, Minn., and Spencer, Eau Claire, and Reedsburg, Wis., to points in Illinois (except Chicago and its commercial zone) and to St. Louis, Mo., and points in its commercial zone, for 150 days. Supporting shipper: Land O'Lakes, Inc., Minneapolis, Minn. Send protests to: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, MN 55401.

MOTOR CARRIERS OF PASSENGERS

No. MC 111346 (Sub-No. 4 TA), filed December 27, 1972. Applicant: WADE BUS LINES, INC., 716 West Second Street, Ogallala, NE 69153. Applicant's representative: Patrick E. Quinn, Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, and their baggage* in the same vehicle with passengers, in charter or special party operations in Nebraska, Iowa, and South Dakota to and from Phoenix, Scottsdale, and Arizona City, Ariz., and return, restricted to passengers and their baggage traveling in charter or special party service to and from Phoenix, Scottsdale, and Arizona City, Ariz., as guests of Arizona City Development Corp., for 180 days. Supporting shipper: Daniel E. Towers, Arizona City Development Corp., Suite 900, 3550 North Central Avenue, Phoenix, AZ 85012. Send protests to: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building, and Courthouse, Lincoln, Nebr. 68508.

By the Commission.

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

[FR Doc.73-907 Filed 1-15-73;8:45 am]

# ENVIRONMENTAL PROTECTION AGENCY

[Dockets No. 63 etc.]

## CANCELLATION OF REGISTRATION OF PESTICIDE DDT

### Notice of Cancellation of Public Hearing

Notice is hereby given that the public hearing scheduled for January 16, 1973

(37 FR 28548), in Seattle, Wash., with respect to the cancellation of the registration of Crop King Co., Yakima, Wash., of a pesticide containing DDT pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.), as amended by the Federal Environmental Pesticide Control Act of 1972 (Public Law 97-516; 86 Stat. 973), is canceled as the parties indicated that no evidence was to be adduced at such hearing.

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of the proceedings on file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, Waterside Mall, 401 M Street SW., Washington, DC 20460.

WILLIAM D. RUCKELSHAUS,
*Administrator.*

JANUARY 15, 1973.

[FR Doc.73-1075 Filed 1-15-73;11:15 am]

## WATER POLLUTION PREVENTION AND CONTROL

### List of Categories of Sources

Section 306(b)(1)(A) of the Federal Water Pollution Control Act, as amended October 18, 1972 (Public Law 92-500), directs the Administrator of the Environmental Protection Agency to publish no later than January 16, 1973, and from time to time revise a list of categories of sources which shall, at the minimum, include those listed in section 306(b)(1)(A). As soon as practicable, but in no case more than 1 year after the inclusion of a category of sources in such list, the Administrator is required to propose and publish regulations establishing Federal standards of performance for new sources within such categories.

The Administrator, after evaluating available information has determined that the categories of sources set forth below meet the above requirement. Evaluation of other source categories will be conducted, and the list will be revised from time to time as the Administrator deems appropriate. Accordingly, pursuant to section 306(b)(1)(A) of the Act, notice is given that the Administrator establishes a list of categories of sources as follows:

LIST OF CATEGORIES OF SOURCES

1. Pulp and paper mills.
2. Paperboard, builders paper and board mills.
3. Meat product and rendering processing.
4. Dairy product processing.
5. Grain mills.
6. Canned and preserved fruits and vegetable processing.
7. Canned and preserved seafood processing.
8. Sugar processing.
9. Textile mills.
10. Cement manufacturing.
11. Feedlots.
12. Electroplating.
13. Organic chemicals manufacturing.
14. Inorganic chemicals manufacturing.
15. Plastic and synthetic materials manufacturing.
16. Soap and detergent manufacturing.
17. Fertilizer manufacturing.
18. Petroleum refining.
19. Iron and Steel manufacturing.
20. Nonferrous metals manufacturing.
21. Phosphate manufacturing.
22. Steam electric powerplants.
23. Ferroalloy manufacturing.
24. Leather tanning and finishing.
25. Glass and asbestos manufacturing.
26. Rubber processing.
27. Timber products processing.

Dated: January 15, 1973.

WILLIAM D. RUCKELSHAUS,
*Administrator.*

[FR Doc.73-1074 Filed 1-15-73;11:15 am]

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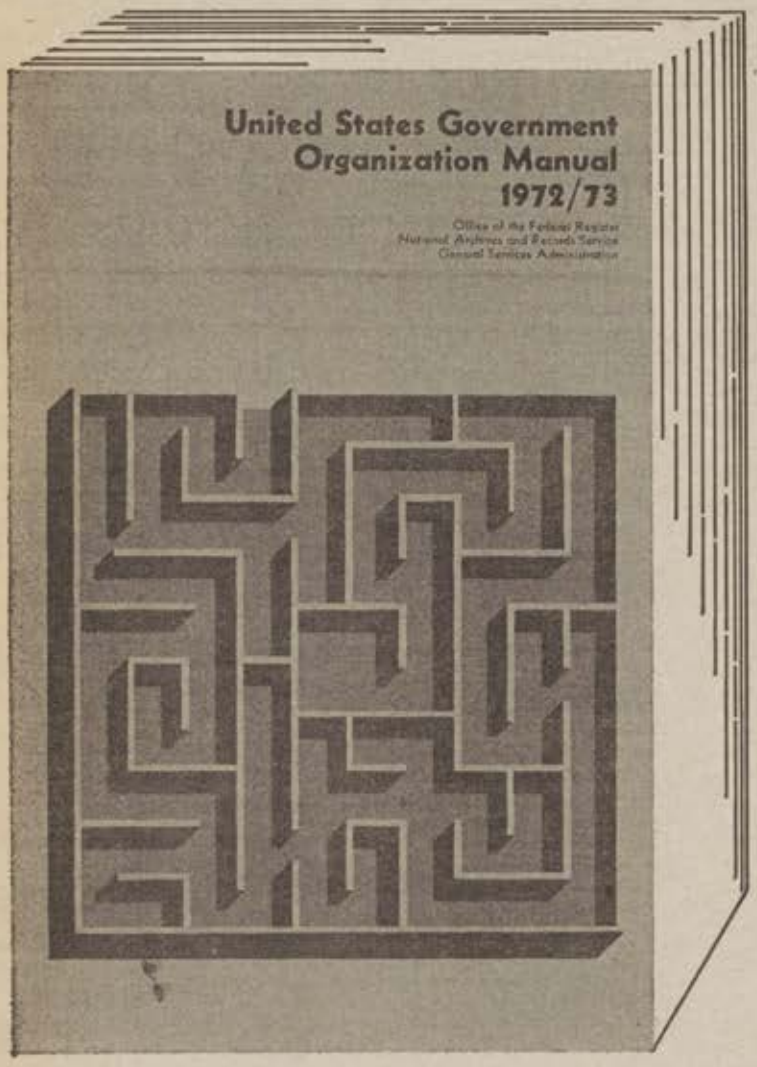


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