GOVERNMENT INFORMATION GPO

federal register

MONDAY, AUGUST 27, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 165

Pages 22877–22947

PART I

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.

(Continued inside)

PART II:

August 27, 1973—Pages 22877–22947

REMINDERS

NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

federal register

Area Code 202 Phone 523-5240

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, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by the Executive Branch of the Federal Government. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest.

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

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Contents

(Continued on next page)

List of CFR Parts Affected

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

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.

3 CFR
4237 ---- 22883

7 CFR
301 ---- 22885
931 ---- 22885
946 ---- 22885
989 ---- 22886
993 (2 documents) ---- 22886, 22887
1446 ---- 22887
PROPOSED RULES:
52 ---- 22897
930 ---- 22897

14 CFR
71 (4 documents) ---- 22888
PROPOSED RULES:
71 (3 documents) ---- 22900, 22901

18 CFR
PROPOSED RULES:
2 ---- 22898
154 ---- 22898

21 CFR
27 ---- 22889
121 (5 documents) ---- 22889, 22890

24 CFR
203 ---- 22891
207 ---- 22891
213 ---- 22891
220 ---- 22891
221 ---- 22891
232 ---- 22892
234 ---- 22892
235 ---- 22892
236 ---- 22892
241 ---- 22892
242 ---- 22892
1000 ---- 22892
1100 ---- 22892
1914 ---- 22893

28 CFR
0 ---- 22893

38 CFR
PROPOSED RULES:
1 ---- 22904
17 ---- 22904

40 CFR
122 ---- 22893
180 (2 documents) ---- 22893, 22894
PROPOSED RULES:
180 ---- 22897

41 CFR
6-1 ---- 22894
6-6 ---- 22894
6-7 ---- 22895

43 CFR
PROPOSED RULES:
3860 ---- 22897
9180 ---- 22897

49 CFR
PROPOSED RULES:
173 ---- 22901
177 ---- 22901
571 ---- 22904

50 CFR
20 ---- 22896
32 ---- 22896

Presidential Documents

Title 3—The President

PROCLAMATION 4237

Citizenship Day and Constitution Week

By the President of the United States of America

A Proclamation

For nearly two centuries, generations of Americans have cherished the blessing of self-government under the Constitution of the United States—that great charter which William Gladstone called "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Borrowing what seemed best from other representative democracies and devising other elements out of their own genius, the framers of our Constitution erected the balanced and durable system that has weathered so many national crises so well over the decades since. The wise principles they built on—including a federal union of States, a bill of individual rights, and a division of powers among three coequal and independent branches of government—remain as vital today as they were in 1787 for the vigorous pursuit of public purposes and the restraint of arbitrary rule.

Experience has also taught us that constitutional government and democratic citizenship must go hand in hand, for only an informed and active citizenry can breathe life into the institutions of government. It is fitting, then, that the Congress by joint resolutions of February 29, 1952, and August 2, 1956, has ordained that we honor the two together each September, by observing the anniversary of the signing of the Constitution as Citizenship Day and the week following that day as Constitution Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, call upon appropriate Government officials to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1973. I urge Federal, State, and local officials, as well as leaders of civic, educational and religious organizations to conduct appropriate ceremonies and programs on that day.

I also designate as Constitution Week the period beginning September 17 and ending September 23, 1973. I urge all Americans to observe

the week with such commemorative and educational activities as may foster a better understanding of, and deeper reverence for, the Constitution of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.

Richard Nixon

[FR Doc.73-18244 Filed 8-24-73;10:15 am]

Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Imported Fire Ant

Correction

In FR Doc. 73-16573, appearing at page 21639 for the issue for Friday, August 10, 1973, make the following corrections:

1. In the first column on page 21640 under "Georgia", in the second line of the entry for Jasper County, "George Militia District", should read "Georgia Militia District".

2. The entry which now reads "Jackson County", should read "Johnson County".

3. The effective date which appears in the second paragraph from the bottom of the first column on page 21641, which now reads "August 9, 1973", should read "August 10, 1973".

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Bartlett Pear Reg. 8, Amdt. 1]

PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON

Limitation of Shipments

This amendment extends during the period September 3, 1973, through August 31, 1974, the requirements that pears in several commonly used containers grade U.S. No. 1 and be 180 size, although U.S. No. 2 grade pears may be handled if at least 150 size. Bartlett pears in the western lug shall grade at least U.S. No. 2, and have a minimum size of 2¼ inches. Pears in 14 to 15 pound, net weight, containers shall grade at least U.S. No. 2 and have a minimum size of 2⅛ inches.

On August 7, 1973, notice of proposed rule-making was published in the FEDERAL REGISTER (38 FR 21271) regarding a proposed amendment of Bartlett Pear Regulation 8 which was issued pursuant to the marketing agreement and Order No. 931 (7 CFR, Part 931) regulating the handling of fresh Bartlett Pears grown in Oregon and Washington. This notice allowed interested persons until August 16, 1973, to submit written data, views, or arguments pertaining to this proposed amendment. None were submitted. The proposed amendment was recommended by the Northwest Fresh Bartlett Pear Marketing Committee established pursuant to the said marketing agreement and Order. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It is hereby found that the amendment, as hereinafter set forth, would tend to effectuate the declared policy of the Act.

This action reflects the Department's appraisal of the need for continued regulation on and after September 3, 1973, based on current and prospective market conditions. The Washington-Oregon Bartlett Pear crop is estimated at 191,000 tons, compared with last season's production of 150,000. Total fresh shipments are expected to total 54,112 tons. Last season's fresh shipments totalled 53,600 tons. This amendment to Bartlett Pear Regulation 8 is designed to prevent the handling on and after September 3, 1973, of lower quality and smaller size Bartlett pears and provide orderly marketing of an adequate supply of acceptable quality Bartlett pears in the interest of producers and consumers, consistent with objectives of the act.

It is hereby further found that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of such pears are expected to continue on and after September 3, 1973, when Bartlett Pear Regulation 8 would terminate without amendment and Bartlett Pear Regulation 8 should be applicable to all such shipments in order to effectuate the declared policy of the act; (2) notice of proposed rule making concerning this amendment to Bartlett Pear Regulation 8, with an effective date as hereinafter specified, was published in the FEDERAL REGISTER (38 FR 21271), and no objection to either this amendment or such effective date was received; and (3) compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 931.308 **Bartlett Pear Regulation 8.**

(a) *Order.* During the period August 1, 1973, through August 31, 1974, no handler shall handle any lot of Bartlett pears unless such pears meet the following applicable requirements, or are handled in accordance with paragraphs (a) (4) or (5) of this section:

* * * * *

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

Dated: August 22, 1973.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.73-18101 Filed 8-24-73;8:45 am]

PART 946—IRISH POTATOES GROWN IN WASHINGTON

Expenses and Rate of Assessment

This document authorizes the State of Washington Potato Committee to spend not more than $10,050 for its operations during the fiscal period ending June 30, 1974, and to collect one-tenth cent per hundredweight on assessable potatoes handled by first handlers under the program.

The committee is the administrative agency established under Marketing Agreement No. 113 and Order No. 946, both as amended, regulating the handling of Irish potatoes grown in Washington. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Notice was published in the August 10 FEDERAL REGISTER (38 FR 21648) regarding the proposals. It afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than August 19, 1973. None was filed.

After consideration of all relevant matters, including the proposals set forth in the notice, it is hereby found and determined that the following budget and rate of assessment should be issued:

§ 946.226 **Expenses and rate of assessment.**

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending June 30, 1974, by the State of Washington Potato Committee for its maintenance and functioning and for such other purposes as the Secretary may determine to be appropriate will amount to $10,050.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be one-tenth cent ($0.001) per hundredweight, or equivalent quantity, of potatoes handled by him as the first handler thereof during the fiscal period, except potatoes for canning,

freezing, and "other processing" as defined in the act shall be exempt.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) the relevant provisions of this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began July 1, 1973, and the rate of assessment herein will automatically apply to all assessable potatoes beginning with such date.

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

Dated: August 22, 1973.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.73–18102 Filed 8–24–73;8:45 am]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Change in List of Varietal Types

Notice was published in the August 3, 1973, issue of the FEDERAL REGISTER (38 FR 20898), regarding a proposal, pursuant to the marketing agreement, as amended, and Order No. 989, as amended (7 CFR, Part 989), hereinafter referred to collectively as the "order", regulating the handling of raisins produced from grapes grown in California, to change the list of varietal types of raisins set forth in § 989.10 of the order by deleting "Alicante Bouschet", "Cardinal", "Carignane", "Italia", "Malaga", and "Zinfandel" from the list. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The changed list of varietal types would be set forth as a new § 989.110 in the Subpart—Administrative Rules and Regulations (7 CFR 989.101–989.176, 38 FR 10074, 13012, 14959, 20236).

The notice afforded interested persons an opportunity to submit written data, views, or arguments on the proposal. None were received.

Section 989.10 defines "varietal type" to mean raisins generally recognized as possessing characteristics differing from other raisins in a degree sufficient to make necessary or desirable separate identification and classification. In addition to listing the varietal types, that section also provides that the Raisin Administrative Committee may from time to time, subject to the approval of the Secretary, change this list of varietal types.

Cardinal, Italia, and Malaga grapes are primarily marketed fresh as table grapes and only limited quantities are made into raisins. It is not necessary to have separate identifications and classifications for raisins produced from these varieties of grapes because the raisins possess characteristics which are similar to Muscat (natural (sun-dried) Muscat or Layer Muscat) or Valencia (bleached Muscat) raisins. "Natural (sun-dried) Muscat", "Layer Muscat" and "Valencia" raisins are listed as varietal types in § 989.10. Hence, the Committee unanimously recommended that the list of varietal types of raisins be changed to delete "Cardinal", "Italia", and "Malaga" from the list and that raisins produced from these varieties of grapes be considered to be the applicable Muscat or Valencia raisins for purposes of regulation under the order.

Alicante Bouschet, Carignane, and Zinfandel grapes are wine variety grapes. There have been only insignificant quantities of these grapes dried to raisins since they were included in the order as varietal types of raisins (in 1960). It is not likely that production of raisins from these grape varieties will be in quantities expected to be of any commercial significance which would warrant separate identification and classification. Therefore, these three varietal types are being deleted from the list of varietal types of raisins in § 989.10.

After consideration of relevant matter presented, including that in the notice, the information and recommendation of the Committee, and other available information, the amendment of Subpart—Administrative Rules and Regulations (7 CFR 989.101–989.176, 38 FR 10074, 13012, 14959, 20236) as hereinafter set forth is approved.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) and for making this action effective September 1, 1973, in that: (1) Handlers are aware that this action has been proposed and require no additional time beyond September 1, 1973, to comply; (2) the 1973–74 crop year begins September 1, 1973, and the changed list of varietal types should be effective with the beginning of the crop year; and (3) no useful purpose would be served by postponing the effective time of this action.

Therefore, Subpart—Administrative Rules and Regulations (7 CFR 989.101–989.176, 38 FR 10074, 13012, 14959, 20236) is amended by adding a new § 989.110 reading as follows:

§ 989.110 Changed list of varietal types.

Pursuant to § 989.10, the list of varietal types of raisins contained in that section is changed to read: Natural (sun-dried) Thompson Seedless, natural (sun-dried) Muscat, natural (sun-dried) or artificially dehydrated Sultana, natural (sun-dried) or artificially dehydrated Zante Currant, Layer Muscat, Golden Seedless, Sulfur Bleached, Soda Dipped Valencia and Monukka.

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

Dated August 22, 1973, to become effective September 1, 1973.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division.

[FR Doc.73–18103 Filed 8–24–73;8:45 am]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Non-French Prunes

Notice was published in the August 3, 1973, issue of the FEDERAL REGISTER (38 FR 20899) of a proposal to modify the definition of "non-French prunes" set forth in § 993.6 by adding "Moyer" to that definition. The definition, as so modified, would be set forth as a new § 993.109 in Subpart—Administrative Rules and Regulations (7 CFR 993.101–993.174).

The proposal was unanimously recommended by the Prune Administrative Committee pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order, hereinafter referred to as the "order", are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments on the proposal. None were received.

Section 993.6 of the order defines the term non-French prunes to mean prunes produced from varieties of plums listed in that definition. Section 993.6 also provides that this definition may be modified by the Committee with the approval of the Secretary.

Section 993.7 of the order defines "French prunes" to mean: (a) Prunes produced from plums of the following varieties of plums: French (Prune d'Agen, Petite Prune d'Agen), Coates (Cox, Double X, Saratoga); and (b) any other prunes which possess taste, flesh texture, and other characteristics similar to those of the prunes named in that section. Thus, any prunes which do not possess characteristics similar to French prunes would be considered non-French prunes.

Because prunes made from Moyer variety of plums do not possess characteristics similar to French prunes, the Committee recommended that "Moyer" be included in the definition of non-French prunes.

Under the order, certain regulations are applied to non-French prunes and French prunes, or by variety (i.e., French, Imperial, Sugar, Robe de Sargent, etc.). Minimum size requirements for non-French prunes are prescribed in § 993.50 (c), and for French prunes in § 993.50 (d). Whenever reserve control regulations are effective for a crop year, handlers' reserve obligations are based on their receipts of prunes from producers and dehydrators by variety, grade, and size categories.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation of the Committee, and other available information, amendment of Subpart—Administrative Rules and Regulations (7 CFR 993.101—993.174) by adding a new § 993.109, as hereinafter set forth, is approved.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) and for making the effective time August 27, 1973, in that: (1) Handlers are aware that this action has been recommended by the Committee and need no additional time beyond August 27, 1973, to comply; (2) the 1973–74 crop year began August 1, 1973, and handlers will begin receiving prunes from 1973 production in volume in September, and therefore, in order to apply regulations to all non-French prunes uniformly and consistently, this change should become effective prior to such receipt; and (3) no useful purpose would be served by postponing the effective time of this action.

Therefore, Subpart—Administrative Rules and Regulations (7 CFR 993.101–993.174) is amended by adding a new § 993.109 reading as follows:

§ 993.109 Modified definition of non-French prunes.

The definition of non-French prunes set forth in § 993.6 is modified to read as follows: "Non-French Prunes" means prunes commonly known as Imperial, Sugar, Robe de Sargent, Burton, Standard, Jefferson, Fellenberg, Italian, President, Giant, Hungarian (Gross), and Moyer, produced from such varieties of plums.

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

Dated August 21, 1973, to become effective August 27, 1973.

CHARLES R. BRADER,
Acting Deputy Director,
Fruit and Vegetable Division.

[FR Doc.73–18063 Filed 8–24–73;8:45 am]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Salable and Reserve Percentages for the 1973–74 Crop Year

Notice was published in the July 27, 1973, issue of the FEDERAL REGISTER (38 FR 20093) on establishment of salable and reserve percentages for California dried prunes of 100 percent and 0 percent, respectively, for the 1973–74 crop year beginning August 1, 1973.

These percentages were unanimously recommended by the Prune Administrative Committee pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The marketing agreement and order program are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments on the proposal. None were received.

The proposal was based on the Committee's estimate of 1973 California dried prune production of 160,000 tons, natural condition weight, and carryin of 6,000 tons, natural condition weight. This would result in an estimated supply of 166,000 tons.

The Committee also estimated 1973–74 domestic trade demand at 106,800 tons (natural condition weight) and foreign trade demand at 34,000 tons (natural condition weight), leaving a carryout on July 31, 1974, of 25,200 tons. A carryout of 25,000 tons is deemed desirable. Therefore, the Committee recommended that the salable and reserve percentages for the 1973–74 crop year be 100 percent and 0 percent, respectively.

California's 1973 prune production is now estimated at 170,000 tons. However, it is not expected that the additional 10,000 tons will prove burdensome in view of the supplies existing at all trade levels due to the very short 1972 production of California prunes.

After consideration of the Committee's recommendation and supporting information, and other available information, it is found that to establish the salable and reserve percentages as hereinafter set forth will tend to effectuate the declared policy of the act.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of the marketing agreement and this part require that the salable and reserve percentages established for a crop year be applicable to all prunes received by handlers from producers and dehydrators during that crop year; (2) the current crop year began on August 1, 1973, and the percentages herein established will automatically apply to all such prunes beginning with that date; (3) this action places no restrictions on handlers; and (4) no useful purpose would be served by delaying this action.

Therefore, the salable and reserve percentages for prunes for the 1973–74 crop year are established as follows:

§ 993.209 Salable and reserve percentages for prunes for the 1973–74 crop year.

The salable and reserve percentages for the 1973–74 crop year shall be 100 percent and 0 percent, respectively.

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

Dated: August 20, 1973.

CHARLES R. BRADER,
Acting Deputy Director,
Fruit and Vegetable Division.

[FR Doc.73–18064 Filed 8–24–73;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 1]

PART 1446—PEANUTS

Subpart—1973–Crop Peanut Warehouse Storage Loans

The regulations issued by the Commodity Credit Corporation, and published in 38 FR 18453, which set forth specific requirements with respect to warehouse storage loans for the 1973 crop of peanuts are hereby amended to increase the support values for farmers stock peanuts. It is impracticable to follow the notice of proposed rule making procedure with respect to this amendment, because 1973 crop peanuts are being harvested and it is essential that the rates provided in this subpart be put into effect with respect to such peanuts on the earliest possible date.

1. Sections 1446.9 and 1446.10 are amended to read as follows:

§ 1446.9 National average support value.

The National average support value for 1973-crop peanuts is $328.50 per ton.

§ 1446.10 Average support values by type.

The support values by type per average grade ton of 1973-crop peanuts are:

Type	*Dollars per ton*
Virginia	$334.90
Runner	331.90
Southeast Spanish	322.94
Southwest Spanish	319.23
Valencia, in the Southwest area suitable for cleaning or roasting	334.90

The price for all Valencia type peanuts in the Southeast and Virginia-Carolina areas and those in the Southwest area which are not suitable for cleaning and roasting will be in the same as for Spanish type peanuts in the same area.

2. Subparagraph (a)(1) of § 1446.11 is amended to read as follows:

§ 1446.11 Calculation of support values.

* * * * *

(a) *Kernel value per net ton excluding loose shelled kernels.* (1) Price for each percent of sound mature and sound split kernels shall be:

Type	*Dollars per ton*
Virginia	4.671
Runner	4.632
Southeast Spanish	4.632
Southwest Spanish	4.632
Valencia:	
Southwest area—suitable for cleaning and roasting	5.102
Southwest area—not suitable for cleaning and roasting	4.632
Areas other than Southwest	4.632

* * * * *

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

secs. 101, 401, 63 Stat. 1051, as amended; (7 U.S.C. 1441, 1421))

Effective date.—August 27, 1973.

Signed at Washington, D.C. on August 20, 1973.

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

[FR Doc.73-18065 Filed 8-24-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-SW-32]

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

Designation of Transition Area

On July 20, 1973, FR Document No. 73-14876 was published as a final rule in the FEDERAL REGISTER (38 FR 19360). This document designated the Stratford, Tex., 700-foot transition area effective 0901 G.m.t., September 13, 1973.

A review by the National Ocean Survey indicated that the airport coordinates provided for the Stratford Municipal Airport, i.e., latitude 36°21'32" N., longitude 102°02'55" W., needed to be changed to latitude 36°20'45" N., longitude 102°02'50" W. Necessary action is taken hereby to effect this change.

As this correction is considered minor in nature and will not impose an additional burden on person or persons, notice and public procedures are not considered necessary.

(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 August 16, 1973.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.73-18018 Filed 8-24-73;8:45 am]

[Airspace Docket No. 73-SW-37]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation regulations is to designate a 700-foot transition area at Port Isabel, Tex.

On June 27, 1973, a notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 16914) stating the Federal Aviation Administration proposed to designate the Port Isabel, Tex., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking 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., November 8, 1973, as hereinafter set forth.

In § 71.181 (38 FR 435), the following transition area is added:

PORT ISABEL, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Port Isabel, Cameron County Airport (Latitude 26°10'00" N., longitude 97°20'45" W.) and within 2 miles each side of the Brownsville, Tex., VORTAC 006° radial extending from the 5-mile radius area to 10 miles north of the Brownsville VORTAC.

(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 Forth Worth, Tex., on August 16, 1973.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.73-18019 Filed 8-24-73;8:45 am]

[Airspace Docket No. 73-SW-2]

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

Change of Effective Date

On June 19, 1973, FR Doc. 73-12108 was published in the FEDERAL REGISTER (38 FR 15943). This docket amended Part 71 of the Federal Aviation regulations and contained the deletion of the Fort Worth, Tex. (Greater Southwest International Dallas-Fort Worth Field), control zone; designation of the Dallas-Fort Worth, Tex. (Regional Airport), control zone; and alteration of the Dallas, Tex. (Love Field), (NAS Dallas), (Redbird Airport), and (Addison Airport), control zones and was to be effective September 30, 1973, which was concurrent with the opening date of the new Dallas-Fort Worth Regional Airport. Subsequent to publication of the effective date, the opening of the new Dallas-Fort Worth Regional Airport has been delayed until October 28, 1973. This will delay the effective date of the amendments to Part 71 of the Federal Aviation regulations. Action is taken herein to amend the effective date.

Since this amendment will impose no undue burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, FR Doc. No. 73-12108 is amended to change the effective date of Airspace Docket No. 73-SW-2 from 0901 G.m.t., September 30, 1973, to 0901 G.m.t., October 28, 1973.

(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 August 16, 1973.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.73-18020 Filed 8-24-73;8:45 am]

[Airspace Docket No. 72-CE-28]

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

Alteration of Control Zone and Transition Area

On Page 3525 of the FEDERAL REGISTER dated February 7, 1973, the Federal Aviation Administration published a notice of proposed rulemaking which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation regulations so as to alter the control zone and transition area at Emporia, Kansas. The reason for the proposal was to provide airspace protection for aircraft that would use two RNAV public use instrument approach procedures being established at the Emporia, Kansas, Municipal Airport.

Interested persons were given 30 days to submit written comments, suggestions and objections regarding the proposed amendments. Two comments were received. The Air Transport Association concurred with the proposal. The Department of the Air Force objected to the proposal in that the proposed RNAV instrument approach procedure from the south conflicted with a Military High Speed Low Level Route. Subsequent to the issuance of the proposal the agency has re-evaluated the situation and determined that the establishment of only one RNAV instrument approach procedure at the Emporia Municipal Airport is appropriate rather than the two as originally proposed. That procedure being deleted is the one that would have conflicted with military operations. Accordingly, a final rule is being issued to alter the Emporia, Kansas, control zone and transition area to reflect this change.

Since the alterations will in part reduce the amount of designated airspace in the Emporia, Kansas, terminal area from that originally proposed, no additional burden will be imposed on any person. Consequently, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation regulations is amended effective 0901 G.m.t., November 8, 1973, as hereinafter set forth:

In § 71.171 (38 FR 351), the following control zone is amended to read:

EMPORIA, KANSAS

Within a 5-mile radius of the Emporia, Kansas Municipal Airport (latitude 38°20'00" N., longitude 96°11'15" W.); and 1.5 miles either side of the 010° bearing from the airport extending from the 5-mile radius to 6 miles north.

In § 71.181 (38 FR 435), the following transition area is amended to read:

EMPORIA, KANSAS

That airspace extending upward from 700' above the surface within 2 miles either side of the Emporia VORTAC 134° radial, extending from the 5-mile radius of the airport (latitude 38°20'00" N., longitude 96°11'15" W.); to 8 miles southeast of the VORTAC and 5 miles either side of the 010° bearing from the airport extending from the 5-mile radius to 12.5 miles north, and that airspace

extending upwards from 1,200' above the surface within 5 miles southwest and 8 miles northeast of the Emporia VORTAC 134° radial, extending from the VORTAC to 18.5 miles southeast of the VORTAC.

(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 Kansas City, Missouri, on August 9, 1973.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.73-18021 Filed 8-24-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Canned Apricots, Prunes, Seedless Grapes, Cherries, Berries, Plums and Figs; Confirmation of Effective Date of Order Amending Standards of Identity

In the matter of amending the definitions and standards of identity for canned apricots, canned prunes, canned seedless grapes, canned cherries, canned berries, canned plums, and canned figs (21 CFR 27.10, 27.15, 27.25, 27.30, 27.35, 27.45 and 27.70) to provide for the optional use of packing media prepared from a single fruit juice that is fresh, canned, frozen, or concentrated or a blend of two or more such juices, one of which may be the juice of the fruit being packed or all of which may be juices from different fruits and to provide for slightly sweetened water or an optional packing medium in canned prunes (21 CFR 27.15):

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055–1057 as amended by 70 Stat. 919 and 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of May 31, 1973 (38 FR 14252). Accordingly, the amendments promulgated by that order became effective July 30, 1973.

Dated: August 20, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-18076 Filed 8-24-73;8:45 am]

PART 121—FOOD ADDITIVES

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

SURFACE LUBRICANTS USED IN THE MANUFACTURE OF METALLIC ARTICLES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 2B2778) filed by Shell Chemical Co., 1700 K St. NW., Washington, D.C. 20006, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of an additional synthetic primary alcohol mixture of straight- and branched-chain alcohols for use as a component of surface lubricants used in the manufacture of metallic articles.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2531(a)(2) is amended by alphabetically inserting in the list of substances the following new item:

§ 121.2531 Surface lubricants used in the manufacture of metallic articles.

* * * * *

(a) * * *

(2) * * *

List of Substances	*Limitations*
* * *	* * *
Synthetic primary alcohol mixture of straight- and branched-chain alcohols that contain at least 99 percent primary alcohols consisting of the following: not less than 70 percent normal alcohols; not less than 96.5 percent C_{12}—C_{16} alcohols; and not more than 2.5 percent alpha, omega C_{12}—C_{16} diols. The alcohols are prepared from linear olefins from a purified kerosene fraction, carbon monoxide and hydrogen using a modified oxo process, such that the finished primary alcohol mixture meets the following specifications: Molecular weight, 207±4; hydroxyl number, 266–276.	For use at a level not to exceed 8 percent by weight of the finished lubricant formulation.
* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time on or before September 26, 1973, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–86, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on August 27, 1973.

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

Dated: August 20, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-18079 Filed 8-24-73;8:45 am]

PART 121—FOOD ADDITIVES

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

FILTERS, RESIN-BONDED

Notice was given in the FEDERAL REGISTER of April 4, 1972 (37 FR 6773), that a petition (FAP 2B2773) had been filed by Celanese Fibers Marketing Co., Post Office Box 1414, Charlotte, N.C. 28201, proposing that § 121.2536 (21 CFR 121.2536) be amended to provide for the safe use of polyethylene terephthalate fibers in the manufacture of resin-bonded filters. Notice was also given in the FEDERAL REGISTER of April 12, 1973 (38 FR 9256) that the petition had been amended to propose additionally the safe use of 4-ethyl-4-hexadecyl morpholinium ethyl sulfate as a lubricant employed during the fiber finishing of polyethylene terephthalate.

The Commissioner of Food and Drugs having evaluated the data in the petition, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of polyethylene terephthalate as fibers, and 4-ethyl-4-hexadecyl morpholinium ethyl sulfate as a lubricant employed during the finishing of such fibers, in the manufacture of resin-bonded filters.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2536(d) (1) and (2) are amended by alphabetically adding to the List of Substances and limitations the following new items:

§ 121.2536 Filters, resin-bonded.

* * * * *

(d) * * *

List of substances and limitations

(1) *Fibers:*

* * * * *

Polyethylene terephthalate complying in composition with the provisions of § 121.2524; for use in inline filtration only as provided for in paragraphs (e) and (f) of this section.

* * * * *

(2) *Substances employed in fiber finishing:*

* * * * *

4-ethyl-4-hexadecyl morpholinium ethyl sulfate for use only as a lubricant in the manufacture of polyethylene terephthalate fibers specified in paragraph (d)(1) of this section at a level not to exceed 0.03 percent by weight of the finished fibers.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before September 26, 1973 file with the Hearing Clerk, Food and Drug Administration, Department of Health, Education, and Welfare, Rm. 6-86, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on August 27, 1973.

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

Dated: August 20, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc. 73-18077 Filed 8-24-73;8:45 am]

PART 121—FOOD ADDITIVES

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

FILTERS, RESIN-BONDED

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 3B2819) filed by American Cyanamid Co., Wayne, N.J. 07470, and other relevant material, concludes that the food additive regulations (21 CFR Part 121) should be amended to provide for the safe use of melamine-formaldehyde chemically modified with methyl alcohol as a component of resin-bonded filters in food-contact use.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner (21 CFR 2.120), § 121.2536(d)(3) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2536 **Filters, resin-bonded.**

* * * * *

(d) * * *

(3) *Resins:*

* * * * *

Melamine-formaldehyde chemically modified with methyl alcohol.	

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before September 26, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on August 27, 1973.

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

Dated: August 20, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-18078 Filed 8-24-73;8:45 am]

PART 121—FOOD ADDITIVES

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

LUBRICANTS WITH INCIDENTAL FOOD CONTACT

Notice was given in the FEDERAL REGISTER of August 3, 1971 (36 FR 14279), that a petition (FAP 2B2707) was filed by Standard Oil Company of California, 225 Bush St., San Francisco, Calif. 94120, proposing that § 121.2553 *Lubricants with incidental food contact* (21 CFR 121.2553) be amended to provide for the safe use of magnesium ricinoleate, sodium metaborate, and polyurea (produced by reacting tolylene diisocyanate and amines) as components of lubricants with incidental food contact.

Subsequently, the petitioner amended the petition by withdrawing the requests for use of the compounds magnesium ricinoleate and sodium metaborate.

Having considered the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the food additive regulations (21 CFR Part 121) should be amended to provide for the safe use of polyurea, as set forth below, as a component of lubricants with incidental food contact.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2553(a)(3) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2553 **Lubricants with incidental food contact.**

* * * * *

(a) * * *

(3) * * *

Substances	*Limitations*
* * *	* * *
Polyurea, having a nitrogen content of 9-14 percent based on the dry polyurea weight, produced by reacting tolylene diisocyanate with tall oil fatty acid (C_{18} and C_{18}) amine and ethylene diamine in a 2:2:1 molar ratio.	For use only as an adjuvant in mineral oil lubricants at a level not to exceed 10 percent by weight of the mineral oil.
* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time on or before September 26, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on August 27, 1973.

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

Dated: August 20, 1973.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.73-18075 Filed 8-24-73;8:45 am]

PART 121—FOOD ADDITIVES

2,4-Dinitro-6-Octylphenyl Crotonate and 2,6-Dinitro-4-Octylphenyl Crotonate

A petition (FAP 3H5019) was filed by Rohm and Haas Co., Independence Mall West, Philadelphia, PA 19105, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348), proposing establishment of a food addi-

tive tolerance (21 CFR Part 121) of 0.3 part per million for residues of the fungicide and insecticide that is a mixture of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate in apple pomace resulting from application of the fungicide and insecticide to growing apples.

Subsequently, the petitioner amended the petition by changing the request to read "dried apple pomace" instead of "apple pomace". (For a related document, see this issue of the FEDERAL REGISTER, page 22893.)

The Reorganization Plan No. 3 of 1970, published in the FEDERAL REGISTER of October 6, 1970 (35 FR 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under section 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346, 346a, 348).

Having evaluated the data in the petition and other relevant material, it is concluded that the tolerance should be established.

Therefore pursuant to provisions of the act (sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), Part 121 is amended by adding a new section to Subpart C, as follows:

§ 121.347 2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate.

A tolerance of 0.3 part per million is established for combined residues of the fungicide and insecticide that is a mixture consisting of 2,4-dinitro-6-octylphenyl crotonate and 2,6 - dinitro - 4-octylphenyl crotonate and related nitro-octylphenols (principally dinitro, calculated as the ester) in dried apple pomace when present as a result of application of the fungicide and insecticide to the growing crop apples.

Any person who will be adversely affected by the foregoing order may at any time on or before Sept. 26, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective on Aug. 27, 1973.

(Sec. 409(c)(1), (4), 72 Stat. 1786; (21 U.S.C. 348(c)(1), (4)).)

Dated August 21, 1973.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.73-18144 Filed 8-24-73;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT-FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

[Docket No. R-73-234]

INTEREST RATES

Notice of Increase

The following amendments are being made to this chapter to change the maximum interest rate which may be charged on a mortgage insured by this Department from 7 percent to 7¾ percent. The Secretary has determined that such change is necessary to meet the mortgage market, in accordance with his authority contained in 12 U.S.C. 1709-1, as amended. The Secretary has, therefore, determined that advance notice and public procedure are unnecessary and that said cause exists for making this amendment effective August 10, 1973.

Accordingly, Chapter II is amended as follows:

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

1. In § 203.20 paragraph (a) is revised to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages insured on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b); Interpret or apply Sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

2. In § 203.74 paragraph (a) is revised to read as follows:

§ 203.74 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 7¾ percent per annum with respect to loans insured on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interpret or apply Sec. 203, 52 Stat. 10, as amended; (12 U.S.C. 1709).)

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

In § 207.7 paragraph (a) is revised to read as follows:

§ 207.7 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

1. In § 213.10 paragraph (a) is revised to read as follows:

§ 213.10 Maximum interest rate.

(a) The mortgage or a supplementary loan shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, or the lender and the borrower, which rate shall not exceed 7¾ percent per annum with respect to mortgages or supplementary loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

* * * * *

2. In § 213.511 paragraph (a) is revised to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages insured on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b); Interpret or apply sec. 213, 64 Stat. 54, as amended (12 U.S.C. 1715e))

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

In § 220.576 paragraph (a) is revised to read as follows:

§ 220.576 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 7¾ percent per annum with respect to loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b); Interpret or apply sec. 220, 68 Stat. 596, as amended (12 U.S.C. 1715k))

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

In § 221.518 paragraph (a) is revised to read as follows:

§ 221.518 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases in-

volving insurance upon completion) on or after August 10, 1973. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 17151)

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

In § 232.29 paragraph (a) is revised to read as follows:

§ 232.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

In § 234.29 paragraph (a) is revised to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages insured on or after August 10, 1973.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Section 235.540 is revised to read as follows:

§ 235.540 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages insured on or after August 10, 1973.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies Sec. 235, 82 Stat. 477; (12 U.S.C. 1715z))

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS

Section 236.15 is revised to read as follows:

§ 236.15 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies Sec. 236 52 Stat. 498; (12 U.S.C. 1715z–1))

PART 241—SUPPLEMENTARY FINANCING FOR FHA PROJECT MORTGAGES

Section 241.75 is revised to read as follows:

§ 241.75 Maximum interest rate.

The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 7¾ percent per annum with respect to loans insured on or after August 10, 1973. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies Sec. 241, 82 Stat. 508; (12 U.S.C. 1715z–b))

PART 242—NONPROFIT HOSPITALS

Section 242.33 is revised to read as follows:

§ 242.33 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 242, 82 Stat. 5999; 12 U.S.C. 1715z–7)

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Section 1000.50 is amended to read as follows:

§ 1000.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

(Sec. 1011, formerly Sec. 1010, 79 Stat. 464 (12 U.S.C. 1749jj); renumbered P.L. 89-754; sec. 401(a), 80 Stat. 1271)

PART 1100—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

In § 1100.45 paragraph (a) is amended to read as follows:

§ 1100.45 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 7¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after August 10, 1973.

(Sec. 1104, 80 Stat. 1275; 12 U.S.C. 1749aaa–3)

Effective date.—These amendments are effective as of August 10, 1973.

SHELDON B. LUBAR,
Assistant Secretary-Commissioner for Housing Production and Mortgage Credit.

[FR Doc.73–18068 Filed 8–24–73;8:45 am]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-196]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Michigan	Alpena	Alpena, City of				Aug. 28, 1973, Emergency.
Do.	Genesee	Flint, City of				Do.
Do.	Grand Haven	Ottawa				Do.
Mississippi	Le Flore	Unincorporated areas.				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), (42 U.S.C. 4001-4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: August 20, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-18069 Filed 8-24-73;8:45 am]

Title 28—Judicial Administration

CHAPTER 1—DEPARTMENT OF JUSTICE

[Directive 73-1, Supp. No. 1]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Redelegation of Functions

By virtue of the authority vested in me by the Attorney General in Order 520-73 and Subpart R, Directive 73-1 is hereby supplemented by providing that in addition to Regional Administrators and the Acting Chief Counsel, the authority to sign and issue subpoenas under 21 U.S.C. 875 and 876 is granted to Deputy Regional Administrators in the absence of the Regional Administrators, and Special-Agents-In-Charge of district offices with the concurrence of the Regional Administrator or the Deputy Regional Administrator.

Dated August 21, 1973.

JOHN R. BARTELS, Jr.,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.73-18046 Filed 8-24-73;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

PART 122—REVISION OF WATER QUALITY STANDARDS

Notice of Revocation

Regulations, codified in 40 CFR Part 122, were promulgated on November 25, 1971, by the Administrator of the Environmental Protection Agency establishing procedures required by the Federal Water Pollution Control Act as in effect prior to October 18, 1972, for the revision of water quality standards. Section 303 of the Federal Water Pollution Control Act, as amended by the Federal Water Pollution Control Act Amendments of 1972, establishes new procedures for the revision of water quality standards which supersede the procedures in Part 122. However, section 4(b) of the Amendments, which provides that all regulations under the former law will continue in full force until modified or rescinded in accordance with the new Amendments, requires that these regulations be formally rescinded.

Part 122 established procedures for hearings which were required under the old law. Under the Amendments, no hearings are required in connection with revisions of water quality standards, and the procedures for revision are set forth in considerable detail in the statute. Thus, it is not considered that new procedural regulations are required.

Because of the purely technical nature of this action, the Administrator finds that notice and consideration of public comments would be unnecessary. In order for the Agency to comply with statutory deadlines for approval of water quality standards, it is necessary that these regulations be made effective immediately. Accordingly, part 122 of Chapter 40 of the Code of Federal Regulations is revoked, effective August 27, 1973.

Dated August 20, 1973.

JOHN QUARLES,
Acting Administrator.

[FR Doc.73-18084 Filed 8-24-73;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2,4-Dinitro-6-Octylphenyl Crotonate and 2,6-Dinitro-4-Octylphenyl Crotonate

A. A petition (PP 9F0847) was filed by Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for combined negligible residues of the fungicide and insecticide that is a mixture of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate in or on the raw agricultural commodity groups cucurbits, pome fruits, small fruits, and stone fruits and in or on the raw agricultural commodity strawberries at 0.05 part per million.

Subsequently, the petitioner amended the petition by (1) withdrawing the tolerances requested for negligible residues of the fungicide and insecticide in or on the aforementioned commodity groups and (2) proposing tolerances for negligible residues of the fungicide and insecticide that is a mixture of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate and the related nitrooctylphenols (principally dinitro, calculated as the ester) in or on the raw agricultural commodities apples, pears, apricots, nectarines, peaches, cucumbers, grapes, summer and winter squash, cantaloupe, honeydew melons, muskmelons, pumpkins, watermelons at 0.1 part per million. (For a related document, see this issue of the FEDERAL REGISTER, page 22891.)

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The fungicide and insecticide is useful for the purposes for which the tolerances are being established.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), Part 180 is amended by adding the following new section to Subpart C:

§ 180.341 2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate; tolerances for residues.

Tolerances are established for combined negligible residues of a fungicide and insecticide that is a mixture consisting of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate and related nitrooctylphenols (principally dinitro, calculated as the ester) in or on the raw agricultural commodities apples, apricots, cantaloupes, cucumbers, grapes, honeydew melons, muskmelons, nectarines, peaches, pears, pumpkins, summer squash, watermelons, and winter squash at 0.1 part per million.

B. In the FEDERAL REGISTER of August 30, 1972 (37 FR 17554), interim tolerances were established for residues of the fungicide and insecticide that is a mixture of 2,4-dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate in or on apples, apricots, cucurbits, grapes, peaches, and pears at 0.1 part per million. These interim tolerances were established pending final review and evaluation of the data on the subject pesticide.

§ 180.319 [Amended]

Since the review and evaluation on the subject pesticide have been completed and permanent tolerances are being established by this order on apples, apricots, cucurbits, grapes, peaches, and pears; the listing of interim tolerances for the subject pesticide on these raw agricultural commodities is no longer necessary, and § 180.319 *Interim tolerances* is amended by deleting the item: "2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate, mixture of * * *" from the list of items in the table.

NOTE.—Not all the raw agricultural commodities that constitute the group cucurbits are included in this order. Nevertheless, it is concluded that the item cucurbits be deleted since the petitioner has not proposed the establishment of tolerances on any of the remaining commodities in the group.

Any person who will be adversely affected by the foregoing order may at any time on or before Sept. 26, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective on Aug. 27, 1973.

(Sec. 408(d)(2), 68 Stat. 512; (21 U.S.C. 346a(d)(2)))

Dated August 21, 1973.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.73-18145 Filed 8-24-73;8:45 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Silvex

In response to a petition (PP 3E1339) submitted by Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, N.J. 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of Washington, a notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of July 3, 1973 (38 FR 17511), proposing establishment of a tolerance for residues of the plant regulator silvex (2-(2,4,5-trichlorophenoxy) propionic acid) in or on the raw agricultural commodity pears at 0.05 part per million resulting from postharvest application of the triethanolamine salt of silvex to pear trees. No comments or requests for referral to an advisory committee were received.

It is concluded that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), Part 180 is amended by adding the following new section to Subpart C:

§ 180.340 Silvex; tolerances for residues.

A tolerance of 0.05 part per million is established for residues of the plant regulator silvex (2-(2,4,5-trichlorophenoxy) propionic acid) in or on the raw agricultural commodity pears resulting from postharvest application of the triethanolamine salt of silvex to pear trees.

Any person who will be adversely affected by the foregoing order may at any time on or before September 26, 1973 file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective on August 27, 1973.

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e).)

Dated AUGUST 21, 1973.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.73-18085 Filed 8-24-73;8:45 am]

Title 41—Public Contracts and Property Management

[Departmental Reg. 106.692]

CHAPTER 6—DEPARTMENT OF STATE FOREIGN PURCHASES AND CONTRACT CLAUSES

Miscellaneous Amendments

Parts 6-1, 6-6, and 6-7 of Title 41 of the Code of Federal Regulations are amended and revised to reflect certain organizational changes within the Department and to redesignate contract clauses to conform with Amendment 112 of the Federal Procurement Regulations.

PART 6-1—GENERAL

1. In Subpart 6-1.4, § 6-1.404-2 is amended by revising paragraphs (c)(6) and (c)(7) to read as follows:

§ 6-1.404-2 Designation.

* * * * *

(c) * * *

(6) *Language Services Division.*—The authority to enter into and administer contracts (except grants) for translating, interpreting, and related linguistic and escort services is delegated to the Chief, Assistant Chief, and Staff Assistant.

(7) *Office of Communications.*—The authority to enter into and administer contracts (except grants) for leasing wire service circuits is delegated to the Executive Officer and the Chief, Networks Staff.

* * * * *

PART 6-6—FOREIGN PURCHASES

2. In subpart 6-6.10, § 6-6.1000 is revised to read as follows:

§ 6-6.1000 Scope.

The Examination of records by Comptroller General clause, referred to in § 6-7.103-3 of this chapter, and set forth in § 1-7.103-3 of this title, shall be omitted from negotiated contracts only in accordance with the provisions set forth in this subpart and subpart 1-6.10 of this title.

PART 6-7—CONTRACT CLAUSES

3. In Part 6-7, section headings and text for § 6-7.100 through § 6-7.101-28 are revised to read as follows:

Sec.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended (40 U.S.C. 486(c)); sec. 4, 63 Stat. 111, (22 U.S.C. 2658).

§ 6-7.000 Scope of part.

This part sets forth contract clauses for use in connection with the procurement of personal property and nonpersonal services (excluding construction).

Subpart 6-7.1—Fixed-Price Supply Contracts

§ 6-7.100 Scope of subpart.

This subpart sets forth or refers to contract clauses and clause alterations for use, in addition to those set forth or referred to in subpart 1-7.1 of this title, in fixed-price supply and nonpersonal service contracts entered into and performed outside the United States.

§ 6-7.101 Applicability.

(a) The use of clauses set forth or referred to in §§ 6-7.102 and 6-7.150 is mandatory, in addition to or, where specified in this subpart, in lieu of those set forth or referred to in § 1-7.102 of this title under conditions described; *Provided*, That except as otherwise specified in this subpart, any such clause need not be used if:

(1) Its use is prohibited by or inconsistant with local laws; or

(2) The supplies or services could not be obtained if the clause were included.

(b) Justification for the exclusion of clauses shall be included in the contract file.

§ 6-7.102 Required clauses.

§ 6-7.102-1 Definitions.

The following definition shall be added to those contained in § 1-7.102-1 of this title:

The term "Government" means the Government of the United States of America.

§ 6-7.102-8 Assignment of claims.

A Contracting Officer may in no event authorize a transfer or assignment prohibited by 31 U.S.C. 203 or 41 U.S.C. 15.

The following clause may be used in lieu of the clause set forth in § 1-30.703 of this title, when it is desirable to provide explicitly against an attempted transfer or performance responsibility.

ASSIGNMENT OF CLAIMS AND DELEGATIONS OF RESPONSIBILITY

The Contractor shall not assign, transfer, pledge, nor make other disposition of this contract, or any part thereof, or of any rights, claims, or obligations of the Contractor arising from this contract, nor shall the Contractor transfer or otherwise delegate the performance of any functions hereunder except with the prior written approval of the Contracting Officer.

§ 6-7.102-10 Federal, State, and local taxes.

The following clause is applicable in lieu of the clauses referred to in § 1.7.-102-10 of this title. The Contracting Officer shall obtain and make a part of the contract file detailed information concerning the specific taxes, normally applicable to the transaction, for which there is an exemption.

TAXES, DUTIES, AND CHARGES FOR DOING BUSINESS

(a) As used throughout this clause, the words and terms defined in this paragraph shall have the meanings set forth herein.

(i) The term "country concerned" means any country in which expenditures under this contract are made.

(ii) The words "tax" and "taxes" include fees and charges for doing business that are levied by the government of the country concerned or by political subdivisions thereof.

(iii) The term "contract date" means the date of this contract or, if this is a formally advertised contract, the date set for bid opening; as to additional supplies or services procured by modification to this contract, the term means the date of the modification.

(b) Except as may be otherwise provided in this contract, the contract price includes all taxes and duties in effect and applicable to this contract on the contract date, except taxes and duties (1) from which the Government of the United States, the Contractor, any subcontractor, or the transactions or property covered by this contract are exempt under the laws of the country concerned or political subdivision thereof, or (ii) which the Government of the United States and the government of the country concerned have agreed shall not be applicable to expenditures in such country by or on behalf of the United States.

(c) (1) If the Contractor is required to pay or bear the burden—

(i) of any tax or duty which either was not to be included in the contract price pursuant to the requirements of paragraph (b) hereof, or was specifically excluded from the contract price by a provision of this contract; or

(ii) of an increase in rate of any tax or duty, whether or not such tax or duty was excluded from the contract price; or

(iii) of any interest or penalty on any tax or duty referred to in (i) or (ii) above, the contract price shall be correspondingly increased; provided that the Contractor warrants in writing that no amount of such tax, duty, or increase therein was included in the contract price as a contingency reserve or otherwise; and provided further, that liability for such tax, duty, increase therein, interest or penalty was not incurred through the fault or negligence of the Contractor or his failure to follow instructions of the Contracting Officer or to comply with the provisions of subparagraph (d) (1) below.

(2) If the Contractor is not required to pay or bear the burden, or obtains a refund or drawback, in whole or in part, of any tax, duty, increase therein, interest or penalty which (i) was to be included in the contract price pursuant to the requirements of paragraph (b), (ii) was included in the Contract price, or (iii) was the basis of an increase in the contract price, the contract price shall be correspondingly decreased or the amount of such relief, refund, or drawback shall be paid to the Government of the United States, as directed by the Contracting Officer. The contract price also shall be correspondingly decreased if the Contractor, through his fault or negligence or his failure to follow instructions of the Contracting Officer or to comply with the provisions of subparagraph (d) (1) below, is required to pay or bear the burden, or does not obtain a refund or drawback of any such tax, duty, increase therein, interest or penalty. Interest paid or credited to the Contractor incident to a refund of tax or duties shall inure to the benefit of the Government of the United States to the extent that such interest was earned after the Contractor was paid or reimbursed by the Government of the United States for such taxes or duties.

(3) If the Contractor obtains a reduction in his tax liability under the United States Internal Revenue Code of 1954, as amended (Title 26, U.S. Code), on account of the payment of any tax or duty which either (i) was to be included in the contract price pursuant to the requirement of paragraph (b) of this clause, (ii) was included in the contract price, or (iii) was the basis of an increase in the contract price, the amount of the reduction shall be paid or credited to the Government of the United States as the Contracting Officer directs.

(4) Invoices or vouchers covering any adjustment of the contract price pursuant to this paragraph (c) shall set forth the amount thereof as a separate item and shall identify the particular tax or duty involved.

(5) No adjustment in the contract price or payment or credit to the United States is required pursuant to this paragraph (c) if the total amount thereof for the contract period will be less than one hundred dollars ($100).

(6) Subparagraphs (1) and (2) of this paragraph (c) shall not be applicable to social security taxes; income and franchise taxes, other than those levied on or measured by (i) sales or receipts from sales, or (ii) the Contractor's possession of, interest in, or use of property, title to which is in the Government; excess profits taxes; capital stock taxes; transportation taxes; unemployment compensation taxes; or property taxes, other than such property taxes, allocable to this contract, as are assessed either on completed supplies covered by this contract, or on the Contractor's possession of, interest in, or use of property, title to which is in the Government.

(d) (1) The Contractor shall take all reasonable action to obtain exemption from or refund of any taxes or duties, including interest or penalty, from which the United States Government, the Contractor, any subcontractor, or the transactions or property covered by this contract are exempt under the laws of the country concerned or political subdivisions thereof, or which the

Government of the United States and the government of the country concerned have agreed shall not be applicable to expenditures in such country by or on behalf of the United States.

(2) The Contractor shall promptly notify the Contracting Officer of all matters pertaining to taxes or duties which reasonably may be expected to result in either an increase or decrease in the contract price.

(3) Whenever an increase or decrease in the contract price may be required under this clause, the Contractor shall take action as directed by the Contracting Officer, and the contract price shall be equitably adjusted to cover the cost of such action, including any interest, penalty, and reasonable attorney's fees.

§ 6–7.102–12 Disputes.

The following clause shall be used in lieu of the clause set forth in § 1–7.102–12 of this title:

DISPUTES

(a) Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Contracting Officer shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to Contracting Officer a written appeal addressed to the Secretary. The decision of the Secretary or his duly authorized representative for the determination of such appeals shall be final and conclusive to the extent permitted by United States law. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of his appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

(b) This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph (a) above: *Provided*, That nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

§ 6–7.102.18 Covenant against contingent fees.

The clause set forth in § 1–1.503 of this title shall not be excluded from any contract.

§ 6–7.102.19 Termination for convenience of the Government.

The following clause shall be inserted in lieu of that referred to in § 1–7.102.19 of this title for all contracts for "commercial items" as defined in § 1–3.807–1 (b) (2) (B) of this title:

TERMINATION FOR CONVENIENCE OF THE GOVERNMENT

The Government shall have the right to terminate this contract at any time by giving written notice to the Contractor not less than 10 days prior to the effective date of termination. Should this contract be terminated pursuant to this clause prior to the date it would otherwise expire, the following shall apply:

(a) The Government shall complete all payments which shall then be due;

(b) The Contractor shall deliver to the Government all work in process under this contract requested by the Government;

(c) The Government shall pay to the Contractor any sum which is determined by the Contracting Officer as equitable for any work in process, which sum shall include any costs incurred by the Contractor in terminating any subcontract.

(d) Should the Contractor be unwilling to accept the sum so determined by the Contracting Officer the matter shall be treated as a dispute concerning a question of fact within the meaning of the clause entitled "Disputes" in the General Provisions of this contract.

§ 6–7.103 Clauses to be used when applicable.

§ 6–7.103–3 Examination of Records by Comptroller General.

The clause set forth in § 1–7.103–3 of this title may be excluded from negotiated contracts only in accordance with procedures provided in subpart 1–6.10 of this title and subpart 6–6.10 of Part 6–6 of this chapter.

§ 6–7.104 Additional clauses.

§ 6–7.104–1 Liquidated damages.

The clause set forth in § 1–1.315–3 of this title shall be inserted under the conditions and in the manner prescribed in § 1–1.315 of this title. The clause shall be altered to refer to FS–565 rather than Standard Form 32.

4. In section 6–7.150, § 6–7.150–1 is revised to read as follows:

§ 6–7.150–1 Prohibition against items from certain areas.

PROHIBITION AGAINST ITEMS FROM CERTAIN AREAS

(a) No supplies, however processed, which are or were located in or transported from or through North Vietnam, North Korea, or Cuba may be used in the performance of this contract.

(b) The Contractor agrees to insert the provisions of this clause, including this paragraph (b) in all subcontracts hereunder.

* * * * *

(Sec. 205(c), 63 Stat. 390, as amended (40 U.S.C. 486(c)); sec. 4, 63 Stat. 111, (22 U.S.C. 2658).)

Effective date.—These amendments are effective August 27, 1973.

Dated: July 23, 1973.

[SEAL] CURTIS W. TARR,
Acting Deputy Under Secretary for Management.

[FR Doc.73–18080 Filed 8–24–73;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 20—MIGRATORY BIRD HUNTING

Miscellaneous Amendments

Correction

In FR Doc. 73–16914 appearing at page 22015 in the issue of Wednesday, August 15, 1973, on page 22022, immediately after the third line of § 20.21(e), insert "has been completely shut off and/or the sails furled, and its progress therefrom".

PART 32—HUNTING

Muscatatuck National Wildlife Refuge, Ind.

The following special regulation is issued and is effective on August 27, 1973.

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

INDIANA

MUSCATATUCK NATIONAL WILDLIFE REFUGE

Public hunting of upland game (rabbit and quail only) on the Muscatatuck National Wildlife Refuge, Indiana, is permitted only on the area designated by signs as open to hunting on the southeast corner of the refuge. This area, comprising 1,320 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations concerning the hunting of rabbit and quail.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1974.

AUGUST 20, 1973.

ROBERT E. NAGEL,
Acting Refuge Manager, Muscatatuck National Wildlife Refuge, Seymour, Indiana.

[FR Doc.73–18051 Filed 8–24–73;8:45 am]

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 3860, 9180]

SURVEYS

Mineral Surveyors

The purpose of this amendment is to conform the regulations to existing delegations of authority and procedures relating to the appointment of mineral surveyors and to remove provisions of the regulations which limit surveyors to performing surveys in specified States only.

In §§ 3861.5–1 and 9185.1–3(b) of 43 CFR the references to "State Director" are changed to "Director or his delegate." Current regulations provide that State Directors of the Bureau of Land Management appoint mineral surveyors. In addition, § 3861.5–1 sets forth procedures which limit eligibility of appointed surveyors to the region where they were appointed. This amendment removes that restriction and provides for the maintenance of a list of all eligible mineral surveyors in each State office of the Bureau of Land Managment.

In accordance with the Department's policy on public participation in rulemaking (36 FR 8336), interested parties may submit written comments, suggestions, or objections with respect to the proposed rules to the Director (210), Bureau of Land Management, Washington, D.C. 20240 until September 24, 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.–4:15 p.m.).

Chapter II of Title 43 of the Code of Federal Regulations is amended as follows:

1. Section 3861.5–1 of Subpart 3861 of 43 CFR Part 3860 is revised to read:

§ 3861.5–1 Appointment.

Pursuant to section 2334 of the Revised Statutes (30 U.S.C. 39), the Director or his delegate will appoint only a sufficient number of surveyors for the survey of mining claims to meet the demand for that class of work. Each appointee shall qualify as prescribed by the Director or his delegate. Applications for appointment as a mineral surveyor may be made at any office of the Bureau of Land Management listed in § 1821.2–1 of these regulations. A roster of appointed mineral surveyors will be available at these offices. Each appointee may execute mineral surveys in any State where mineral surveys are authorized.

2. Paragraph (b) of § 9185.1–3 of Subpart 9185 of 43 CFR Part 9180 is revised to read:

§ 9185.1–3 Mining claims.

* * * * *

(b) *Mineral surveyors.*—See §3861.5–1 for the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U.S.C. 39).

August 20, 1973.

JACK O. HORTON,
Assistant Secretary of the Interior.

[FR Doc.73–18087 Filed 8–24–73;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

CANNED GRAPEFRUIT

Proposed United States Standards for Identity

Correction

In FR Doc. 73–16508 appearing at page 21785 of the issue for Monday, August 13, 1973, make the following changes:

1. The second line of § 52.1149(b), reading "canned grapefruit that consist of less", should read "canned grapefruit that consist of not".

2. In Table IV, the entry under "Defects" reading "Albedo and Touch Membrane" should read "Albedo and Tough Membrane"; and the second entry to the right of this, reading "3/ square inch" should read "¾ square inch".

[7 CFR Part 930]

CHERRIES GROWN IN MICHIGAN, NEW YORK, WISCONSIN, PENNSYLVANIA, OHIO, VIRGINIA, WEST VIRGINIA AND MARYLAND

Proposed Revision of Percentages and Release Period

This notice invites written comments relative to a change in the 10-day restricted percentage adjustment and reserve pool release period from September 15–25 to November 1–11. The proposal was submitted by the Cherry Administrative Board, established pursuant to Marketing Order No. 930, regulating the handling of cherries grown in Michigan, New York, Wisconsin, Pennsylvania, Ohio, Virginia, West Virginia and Maryland. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The board, in proposing such amendment, reports that currently the time between the completion of the cherry harvest and when the recommendation must be made to the Secretary for an adjustment or release is insufficient for the compilation and verification of crop data and marketing information.

The proposal is to amend the rules and regulations of the order to establish a new 10-day revision of percentages and release period—November 1–11. Changing this 10-day period is authorized in § 930.53 of the order. This would supersede the currently provided period of September 15–25.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than September 5, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

As proposed a new § 930.110 will read as follows:

§ 930.110 After harvest adjustment and release period.

The 10-day period provided in § 930.53 paragraphs (a) and (b)(1) for the revision of percentages and release of reserve pool cherries shall be November 1–11, of the fiscal period.

Dated: August 21, 1973.

CHARLES R. BRADER,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.73–18067 Filed 8–24–73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 180]

SODIUM CHLORATE

Proposed Exemption From Requirement of a Tolerance

The California Department of Agriculture, 1220 N Street, Sacramento, CA 95814, submitted a petition (PP 2E1286) proposing establishment of an

exemption from the requirement of a tolerance for residues of sodium chlorate in or on the raw agricultural commodity chili peppers.

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The pesticide is useful for the purpose for which the exemption is proposed.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry and § 180.6(a)(3) applies.

3. The proposed exemption will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), it is proposed that § 180.1020 be revised to read as follows:

§ 180.1020 Sodium chlorate; exemption from the requirement of a tolerance.

Sodium chlorate is exempted from the requirement of a tolerance for residues in or on cottonseed and chili peppers when used in accordance with good agricultural practice as a defoliant, desiccant, or fungicide on cotton and as a defoliant on chili peppers.

Any person who has registered or submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before September 26, 1973, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

Interested persons may, on or before September 26, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 3902A, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. All written submissions made pursuant to this proposal will be made available for public inspection at the office of the Hearing Clerk.

Dated: August 21, 1973.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.73-18143 Filed 8-24-73;8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Part 2]

[Docket No. R-474]

UTILIZATION AND CONSERVATION OF NATURAL RESOURCES

Natural Gas; Correction

APRIL 11, 1973.

In the notice of proposed rulemaking and request for comments, issued March 26, 1973 and published in the FEDERAL REGISTER March 28, 1973, 38 FR 8069: In definition #7, Change: FEDERAL REGISTER March 28, 1973, 38 *"Feedstock Gas:* Is defined as gas used for its chemical Properties, of natural gas as a raw material in creating an end product." To read as follows:

§ 2.78 Utilization and conservation of natural resources—natural gas.

* * * * *

(7) *Feedstock Gas:* Is defined as natural gas used as a raw material for its chemical properties in creating an end product.

* * * * *

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18044 Filed 8-24-73;8:45 am]

[18 CFR Parts 2, 154]

[Docket No. R-478]

NATURAL GAS PRODUCED FROM WELLS COMMENCED BEFORE JANUARY 1, 1973

Just and Reasonable Rates; Order Prescribing Further Procedure

AUGUST 17, 1973.

By notice issued May 23, 1973 (38 FR 14295), in the above-entitled proceeding, the Commission proposed to amend Parts 2 and 154, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations by issuing rules fixing the just and reasonable rate for jurisdictional sales by producers of natural gas in the United States (excluding Alaska and Hawaii) from wells commenced prior to January 1, 1973, except for those sales certificated under Order Nos. 428, 431, or 455.

Data collection forms prepared by the Commission's staff were appended to the May 23 notice, and interested parties were given an opportunity to file comments as to the sufficiency of these forms. Comments were filed by the Major Producer Group (consisting of 32 major producers), 20 individual producers, 27 pipeline companies and one gas distributors group. We have reviewed these comments, and as a result, have made some modifications to the original forms. The forms, as modified, are attached to this order.[1]

We shall require that Schedules 1, 2, 3, 4, and 4-A of the data collection forms be filed by all respondents set forth in Appendix A and also by the pipeline respondents in Appendix B of the May 23 notice on or before October 12, 1973, and that Schedule 5 of the data collection forms be filed by these respondents on or before November 9, 1973.[2] The Commission's staff shall reconcile and composite the data from Schedules 1, 2, 3, 4, and 4-A, and on or before November 23, 1973, shall make copies of its composite available to any party hereto.

Further orders shall issue with respect to the procedures for the submission of further evidence in this rulemaking proceeding.

The Commission orders:

Each respondent listed in Appendix A and Appendix B of the notice issued herein on May 23, 1973, is hereby ordered and directed to complete, verify, and file with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, three copies of Schedules 1, 2, 3, 4, and 4-A of the data collection forms attached to this order on or before October 12, 1973, and three copies of Schedule 5 of the data collection forms attached to this order on or before November 9, 1973. The Commission's staff shall reconcile and composite the data submitted by the respondents in Schedules 1, 2, 3, 4, and 4-A and shall make copies of its composite available to any party hereto on or before November 23, 1973.

By the Commission.[3]

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A—PRODUCERS

Seller Code	*Producers—Excess of 10 million Mcf*
016975	Amerada Hess Corporation
017970	American Petrofina Co. of Texas (Code as Amer Petrofina of Texas)
018168	Amoco Production Company
029490	Ashland Oil, Inc. (Code as Ashland Oil Inc)
032020	The Atlantic Richfield Company (Code as Atlantic Richfield Company)
032600	Austral Oil Co., Inc. (Code as Austral Oil Co Inc)
034500	Aztec Oil and Gas Company
050550	Bass Enterprises Production Company (Code as Bass Enterprises Prod Co)
050600	Perry R. Bass (Code as Perry R Bass)
057580	Belco Petroleum Corporation (Code as Belco Petroleum Corp)
063280	Beta Development Company
108600	Cabot Corporation
112125	California Company, a Division of Chevron Oil Company (Code as California Co Div Chevron)
133975	Champlin Petroleum Company
137265	Chevron Oil Co., Western Division (Code as Chevron Oil Co Western Div)
148240	Clinton Oil Company
148350	Coastal States Gas Producing Company (Code as Coastal States Gas Prod Co)
157000	Coltexo Corporation
157240	Columbia Gas Development Corporation (Code as Columbia Gas Dev Corp)
165000	Continental Oil Company
175500	Cox, Edwin L. (Code as Edwin L Cox)

[1] Filed as part of the original document.

[2] Each respondent must submit the forms contained in Schedule 5. In addition, to assist the Commission Staff in preparing the data contained in Schedule 5, those respondents utilizing computers in their operation are requested to submit the Schedule 5 data on magnetic tape. Producers submitting data on magnetic tape should follow the instructions contained on Sheet 3A of Schedule 5.

[3] Appendix C, Continental United States Cost and Operational Data (Test Year 1972), Docket No. R-478, forms and instructions, are filed as part of the original document. Copies may be obtained upon written request from the Secretary of the Commission.

212605 Diamond Shamrock Corporation (Code as Diamond Shamrock Corp)
219560 Dorchester Gas Production Company (Code as Dorchester Gas Prod Co)
252170 Exchange Oil and Gas Company (Code as Exchange Oil & Gas Co)
252327 Exxon Corporation
273500 Forest Oil Corporation
294500 General American Oil Co. of Texas (General Amer Oil Co of Tex)
297390 Getty Oil Company
329000 Gulf Oil Corporation
368700 Helmerich & Payne, Inc. (Code as Helmerich & Payne Inc)
404500 J. M. Huber Corporation (Code as J M Huber Corp)
411500 Hassie Hunt Trust
415000 Hunt Oil Company
423815 Imperial American Management Company[1] (Code as Imperial American Mgnt Co)
447610 The Jupiter Corporation
456400 Kerr-McGee Corporation
463725 King Resources Company
475895 LVO Corporation
509620 Louisiana Land and Exploration Company (Code as Louisiana Land & Expl Co)
521850 McCulloch Gas Processing Corporation (Code as McCulloch Gas Process Corp)
521895 McCulloch Oil Corporation
521900 McCulloch Oil Corporation of California (Code as McCulloch Oil Corp of Cal)
521925 McCulloch Oil Corporation of Texas (Code as McCulloch Oil Corp of Tex)
541750 MAPCO Inc. (Code as MAPCO Inc)
543050 Marathon Oil Company
577990 Mobil Oil Corporation
581050 Monsanto Company
610600 Natural Gas & Oil Company
625500 Northern Natural Gas Producing Company (Code as Northern Natural Gas Prod)
635680 Ocean Drilling & Exploration Company (Code as Ocean Drilling & Expl Co)
673040 Pennzoil Company
678500 Petroleum Inc. (Code as Petroleum Inc)
683000 Phillips Petroleum Company
687100 Pioneer Production Corporation (Code as Pioneer Production Corp)
689500 Placid Oil Company
706600 Pubco Petroleum Corp. (Code as Pubco Petroleum Corp
736400 River Corporation
743375 The Rodman Corporation
781500 Shell Oil Company
786000 Signal Oil and Gas Company
796500 Skelly Oil Company
807500 Sohio Petroleum Company
809440 The South Coast Corporation
81500 Southern Union Gathering Company (Code as Southern Union Gath Co)
815100 Southern Union Production Company (Code as Southern Union Prod Co)
846500 Sun Oil Co
848000 Superior Oil Company
860960 Tennessee Gas Company (Code as Tennessee Gas Supply Co)
861930 Terra Resources, Inc. (Code as Terra Resources Inc)
863150 Texaco Inc. (Code as Texaco Inc)
867250 Texas Oil and Gas Corporation (Code as Texas Oil & Gas Corp)
881285 Transocean Oil, Inc. (Code as Transocean Oil Inc)
895000 Union Oil Company of California (Code as Union Oil Co of Calif)
896070 Union Texas Petroleum, Division of Allied Chemical (Code as Union Texas Petr Dv Allied)
914515 Warren Petroleum Corporation, A Division of Gulf Oil Corp. (Code as Warren Petr Corp Div Gulf)

PIPELINE AFFILIATES

018260 Anadarko Production Company (Code as Anadarko Production Co)
141000 Cities Service Oil Company
156500 Colorado Oil and Gas Company (Code as Colorado Oil and Gas Co)
158000 Columbia Fuel Corporation (Code as Columbia Fuel Corp)
237255 El Paso Products Company
477000 La Gloria Oil and Gas Company (Code as La Gloria Oil and Gas Co)
506870 Lone Star Gathering Company (Code as Lone Star Gathering Co)
507000 Lone Star Producing Company (Code as Lone Star Producing Co)
626300 Northwest Production Corporation (Code as Northwest Prod Corp)
635750 Odessa Natural Gasoline Company (Code as Odessa Natural Gasoline Co)
658525 Pan Eastern Exploration Company (Code as Pan Eastern Expl Co)
673053 Pennzoil Producing Company
673051 Pennzoil Offshore Gas Operators (Code as Pennzoil Offshore Gas Op)
673054 Pennzoil Louisiana and Texas Offshore (Code as Pennzoil Louisiana & Texas)
813590 Southern Natural Gas Company Joint Venture (Code as Southern Nat Gas Co Joint)
860900 Tenneco Oil Company
865500 Texas Gas Exploration Corporation (Code as Texas Gas Exploration Corp)
868700 Texoma Production Company

PIPELINE PRODUCTION

026100 Arkansas Louisiana Gas Company (Code as Arkansas Louisiana Gas Co)
026200 Arkansas Oklahoma Gas Corporation (Code as Arkansas Oklahoma Gas Corp)
119000 Carnegie Natural Gas Company (Code as Carnegie Natural Gas Co)
156285 Colorado Interstate Gas Corporation (Code as Colo Interstate Gas Co)
157270 Columbia Gas Transmission Corporation (Code as Columbia Gas Trans Corp)
163650 Consolidated Gas Supply Corporation (Code as Consolidated G Supply Corp)
237200 El Paso Natural Gas Company (Code as El Paso Natural Gas Co)
247400 Equitable Gas Company
426275 Inland Gas Company, Inc., The (Code as Inland Gas Co Inc)
426800 Iroquois Gas Corporation
447610 Jupiter Corporation, The (Code as Jupiter Corp The)
455100 Kentucky West Virginia Gas Company (Code as Kentucky West Va Gas Co)
478015 Lake Shore Pipe Line Company (Code as Lake Shore Pipe Line Co)
563700 Michigan Wisconsin Pipe Line Company (Code as Michigan Wis Pipe Line Co)
565550 Mid Louisiana Gas Company
576330 Mississippi River Transmission Corporation (Code as Miss River Trans Corp)
581400 Montana-Dakota Utilities Company (Code as Montana Dakota Utilities Co)
597500 Mountain Fuel Supply Company (Code as Mountain Fuel Supply Co)
610870 Natural Gas Pipeline Company of America (Code as Natural Gas PL Co of Amer)
625300 North Penn. Gas Company (Code as North Penn Gas Co)
625400 Northern Natural Gas Company (Code as Northern Natural Gas Co)
626200 Northern Utilities, Inc. (Code as Northern Utilities Inc)
658900 Panhandle Eastern Pipe Line Company (Code as Panhandle Eastern P L Co)
672650 Pennsylvania Gas Company
813580 Southern Natural Gas Corporation (Code as Southern Natural Gas Corp)
852500 Sylvania Corporation
860800 Tenneco Inc. (Code as Tenneco Inc)
864700 Texas Eastern Transmission Corp. (Code as Texas Eastern Trans Corp)
866200 Texas Gas Transmission Corporation (Code as Texas Gas Transmission Corp)
884200 Trunkline Gas Company
897450 United Natural Gas Company (Code as United Natural Gas Co)
928380 Western Gas Interstate

APPENDIX B—PIPELINE RESPONDENTS

Arkansas Louisiana Gas Company
Arkansas Oklahoma Gas Corporation
Baca Gas Gathering System, Inc.
Bluebonnet Gas Corporation
Caprock Pipeline Company
Carnegie Natural Gas Company
Cascade Natural Gas Corporation
Cimarron Transmission Company
Cities Service Gas Company
Colorado Interstate Corporation
Columbia Gas Transmission Corporation
Columbia Gulf Transmission Company
Consolidated Gas Supply Corporation
Delta Gas, Inc.
El Paso Natural Gas Company
Equitable Gas Company
Florida Gas Transmission Company
Gas Transport, Inc.
Grand Valley Transmission Company
Great Lakes Gas Transmission Co.
Inland Gas Company, Inc., The
Inter-City Minnesota Pipelines Ltd., Inc.
Iroquois Gas Corporation
Jupiter Corporation, The
Kansas-Nebraska Natural Gas Company, Inc.
Kentucky West Virginia Gas Company
Lake Shore Pipe Line Co.
Lone Star Gas Company
Louisiana-Nevada Transit Co.
McCulloch Interstate Gas Corporation
Michigan Wisconsin Pipe Line Company
Mid Louisiana Gas Company
Midwestern Gas Transmission Company
Mississippi River Transmission Corporation
Montana-Dakota Utilities Company
Mountain Fuel Supply Company
Mountain Gas Company
Natural Gas Pipeline Company of America
North Penn. Gas Co.
Northern Natural Gas Company
Northern Utilities, Inc.

[1] Complete Form 459–B only for those recent Rate Schedules which made the total Annual Sales Volume greater than 10 million Mcf.

Oklahoma Natural Gas Gathering Corporation
Pacific Gas Transmission Company
Panhandle Eastern Pipe Line Company
Pennsylvania Gas Company
Plaquemines Oil and Gas Company
Sea Robin Pipeline Company
South Texas Natural Gas Gathering Company
Southern Natural Gas Corporation
Sylvania Corporation
Tennessee Gas Pipeline Company
Texas Eastern Transmission Corp.
Texas Gas Pipe Line Corporation
Texas Gas Transmission Corporation
Transcontinental Gas Pipe Line Corp.
Transwestern Pipeline Company
Trunkline Gas Company
United Gas Pipe Line Company
United Natural Gas Company
Valley Gas Transmission, Inc.
West Texas Gathering Company
Western Gas Interstate
Western Transmission Corporation
Zenith Natural Gas Co.

[FR Doc.73-18026 Filed 8-24-73;8:45 am]

[18 CFR Parts 2, 154]

[Docket No. R-478]

NATURAL GAS PRODUCED FROM WELLS COMMENCED BEFORE JANUARY 1, 1973

Just and Reasonable Rates; Correction

JUNE 21, 1973.

In the notice instituting proposed rulemaking and order prescribing procedure, issued May 23, 1973 and published in the FEDERAL REGISTER May 31, 1973 FR 38(14295):

APPENDIX A, PRODUCERS—EXCESS OF 10 MILLION MCF

Line	Correction
75	Change "Tennessee Gas Company" to read: "Tennessee Gas Supply Company".
Between 79 and 80	Insert "867550 Texas Pacific Oil Co., Inc. (Code as Texas Pacific Oil Co. Inc)".

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18036 Filed 8-24-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 73-CE-26]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation regulations so as to designate a transition area at Pocahontas, Iowa.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before September 26, 1973 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure is being developed for the Pocahontas, Iowa, Municipal Airport. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new approach procedure by designating a transition area at Pocahontas, Iowa.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation regulations as hereinafter set forth:

In § 71.181 (38 F.R. 435), the following transition area is added:

POCAHONTAS, IOWA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Pocahontas Municipal Airport (latitude 42°44'45" N., longitude 94°38'45" W.); within 3 miles each side of the 280° bearing from the Pocahontas Municipal Airport, extending from the 5-mile radius to 8 miles west of the airport; within 2 miles each side of the 116° bearing from the Pocahontas Municipal Airport; extending from the 5-mile radius to 6 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 41-mile arc of the Fort Dodge VORTAC (latitude 42°36'40" N., longitude 94°17'41" W.); starting at the 268° radial of the Fort Dodge VORTAC and extending clockwise to the 315° radial of the Fort Dodge VORTAC, excluding that portion which overlies the Fort Dodge, Iowa, Spencer, Iowa and Storm Lake, Iowa transition areas.

(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 Kansas City, Missouri, on August 9, 1973.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.73-18022 Filed 8-24-73; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 73-SW-54]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation regulations to alter the Tulsa, Okla. (Riverside Airport), control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before September 26, 1973, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

A new TVOR is proposed to be installed at latitude 35°57'44" N., longitude 95°58'21" W., to serve the Tulsa, Okla., Riverside Airport. Alteration of the control zone is necessary to provide controlled airspace for instrument approach procedures in conformance with Standard Terminal Instrument Procedures (TERPs) criteria predicated on the new TVOR.

It is proposed to amend Part 71 of the Federal Aviation regulations as hereinafter set forth.

In § 71.171 (38 FR 351), the Tulsa, Okla. (Riverside Airport), control zone is amended to read:

TULSA, OKLA. (RIVERSIDE AIRPORT)

Within a 3-mile radius of Riverside Airport (latitude 36°02'19" N., longitude 95°59'00" W.) within 2.5 miles each side of the Tulsa VORTAC 223° T (215° M) radial extending from the 3-mile radius zone to 21 miles southwest of the VORTAC and within 2 miles each side of the Riverside TVOR 350° T (342° M) radial extending from the 3-mile radius zone to 4 miles south of the Riverside Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(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 August 16, 1973.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.73-18023 Filed 8-24-73;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 73-CE-10]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation regulations so as to designate a transition area at Chillicothe, Missouri.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before September 26, 1973 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure is being developed for the Chillicothe Municipal Airport, Chillicothe, Missouri. Consequently it is necessary to provide controlled airspace protection for aircraft executing this new approach procedure by designating a transition area at Chillicothe, Missouri.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation regulations as hereinafter set forth:

In § 71.181 (38 FR 435), the following transition area is added:

CHILLICOTHE, MISSOURI

That airspace extending upwards from 700' above the surface within a 5-mile radius of the Chillicothe Municipal Airport (latitude 39°46'45" N., longitude 93°30'00" W.); and within 3 miles either side of the 337° bearing from the MHW facility extending from the 5-mile radius to 8.5 miles northwest, and that airspace extending upwards from 1,200' above the surface 5 miles southwest and 9.5 miles northeast of the 337° bearing from the Chillicothe MHW facility extending from 6.5 miles southeast to 18.5 miles northwest of the Chillicothe MHW facility, excluding that portion which overlies the Trenton, Missouri, transition area.

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

Issued in Kansas City, Missouri, on August 10, 1973.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.73-18024 Filed 8-24-73;8:45 am]

Hazardous Materials Regulations Board

[49 CFR Parts 173, 177]

[Docket No. HM-110; Notice No. 73-5]

HANDLING OF HAZARDOUS MATERIALS ON MOTOR VEHICLES

Miscellaneous Amendments

The Hazardous Materials Regulations Board is considering amendment of several sections of the Department's Hazardous Materials regulations. Commenters need only identify the particular proposal on which they wish to comment when responding. The proposals covered in this document are:

A. Emergency discharge controls on MC 330 cargo tanks.

B. Cargo tank certificate retention.

C. Hydrostatic and pneumatic testing of cargo tanks.

D. Cargo heaters with explosives and flammable commodities.

E. Attendance of tank vehicles during loading and unloading.

F. Openings on cargo tank to be closed during transportation.

G. Repairs and maintenance to vehicles in closed garages.

H. Warning devices on vehicles containing hazardous materials.

PROPOSAL A

EMERGENCY DISCHARGE CONTROLS ON MC 330 CARGO TANKS

The Hazardous Materials Regulations Board is considering amendment of § 173.33 of the Department's Hazardous Materials regulations to require that all Specification MC 330 cargo tanks used for the transportation of flammable compressed gases and anhydrous ammonia be equipped with emergency discharge controls as is now required on Specification MC 331 cargo tanks. At the time Specification MC 331 cargo tank specification was adopted, the Interstate Commerce Commission decided not to require an updating of the standards for Specification MC 330 cargo tanks.

The Board believes that it is now necessary to require that these tanks conform to the same emergency discharge control standards as are required for MC 331 cargo tanks to assure the same degree of safety. A recent accident involving an MC 330 cargo tank has demonstrated the need to require that these tanks be retrofitted with remote controlled internal shutoff valves. In this accident, the propane from an MC 330 cargo tank provided fuel to a fire which resulted from the accidental rupture of a manifolded storage tank intake line into which the cargo tank was unloading. The escaping propane from the cargo tank was not discharging at a rate high enough to activate the excess flow valve. The fire was directed to another cargo tank that eventually exploded. As a result of the fire and explosion, one person was killed and over $200,000 in property damage occurred. There is little doubt that if an internal valve, as specified in section 178.337-11(c) had been installed on the cargo tank, the flow of propane could have been shutoff by manual means, if not automatically by the melting of the fusible element.

In order not to impose an undue burden on tank owners, the Board is proposing that the emergency discharge controls may be installed when the cargo tanks are scheduled for the 5-year retest required in § 173.33.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 173 as follows:

In § 173.33, paragraph (l) would be added as follows:

§ 173.33 Cargo tank use authorization.

* * * * *

(l) MC 330 cargo tanks used for flammable compressed gas or anhydrous ammonia must be equipped with an emergency discharge control that conforms to the requirements of § 178.337-11(c) of this subchapter at each liquid or vapor discharge opening. The control must be installed not later than the date the tests prescribed by paragraph (e) of this section are required.

PROPOSAL B

CARGO TANK CERTIFICATE RETENTION

The Hazardous Materials Regulations Board is considering an amendment to clarify the requirement for retention of the manufacturer's certificate for specification cargo tanks.

The Board has found that many motor carriers are not aware of a requirement that the manufacturer's certificate for a specification cargo tank must be retained by the motor carrier for as long as the tank is in service and for 1 year thereafter. The confusion may be caused by the fact that the certificate-retention requirements are presently contained in the cargo tank specifications in Part 178, and many of the specifications no longer appear in the published codification of the regulations, although the tanks may be continued in use. The Board believes that a general retention provision is needed in Part 177 to resolve this problem. In addition, the Board is proposing to require carriers to retain all retest and inspection reports in the same file with the manufacturer's certificate.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

(A) In Part 177 Table of Contents, § 177.814 would be added to read as follows:

Sec.
177.814 Retention of manufacturer's certificate

(B) Section 177.814 would be added to read as follows:

§ 177.814 Retention of manufacturer's certificate.

(a) Each motor carrier who uses a cargo tank vehicle shall have in his files a certificate signed by a responsible official of the manufacturer or fabricator of the cargo tank, or a competent testing agency, certifying that the cargo tank has been designed, constructed, and tested in accordance with, and complies with, the requirements contained in the specification for the tank set forth in this subchapter. The certificate and any other data furnished as required by the specification must be retained at the principal office of the carrier during the time that the cargo tank is used by the carrier and for 1 year thereafter. However, the motor carrier may himself perform the tests and inspections to determine whether the tank meets the requirements of the specification. If the motor carrier does so and determines that the tank conforms to the specification, he may use the tank if he retains the test data, in place of a certificate in his files at his principal office for as long as he uses the tank and 1 year thereafter. Each motor carrier who uses a specification cargo tank which he does not own and has not tested or inspected shall obtain a copy of the certificate and retain it in his files at his principal office during the time he uses the tank and for 1 year thereafter.

(b) Upon a written request to, and with the approval of, the Director, Regional Motor Carrier Safety Office, for the region in which a motor carrier has his principal place of business, a motor carrier may retain the certificate and other data specified in paragraph (a) of this section at a regional or terminal office. The address and jurisdictions of the Directors of Regional Motor Carrier Safety Offices are shown in § 390.40 of Chapter III of this title.

(c) *Withdrawal of certification.*—See § 177.824(i).

(d) A copy of retest and inspection reports required by §§ 173.33 and 177.824 and all records of repairs to each cargo tank must be retained in the same file with the manufacturer's certificate for that tank as specified in paragraph (a) of this section.

PROPOSAL C

HYDROSTATIC AND PNEUMATIC TESTING OF CARGO TANKS

The Hazardous Materials Regulations Board is considering amendment of § 177.824 of the Department's Hazardous Materials Regulations to clarify the hydrostatic and pneumatic testing procedures for cargo tanks.

Present requirements specify hydrostatic or pneumatic testing of cargo tanks under certain conditions. But the procedures for pneumatic testing are not contained in the regulations. Therefore, the Board is proposing that these procedures be incorporated into the regulations.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

In § 177.824, subparagraph (d)(2) would be revised to read as follows:

§ 177.824 Retesting and inspection of cargo tanks.

* * * * *

(d) * * *

(2) For hydrostatic testing, the tank (including its domes, if any) must be completely filled with water or a liquid having a viscosity similar to water and the pressure must be gaged at the top of the tank. Pressure must be applied in accordance with the following chart and increased for pneumatic testing by a pressure equivalent to the static head in the tank when fully loaded with the heaviest lading authorized to be transported or water, whichever is heavier. The tank must hold the prescribed pressure for at least 10 minutes. All tank valves, piping, and other accessories in communication with the lading must be pressure tested and proved tight at the tank design pressure. During the pneumatic test the entire surface of all joints under pressure must be coated with a solution of soap and water, heavy oil, or other materials suitable for the purpose of foaming or bubbling to indicate the presence of leaks. Other methods equally sensitive for determining leaks may be used.

* * * * *

PROPOSAL D

CARGO HEATERS WITH EXPLOSIVES AND FLAMMABLE COMMODITIES

The Hazardous Materials Regulations Board is considering amendment of § 177.834 of the Department's Hazardous Materials regulations, to clarify the prohibition against the use of certain heaters in a transport vehicle which is loaded with explosives or flammable commodities.

There has been much confusion concerning the use of catalytic cargo heaters in vehicles transporting flammable liquids and flammable gases. The Federal Highway Administration has taken the position that, for the purposes of these regulations, a catalytic heater is a combustion heater. This proposal would specifically state that catalytic heaters are considered as such, and not permitted in vehicles transporting flammable materials. However, commenters are invited to submit test data and other evidence in support of the use of catalytic heaters as a safe means of heating the cargo spaces of motor vehicles.

The Board also feels that the precautions against the loading of explosives into transport vehicles containing a heater should be the same as that pertaining to flammables, and that the specific provision should be included under general requirements.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

(A) In § 177.834, paragraph (l) would be amended to read as follows:

§ 177.834 General requirements.

* * * * *

(l) *Use of cargo heaters with explosives and flammable commodities.*—(1) *Flammable liquids and flammable gases.*— Except as provided in paragraph (l)(2) of this section, a flammable liquid or a flammable gas must not be loaded into a truck body or a trailer containing a combustion heater or equipped with operable automatic temperature control equipment. For purposes of this section, a catalytic heater is a combustion heater. Fuel tanks for automatic temperature control equipment must be empty or removed from the vehicle, except that liquefied petroleum gas fuel tanks exterior to the vehicle body may have their valves closed and disconnected from the fuel feed lines instead of being emptied or removed.

(2) *Exception for certain automatic temperature control equipment.*—A flammable liquid or a flammable gas may be transported in a vehicle equipped with automatic temperature control equipment, if (i) the lading space is equipped with no electrical apparatus or electrical apparatus of the nonsparking or explosion-proof type, (ii) no combustion apparatus is in the lading space; and (iii) there is no connection for return of air from the lading space to any combustion apparatus. The heating system must prevent heating of any part of the lading to a temperature of more than 130°F. and must conform to the requirements of § 393.77, of this title.

(3) *Explosives.*—An explosive must not be loaded into a truck body or trailer which contains a combustion heater or is equipped with operable automatic temperature control equipment. For the purposes of this paragraph, catalytic heaters are combustion heaters. All fuel tanks for a heater or automatic temperature control equipment with which a truck body or trailer is equipped must be drained. All automatic heating or refrigeration machinery must be rendered inoperative by disconnection of the automatic controls and sources of power for its operation.

(B) In § 177.835, paragraph (e)(1) would be deleted as follows:

§ 177.835 Explosives.

* * * * *

(e) * * *

(1) [deleted].

* * * * *

PROPOSAL E

ATTENDANCE OF TANK MOTOR VEHICLES DURING LOADING AND UNLOADING OPERATIONS

The Hazardous Materials Regulations Board is considering amendment of § 177.834 to clarify the meaning of "attendance" as it pertains to a tank motor vehicle being loaded or unloaded.

The Board has found that several dangerous incidents have occurred during the loading or unloading of tank motor vehicles which could have been avoided, if there had been someone near the cargo

tank to take corrective or precautionary action. The Board feels that there may be some confusion as to the intent of the term "attendance" as it is used in § 177.834(i).

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

In § 177.834, paragraph (i) would be revised as follows:

§ 177.834 General requirements.

* * * * *

(i) *Tank motor vehicles must be attended during loading and unloading.*—Each tank motor vehicle must be attended at all times by its driver or a qualified representative of the motor carrier that operates it during the loading or unloading of the tank motor vehicle. For the purposes of this subsection—

(1) A tank motor vehicle is attended when the person in charge of the vehicle is awake and not in a sleeper berth, and is within 25 feet of the tank motor vehicle and has it within his unobstructed field of view;

(2) A "qualified representative" of a motor carrier is a person who has been designated by the carrier to attend the vehicle, is aware of the nature of the hazardous material contained in the tank motor vehicle he attends, has been instructed on the procedures he must follow in emergencies, is authorized to move the vehicle, and has the means to do so; and

(3) The delivery hose, when attached to the tank motor vehicle, is a part of the vehicle.

* * * * *

PROPOSAL F

OPENINGS ON CARGO TANKS TO BE CLOSED DURING TRANSPORTATION

The Hazardous Materials Regulations Board is considering amendment of § 177.839 by adding a requirement that internal valves and manholes be in a closed and secured position during transportation. A similar provision was added during recent rule making pertaining to the transportation of compressed gases, and the Board now proposes to add similar requirements for the transportation of flammable liquids, poisons and corrosive materials in cargo tanks. In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

(A) In § 177.837, paragraph (e) would be added to read as follows:

§ 177.837 Flammable liquids.

* * * * *

(e) *Manholes and valves closed.*—A person shall not drive a tank motor vehicle and a motor carrier shall not require or permit a person to drive a tank motor vehicle containing a flammable liquid unless—

(1) All manhole closures on the cargo tank are closed and secured; and

(2) All valves and other closures on liquid discharge openings are closed and free of leaks.

(B) In § 177.839, paragraph (d) would be added to read as follows:

§ 177.839 Corrosive liquids.

* * * * *

(d) *Cargo Tanks.*—A person shall not drive a tank motor vehicle and a motor carrier shall not require or permit a person to drive a tank motor vehicle containing a corrosive liquid unless—

(1) All manhole closures on the cargo tank are closed and secured; and

(2) All valves and other closures on liquid discharge openings are closed and free of leaks.

(C) In § 177.841, paragraph (d) would be added to read as follows:

§ 177.841 Poisons.

* * * * *

(d) *Poisons in cargo tanks.*—A person shall not drive a tank motor vehicle and a motor carrier shall not require or permit a person to drive a tank motor vehicle containing poisons unless—

(1) All manhole closures on the cargo tank are closed and secured; and

(2) All valves and other closures on liquid discharge openings are closed and free of leaks.

PROPOSAL G

REPAIRS AND MAINTENANCE TO MOTOR VEHICLES CONTAINING HAZARDOUS MATERIALS

The Hazardous Materials Regulations Board is considering amendment of § 177.854 of the Department's Hazardous Materials Regulations to authorize repairs to a motor vehicle containing hazardous materials in a closed garage.

This proposal is based, in part, on a petition from Consolidated Freightways Corp. of Delaware. Petitioner states that "* * * minor repairs as adjustment of brakes, changing of tires, replacing burned out lamps, etc., would necessarily have to be made in the open or under a shed-type building * * * this rule causes undue hardship on our, or any motor carrier's operation, especially during the hours of darkness and also inclement weather.

The Board has concluded that the petitioner's request may have merit. A carrier faced with the prohibition in § 177.854(g) might well choose to delay making necessary, though perhaps minor, repairs until after the vehicle has reached its destination and has been emptied. By doing so, a greater hazard may exist than the potential hazard posed by the making of repairs in a garage, especially since many repairs do not involve any particular risk of explosion or fire.

However, the Board believes that the prohibition should be removed only if adequate safeguards against explosion are maintained. The safeguards proposed include protecting the vehicle from open flames or welding devices in use, and requiring every vehicle to have a means of motive power while it is in the garage.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

In § 177.854, paragraph (g) would be revised to read as follows:

§ 177.854 Disabled vehicles and broken or leaking packages; repairs.

* * * * *

(g) *Repairs and maintenance to vehicles.*—(1) No maintenance or repair using open flame or any type of welding may be performed on vehicles containing hazardous materials.

(2) When a vehicle containing hazardous materials is inside a building for repairs or other reasons—

(i) There must be no flame-producing or welding devices in operation within the same enclosed area of the building; and

(ii) The vehicle must have an operable means of motive power or must be connected to an operable truck or truck tractor to facilitate its quick removal from the building.

* * * * *

PROPOSAL H

WARNING DEVICES FOR STOPPED VEHICLES

The Hazardous Materials Regulations Board is considering editorial changes to §§ 177.854, 177.856, and 177.859 to reflect recent changes to the Motor Carrier Safety regulations (49 CFR Parts 390–397) pertaining to warning devices for stopped vehicles.

In consideration of the foregoing, it is proposed to amend 49 CFR Part 177 as follows:

(A) In § 177.854, the last sentence in paragraph (a) and the entire subparagraph (f)(1) would be amended to read as follows:

§ 177.854 Disabled vehicles and broken or leaking packages; repairs.

(a) * * * Sections 392.22, 392.24, and 392.25 of this title for signals required to be displayed on the highway.

* * * * *

(f) * * *

(1) For motor vehicles other than cargo tank motor vehicles used for the transportation of flammable liquids or flammable compressed gases and not transporting explosives, Class A, or Class B, flares (pot torches), fusees, red electric lanterns, red emergency reflectors, red emergency reflective triangles, or red flags must be set out in the manner prescribed by §§ 392.22, 392.24, and 392.25 of this title.

* * * * *

(B) In § 177.865, the second sentence in paragraph (d) would be amended to read as follows:

§ 177.856 Accidents; flammable liquids.

* * * * *

(d) * * * In such cases red electric lanterns, red emergency reflectors, red emergency reflective triangles, or red flags must be set out in the manner prescribed by §§ 392.22, 392.24, and 392.25 of this title. * * *

* * * * *

(C) In § 177.859, the third sentence in paragraph (b) would be amended to read as follows:

§ 177.859 Accidents; compressed gases.

* * * * *

(b) * * * Red electric lanterns, red emergency reflectors, red emergency reflective triangles, or red flags must be set out in the manner prescribed in §§ 392.22, 392.24, and 392.25 of Chapter III of this title. * * *

* * * * *

Interested persons are invited to give their views on these proposals. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received on or before October 30, 1973, will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, Room 6215, Buzzards Point Building, Second and V Streets SW., Washington, D.C., both before and after the closing date for comments.

This proposal is made under the authority of sections 831–835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on August 21, 1973.

ROBERT A. KAYE,
Board Member for the
Federal Highway Administration.

[FR Doc.73-18142 Filed 8-24-73;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 4–2; Notice 9]

WARNING DEVICES

Optional Labeling With Manufacturer or Distributor Name

This notice proposes to amend Standard 125, Warning Devices, 49 CFR 571.125, to permit the use of the manufacturer's or distributor's name on the device to satisfy identification requirements.

The standard (effective date January 1, 1974) presently requires marking with the manufacturer's name. A recent proposal (38 FR 14968, June 7, 1973) would also require the use of manufacturer codes on all regulated vehicles and equipment other than tires, including warning devices. A manufacturer of warning devices, Miro-Flex Co. of Wichita, Kansas, has proposed the use of such a code instead of the manufacturer's name to permit merchandizing of its device through private label programs.

The NHTSA has determined that this petition for rulemaking should be granted in part. The use of a code would aid in distinguishing manufacturers with nearly identical names and permit rapid retrieval of identification information in the event of notification and recall. At the same time, notification and recall would be further aided by a manufacturer or distributor's brand name which the purchaser would be likely to remember and recognize as the source of his warning device. Because the code has already been proposed elsewhere and should be evaluated as one part of a uniform labeling system (NHTSA Docket 73–14; No. 1, comment closing date September 7, 1973), this notice only proposes that the manufacturer be permitted the option of marking the device with his name or a distributor's name.

Accordingly, it is proposed that Standard No. 125, Warning devices, 49 CFR 571.125, be amended by changing subparagraph S5.1.4(a) to read:

(a) Name of manufacturer or distributor;

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered by the Administration. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The Administration will continue to file relevant material, as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: November 22, 1973.

Proposed effective date: January 1, 1974.

(Secs. 103, 112, 119, Pub. L. 89–563, 80 Stat. 718, (15 U.S.C. 1392, 1401, 1407); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on August 21, 1973.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.73-18097 Filed 8-24-73;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Parts 1, 17]

NATIONAL CEMETERY SYSTEM

Eligibility for Interment; Memorial Services

Public Law 93–43 (87 Stat. 75), enacted June 18, 1973, established a National Cemetery System within the Veterans Administration. This system will have jurisdiction over cemeteries under jurisdiction of the Veterans Administration as well as certain cemeteries to be transferred from the Department of the Army. Accordingly, §§ 17.200, 17.205, and 17.206 are revoked and is is proposed to add §§ 1.600 and 1.606 to provide for eligibility for interment and memorial services conducted in national cemeteries.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (232H), Veterans Administration, Central Office, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before September 26, 1973, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and will be furnished the address of the above room number.

The provisions relating to interment in the former Veterans Administration cemeteries (now a part of the National Cemetery System) will be effective June 18, 1973. Eligibility for interments in those cemeteries of the Department of the Army being transferred to the Veterans Administration on September 1, 1973, will be effective on that date. The effective date of § 1.606 relating to memorial services conducted in national cemeteries will be effective June 18, 1973.

1. In 38 CFR Part 1, a center title and §§ 1.600 and 1.606 are added to read as follows:

NATIONAL CEMETERIES

§ 1.600 Interment in national cemeteries.

The National Cemetery System established by Public Law 93–43, the National Cemeteries Act of 1973 (87 Stat. 75) consists of all cemeteries under the jurisdiction of the Veterans Administration on June 18, 1973, and the national cemeteries transferred on September 1, 1973, from the Department of the Army to the Veterans Administration. The following rules of eligibility for interment in national cemeteries apply to all former Veterans Administration cemeteries as of June 18, 1973. These rules of eligibility for interment also apply to all cemeteries transferred on September 1, 1973, from the Department of the Army to the Veterans Administration, and to any other cemetery later acquired or developed by the Veterans Administration. Burial is authorized in national cemeteries of the remains of the following:

(a) Any person who served in the active military, naval, or air service who was discharged or released therefrom under conditions other than dishonorable.

(b) Any member of the Armed Forces who died in the active military, naval, or air service.

(c) Any member of a Reserve component of the Armed Forces, the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is performing active duty for training, inactive duty training, or undergoing that hospitalization or treatment at the expense of the United States.

(d) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is

(1) Attending an authorized training camp or on an authorized practice cruise,

(2) Performing authorized travel to or from that camp or cruise, or

(3) Hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is

(i) Attending that camp or on that cruise,

(ii) Performing that travel, or

(iii) Undergoing that hospitalization or treatment at the expense of the United States.

(e) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the Armed Forces of any government allied with the United States during that war, and whose last such service terminated honorably.

(f) The wife or husband of any person listed in paragraph (a) through (e) of this section, and any interred veteran's unremarried widow, unremarried widower, minor child or unmarried adult child who was physically or mentally disabled and incapable of self-support, in the same grave with the veteran.

(g) Such other persons or classes of persons as may be designated by the Administrator.

§ 1.606 Memorial services in national cemeteries.

(a) Memorial services conducted in national cemeteries are subject to the following limitations:

(1) Services and all activities connected therewith in a national cemetery must be conducted with proper decorum. Organizations must provide assurance that their members will obey all rules in effect in the cemetery and act in a dignified and proper manner at all times while within the cemetery grounds.

(2) Services must be purely memorial in purpose and dedicated to the memory of those interred in the cemetery, or to all those dying in the military service of the United States or its allies.

(3) Partisan activiites are inappropriate in national cemeteries, and all services or any activities inside the cemetery connected therewith must be nonpartisan in nature. A service will be considered partisan and therefore inappropriate if it includes commentary in support of, or in opposition to, or attempts to influence, any current policy of the Government of the United States or any State of the United States. If the service, although itself purely memorial, is closely related to partisan activities being conducted outside the cemetery, it will be considered partisan and therefore inapproriate.

(b) Requests for permission to hold memorial services will be addressed to the Director, National Cemetery System, or the superintendent of the national cemetery involved. Such applications will describe the proposed ceremony in sufficient detail to enable a determination as to whether the proposed service meets the standards set forth in paragraph (a) of this section. If permission is granted, the Director or superintendent will assign an appropriate time and render assistance where appropriate. No organization will be given exclusive permission to use any cemetery on any particular occasion. Where several requests are received for separate services, the Director or superintendent will schedule each so as to avoid overlapping or interference, or require appropriate modifications in the scope or timing of the services.

§§ 17.200, 17.205, 17.206 [Revoked]

2. In 38 CFR Part 17, the center title "VETERANS ADMINISTRATION CEMETERIES" is deleted and §§ 17.200, 17.205 and 17.206 are revoked.

Approved: August 14, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.73-18070 Filed 8-24-73;8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

[Public Notice CM-54]

SHIPPING COORDINATING COMMITTEE SUBCOMMITTEE ON CODE OF CONDUCT FOR LINER CONFERENCES

Notice of Meeting

A meeting of the Subcommittee on the Code of Conduct for Liner Conferences will be held at 10:00 a.m. on Thursday, September 6, 1973, in Room 1207, Department of State, to discuss provisions of the draft consolidated text of the Code, developed at the 2nd session of the United Nations Conference on Trade and Development (UNCTAD) Preparatory Committee of the Code of Conduct for Liner Conferences held in Geneva, June 4–29, 1973.

The meeting will be closed to the public, under a determination to do so, made under the provisions of section 10(d) of Public Law 92–463 in that the above meeting will necessarily involve discussion of matters concerned with those recognized as not subject to public disclosure under 5 U.S.C. 552(b)(1).

For information regarding the meeting, contact Mr. Richard K. Bank, Secretary, Shipping Coordinating Committee, Department of State, Washington, D.C. 20520, telephone (area code 202) 632–0704.

Dated August 7, 1973.

RICHARD K. BANK,
Executive Secretary,
Shipping Coordinating Committee.

[FR Doc.73-18057 Filed 8-24-73;8:45 am]

[Public Notice CM-56]

STUDY GROUP 5 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

Notice of Meeting

The Department of State announces that Study Group 5 of the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on September 6, 1973, at 10 a.m. in Conference Room D, Department of Commerce Main Building, 14th Street (between E Street and Constitution Avenue NW.), Washington, D.C.

Study Group 5 deals with matters relating to the propagation of radio waves (including radio noise) at the surface of the earth, through the nonionized regions of the earth's atmosphere, and in space where the effect of ionization is negligible. The meeting on September 6 will consider new draft texts which are proposed as U.S. contributions to the international meeting of Study Group 5 in 1974.

Members of the general public who desire to attend the meeting on September 6 will be admitted up to the limits of the capacity of the meeting room.

Dated August 23, 1973.

GORDON L. HUFFCUTT,
Chairman,
U.S. CCIR National Committee.

[FR Doc.73-18059 Filed 8-24-73;8:45 am]

[Public Notice CM-55]

STUDY GROUP 1 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL TELEGRAPH AND TELEPHONE CONSULTATIVE COMMITTEE (CCITT)

Notice of Meeting

The Department of State announces a scheduled meeting of the United States Study Group on U.S. Government Regulatory Problems concerned with preparation for meetings of Study Groups of the International Telegraph and Telephone Consultative Committee of the International Telecommunication Union. The meeting will take place on Thursday, October 4, 1973, at 10 a.m. in Room 502 of the Federal Communications Commission, 1919 M Street NW., Washington, D.C.

The agenda of this second preparatory meeting will include plans for the development of U.S. Contributions on questions assigned for study during the 1973–1976 period to CCITT Study Group III, "General tariff principles: lease of telecommunication circuits," and the development of U.S. positions on questions where it is decided not to submit U.S. Contributions.

Members of the general public who desire to attend the meeting on October 4 will be admitted up to the limit of the capacity of the meeting room.

Dated August 9, 1973.

RICHARD T. BLACK,
Chairman,
U.S. National Committee.

[FR Doc.73-18058 Filed 8-24-73;8:45 am]

[Public Notice CM-52]

STUDY GROUP 5 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL TELEGRAPH AND TELEPHONE CONSULTATIVE COMMITTEE (CCITT)

Notice of Meeting

The Department of State announces a scheduled meeting of the United States Study Group on Data Transmission concerned with preparation for meetings of Study Groups of the International Telegraph and Telephone Consultative Committee of the International Telecommunication Union. The meeting will take place on Thursday, September 6, 1973, at 10 a.m. in Room A–110 of the Federal Communications Commission Annex, 1229 20th Street NW., Washington, D.C.

U.S. CCITT Study Group 5 deals with matters in telecommunications relating to the development of the international digital data transmission service. The agenda for the meeting on September 6 will include consideration of the following:

(1) modem above 2400 bps for switched network
(2) modem above 4800 bps for leased lines
(3) 64 kbps or 48 kHz and synchronous 600 bps full-duplex on switched network
(4) a new interface compatible with LSI
(5) error control
(6) comparative tests of modems
(7) maintenance methods
(8) user requirements
(9) functional interface between network and terminals
(10) synchronous networks
(11) packet switching
(12) transmission quality

Members of the general public who desire to attend the meeting on September 6 will be admitted up to the limit of the capacity of the meeting room.

Dated August 9, 1973.

RICHARD T. BLACK,
Chairman,
U.S. National Committee.

[FR Doc.73-18055 Filed 8-24-73;8:45 am]

[Public Notice CM-53]

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

Notice of Meeting

The United States Advisory Commission on International Educational and Cultural Affairs will meet in open session on Friday, September 14, 1973, at the Department of State, Room 1410, from 2 p.m. to 3 p.m. The agenda will include a final review of the Commission's column for Exchange Magazine; and a discussion of orientation plans under consideration for new members. For purposes of fulfilling building security requirements, anyone wishing to attend the open session must advise the Staff Director by telephone in advance of the meeting. Telephone: 632–2764.

From 9:00 a.m. to 12:00 noon the Advisory Commission will meet in closed session, as provided for by U.S.C. 552 (b)(1).

Dated August 9, 1973.

MARGARET G. TWYMAN,
Staff Director,
Commission Secretariat.

[FR Doc.73-18056 Filed 8-24-73;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 73-13]

QUALITY MEDICAL PHARMACY, ET AL.

Notice of Hearing

A notice of hearing in the matter of John Gardner d.b.a. Quality was published in the FEDERAL REGISTER of August 7, 1973, (38 FR 21278), setting a hearing date of August 7, 1973. By agreement of the parties this date was used for a prehearing conference. Also by agreement of the parties a hearing date was set for August 27, 1973, commencing at 10 a.m. in the Tax Court Hearing Room, No. 8541, 300 North Los Angeles Street, Los Angeles, California.

Dated: August 21, 1973.

JOHN R. BARTELS, Jr.,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.73-18047 Filed 8-24-73;8:45 am]

[Docket No. 73-5]

THOMAS E. WOODSON

Revocation of Certificates of Registration

A notice was published in the FEDERAL REGISTER of July 26, 1973 (38 FR 19976) in the above entitled matter. That Order is hereby amended by striking the words "September 24, 1973" in paragraph eleven of said notice, and substituting in lieu thereof "August 27, 1973;" the word "sixty" in paragraph thirteen, is hereby deleted, and "thirty" is substituted therefor.

Dated: August 21, 1973.

JOHN R. BARTELS, Jr.,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.73-18048 Filed 8-24-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[INT DES 73-52]

HAYDEN-AULT 345-KV TRANSMISSION LINE AND AULT SUBSTATION; COLORADO RIVER STORAGE PROJECT, COLO.

Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a Draft Environmental Statement for the proposed Hayden-Ault 345-kv Transmission Line and the Ault Substation. This Environmental Statement concerns the recommended corridor for the line; its construction and operation and the construction of the substation. The function of the joint-use line is to transmit power from hydro resources in the Colorado River Basin and thermal resources from the western Colorado coal fields to municipal and rural loads in eastern Colorado. A 45-day review period is requested.

Copies are available from:

Office of Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343-4991.

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, Building 20, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234-4441.

Construction Engineer, Cheyenne Construction Office, P.O. Box 507, Cheyenne, Wyoming 82001. Telephone (307) 778-2465.

Single copies of the Draft Environmental Statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. In addition, copies may be purchased from the National Technical Information Service, Department of Commerce, Springfield, Virginia 22151.

Please refer to the Statement number above.

Dated: August 21, 1973.

JOHN M. SEIDL,
Deputy Assistant Secretary of the Interior.

[FR Doc.73-18068 Filed 8-24-73;8:45 am]

[INT DES 73-50]

PROPOSED BIG THICKET NATIONAL BIOLOGICAL RESERVE, TEX.

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental impact statement on the proposed Big Thicket National Biological Reserve, Texas, and invites written comment within forty-five (45) days of this notice. Written comments should be addressed to the Regional Director, National Park Service, Southwest Region, at the address listed below.

The draft statement considers the effects on the natural and social environment of establishing a 68,000-acre reserve in Hardin, Jefferson, Orange, Jasper, Polk and Tyler counties, Texas for the purpose of preserving representative units of the Big Thicket ecosystem complex.

Copies of the statement are available from or for inspection at the following location.

Southwest Regional Office, National Park Service, Old Santa Fe Trail at Camino Del Monte Sol, Post Office Box 728, Santa Fe, New Mexico 87501.

Dated: August 20, 1973.

JOHN M. SEIDL,
Deputy Assistant Secretary of the Interior.

[FR Doc.73-18052 Filed 8-24-73;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

NATIONAL SHIPPING CORP.

Notice of Filing

Notice is hereby given that National Shipping Corporation has filed an application dated July 3, 1973, pursuant to Title V of the Merchant Marine Act, 1936, as amended, for construction-differential subsidy to aid in the construction of a 40,000 DWT hatchless bulk carrier of 14 knots speed to be used in the carriage of packaged lumber and flowable cargoes between the West Coast of Canada and the United States East Coast ports including Florida.

Interested parties may inspect this application in the office of the Secretary, Room 3099-B, Maritime Administration, Commerce Department Building, Fourteenth and E Streets NW., Washington, D.C. 20235.

Dated August 22, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-18120 Filed 8-24-73;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistant Secretary for Education

NATIONAL ADVISORY COUNCIL ON EQUALITY

Emergency School Aid; Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that the National Advisory Council on Equality of Educational Opportunity will meet from 1:30 p.m. until 4:30 p.m. Thursday, September 13 and 8 a.m. until 12:30 p.m. Friday, September 14, in the RKO Building, O.C.R. Conference Room, Fifth floor, Government Center, Boston, Masachusetts.

The National Advisory Council on Equality of Educational Opportunity is established under section 716 of the Emergency School Aid Act (P.L. 92-318, Title VII). The Council is established to advise the Assistant Secretary for Education with respect to the operation of programs under the Act, and to review the operation of such programs.

The meeting of the Council shall be open to the public. The proposed agenda includes approval of the first interim re-

port and recommendations for Fiscal Year 74 revision of regulations.

Signed at Washington, D.C. on August 21, 1973.

HERMAN R. GOLDBERG,
Associate Commissioner, Bureau of Equal Educational Opportunity.

[FR Doc.73-18017 Filed 8-24-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA-Pet-No. 89]

PORTLAND TRACTION CO.

Petition for Exemption From Hours of Service Act

The Portland Traction Company, Portland, Oregon, has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a(e) for an exemption, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. secs. 61, 62, 63, and 64.

Interested persons are invited to participate by submitting written data, views or comments. Communications should identify the docket number and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: Docket FRA-Pet-No. 89, 400 Seventh Street SW., Washington, D.C. 20590. Communications received before September 25, 1973, will be considered by the Federal Railroad Administrator before taking final action. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5101, Nassif Building, 400 Seventh Street SW., Washington, D.C.

EDWARD F. CONWAY, Jr.,
Acting Assistant Chief Counsel for Safety Regulation.

[FR Doc.73-18016 Filed 8-24-73;8:45 am]

National Highway Traffic Safety Administration

NATIONAL MOTOR VEHICLE SAFETY ADVISORY COUNCIL

Notice of Public Meeting

On September 12 and 13, 1973, the National Motor Vehicle Safety Advisory Council will hold open meetings in the DOT Headquarters Building, 400 Seventh Street SW., Washington, D.C. The Advisory Council is composed of 22 members, a majority of whom are representatives of the general public, including representatives of State and local governments, with the remainder including representatives of motor vehicle manufacturers, motor vehicle equipment manufacturers, and motor vehicle dealers. The Secretary of Transportation consults with the Advisory Council on motor vehicle safety standards promulgated under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.).

The following meetings are subject to the approval of the Secretary of Transportation.

On September 12 at 9 a.m. in room 4238 the Ad Hoc Committee on Research Funding will meet with the following agenda:

Ad Hoc Committee Goals and Objectives
Review of NHTSA Research Goals, Priorities, Policies, and Budgets

On September 12 at 9 a.m. in room 2232 the Awards Committee will meet with the following agenda:

Guidelines for Excalibur Award and Review of Speno Award

At 1:30 p.m. on September 12 in room 2232 the Accident Avoidance and Operating Systems Committee will meet with the following agenda:

Recommendations on Visibility Proposals for Council's Consideration
Review of Status of FMVSS 108-A (Lighting)
Future Activities of Committee
New Business

The Executive Committee will meet with the following agenda on September 12 at 4 p.m. in room 4238:

Plans for Third International Congress on Automotive Safety
New Business

On September 13 at 9 a.m. to 12 noon the full Council will meet in room 4238 with the following agenda:

Remarks by Dr. Gregory, NHTSA Administrator
Status Report on ESV Program
Executive Committee Report
Accident Avoidance and Operating Systems Committee Report
Ad Hoc Committee on Research Funding Report
Awards Committee Report
New Business

This notice is given pursuant to section 10(a)(2) of Public Law 92-463, Federal Advisory Committee Act (FACA) effective January 5, 1973.

For further information, contact Executive Secretariat, Room 5215, 400 Seventh Street SW., Washington, D.C., telephone 202-426-2872.

Issued on August 21, 1973.

CALVIN BURKHART,
Executive Secretary.

[FR Doc.73-18073 Filed 8-24-73;8:45 am]

National Highway Traffic Safety Administration

YOUTHS HIGHWAY SAFETY ADVISORY COMMITTEE

Notice of Public Meeting

On September 7-8, 1973, the Youths Highway Safety Advisory Committee will hold open meetings at the DOT Headquarters Building, 400 Seventh Street SW., Room 5332, Washington, D.C. The Committee is composed of persons appointed by the National Highway Traffic Safety Administrator to consult with and advise him concerning programs and activities to attract and sustain the participation of young people in the national effort to combat highway deaths and injuries.

The meeting will be in session from 9 a.m. to 5 p.m. on September 7 and from 9 a.m. to 12 noon on September 8. The agenda is as follows:

Briefing of new members on NHTSA's safety programs.
Swearing-in by Administrator, NHTSA.
Orientation and selection of Chairperson.
NHTSA Public Education Campaign on Drinking/Driving.
Presentation on mandatory seat belt usage.

This notice is given pursuant to section 10(a)(2) of Public Law 42-463, Federal Advisory Committee Act (FACA) effective January 5, 1973.

For further information, contact Executive Secretariat, Room 5215, 400 Seventh Street SW., Washington, D.C., telephone 202-426-2872.

Issued on August 21, 1973.

CALVIN BURKHART,
Executive Secretary.

[FR Doc.73-18146 Filed 8-24-73;8:45 am]

ATOMIC ENERGY COMMISSION

URANIUM HEXAFLORIDE

Charges, Enriching Services, Specifications and Packaging; Revisions

Corrections

In FR Doc. 73-16531, appearing at page 21519 in the issue for Thursday, August 9, 1973; in the table, the entry reading "60.00 ____ 177.025 ____ 148.235" should read "60.00 ____ 117.025 ____ 148.235".

CIVIL AERONAUTICS BOARD

[Docket No. 25630]

SURINAAMSE LUCHTVRACHT ONDERNEMING N.V. (SURINAM AIR CARGO CORPORATION)

Postponement of Prehearing Conference and Hearing; Foreign Air Carrier Permit Renewal

Counsel for the applicant has requested a postponement of the prehearing conference and hearing in this proceeding to October 2, 1973, because of conflicting commitments in other matters.

Accordingly, notice is hereby given that the prehearing conference and hearing now scheduled for September 18, 1973 (38 FR 22504, August 20, 1973), is hereby postponed to October 2, 1973, at 10:00 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C., before the undersigned Administrative Law Judge.

Dated at Washington, D.C., August 22, 1973.

[SEAL] ALEXANDER N. ARGERAKIS,
Administrative Law Judge.

[FR Doc.73-18099 Filed 8-24-73;8:45 am]

[Docket No. 24961 etc.]

UNIVERSAL AIRLINES, INC.

Hearing on Transfer of Certificates to Phoenix Airline, Inc., Fitness Investigation

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held on September 18, 1973, at 10 a.m. (local time) in Room 701, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Administrative Law Judge.

For information concerning the issues involved and other details of the proceeding interested persons are referred to the Prehearing Conference Report and other documents which are in the docket of the proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 21, 1973.

[SEAL] LOUIS W. SORNSON,
Administrative Law Judge.

[FR Doc.73-18100 Filed 8-24-73;8:45 am]

COST OF LIVING COUNCIL

[Cost of Living Council Order 40]

ADMINISTRATOR FOR PAY BOARD MATTERS, ET AL.

Delegations of Authority

Pursuant to the authority vested in me as Director of the Cost of Living Council by Cost of Living Council Order No. 14, it is hereby ordered as follows:

1. (a) There is hereby delegated to the Administrator for Pay Board Matters authority to:

(i) Process, consider, decide and issue decisions and orders with respect to actions pending before the Pay Board on February 28, 1973, including exception requests, pay challenges, executive compensation submissions, appeals from Internal Revenue Service adverse actions, and related matters, which were filed with the Pay Board or its delegate on or before January 10, 1973, and which involve pay adjustments, or other matters appropriate for Pay Board action, to be effective on or before January 10, 1973; and

(ii) Rule on any request for review or reconsideration of a decision issued by the Pay Board prior to January 11, 1973, or pursuant to the interim authority delegated to the Chairman of the Pay Board by Cost of Living Council Order No. 17.

(b) The actions referred to in subparagraph (a) of this paragraph shall be processed, acted on, and decided in accordance with Pay Board procedures, policies, rulings, and regulations in effect on January 10, 1973. Actions pursuant to this delegation shall be taken in the name of the Administrator for Pay Board Matters and shall be reviewable only by the Administrator for Pay Board Matters under the procedures provided by Pay Board regulations in effect on January 10, 1973, with respect to actions taken in the name of the Chairman of the Pay Board.

2.(a) There is hereby delegated to the Administrator for Phase III Matters authority to:

(i) Process, consider, decide, and issue decisions and orders with respect to individual cases involving pay adjustments presented to the Cost of Living Council under the policies, rulings, and regulations of the Council in effect from January 11, 1973, through July 11, 1973; and

(ii) Rule on requests for review or reconsideration of initial decisions made pursuant to this subparagraph.

(b) The authority delegated pursuant to this paragraph shall extend only to matters in which a submission was received by the Council or its delegate prior to July 12, 1973, relating to a pay adjustment to be effective on or before July 11, 1973. For purposes of this subparagraph, the furnishing of information concerning a proposed or negotiated pay adjustment, in response to a request by the Council, shall not be considered a submission to the Council if a challenge to such pay adjustment was not issued by the Council prior to July 12, 1973.

3. There is hereby delegated to the Counselor to the Director authority to:

(a) Process, consider, decide, and issue decisions and orders with respect to individual cases involving pay adjustments affecting employees of State or local governments, presented to the Cost of Living Council under the policies, rulings, and regulations of the Council in effect on and after January 11, 1973; and

(b) Rule on requests for review or reconsideration of initial decisions made pursuant to subparagraph (a) of this paragraph.

4.(a) There is delegated to the Administrator, Office of Wage Stabilization, authority to:

(i) Issue challenges with respect to pay adjustments as provided in Cost of Living Council Regulations;

(ii) Process, consider, decide, and issue decisions and orders with respect to individual cases involving pay adjustments presented to the Cost of Living Council under the policies, rulings, and regulations of the Council in effect on and after July 12, 1973;

(iii) Rule on requests for review or reconsideration of initial decisions made pursuant to this paragraph;

(iv) Monitor pay adjustments.

(b) The authority delegated pursuant to this paragraph does not include any authority which has been delegated to the Administrator for Pay Board Matters, the Administrator for Phase III Matters, or the Counselor to the Director pursuant to paragraph (1), (2), or (3) of this Order.

(c) In the consideration of any pay adjustment under this paragraph, the Administrator, Office of Wage Stabilization, shall, except as otherwise directed by the Director or his delegate, take final action only after consulting with and receiving recommendations as to disposition from the appropriate tripartite industry wage and salary committee as heretofore or hereafter may be established by the Council.

5. An official of the Cost of Living Council exercising authority pursuant to this Order may solicit and receive the advice and recommendations of any appropriate individual, group, panel, or committee.

6. An official of the Cost of Living Council exercising authority pursuant to this Order may request information and conduct hearings with respect to functions delegated in this Order.

7. The authority delegated in this Order does not include any authority which has been delegated to the Construction Industry Stabilization Committee pursuant to Cost of Living Council Orders No. 16 and 20, or which may subsequently be delegated to the Construction Industry Stabilization Committee.

8. Each official to whom authority is delegated by this Order may redelegate that authority.

9. In exercising the authority delegated by this Order or redelegated pursuant thereto, officials of the Cost of Living Council shall be governed by the regulations and rulings of the Cost of Living Council and by the policies, procedures, and controls prescribed by the Director or his delegate.

10. Actions taken by officials of the Cost of Living Council on review or reconsideration pursuant to this Order are administratively final. Review of these actions may be sought in the appropriate Federal district court pursuant to section 211 of the Economic Stabilization Act of 1970, as amended.

11. Cost of Living Council Order No. 21 and paragraph (4) of Cost of Living Council Order No. 25 are hereby superseded.

12. This Order is effective July 12, 1973.

JOHN T. DUNLOP,
Director, Cost of Living Council.

[FR Doc.73-18159 Filed 8-24-73;8:45 am]

[Cost of Living Council Order 39]

DIRECTOR, ENERGY POLICY OFFICE

Delegation of Authority

Pursuant to the authority vested in me by Executive Order No. 11695, it is hereby ordered as follows:

1. The authority with respect to petroleum products under section 203(a)(3) of the Economic Stabilization Act of 1970, as added by section 2(b) of the Economic Stabilization Act Amendments of 1973 is delegated to the Director of the Energy Policy Office established by Executive Order 11726, including, without limitation, the power and duty to make the determinations and take the actions required or permitted by the Act and the power to redelegate any of the authority thereunder.

2. Nothing herein shall be deemed to to delegate any authority with respect to the stabilization of prices under section 203(a)(1) of the Act.

3. Cost of Living Council Order No. 33 is hereby rescinded.

4. This Order shall be effective immediately.

Date: August 21, 1973.

GEORGE P. SHULTZ,
Chairman, Cost of Living Council.

[FR Doc.73-18160 Filed 8-24-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

CELANESE CHEMICAL CO.

Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346(d)(1)), notice is given that a petition (PP 3F1411) has been filed by Celanese Chemical Co., 245 Park Avenue, New York, N.Y. 10017, proposing establishment of tolerances (40 CFR Part 180) for residues of the fungicides acetic acid at 5,000 part per million and propionic acid at 20,000 parts per million in or on the raw agricultural commodities alfalfa, Bermuda grass, bluegrass, brome grass, clover, cowpea hay, fescue, lespedeza, lupines, orchard grass, peanut hay, peavine hay, soybean hay, sudan grass, rye grass, timothy, and vetch from postharvest application.

The analytical method proposed in the pesticide petition for determining residues of the fungicides is a gas chromatographic procedure using a flame ionization detector.

Dated: August 21, 1973.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.73-18086 Filed 8-24-73;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CI67-248]

BEACON GASOLINE CO.

Notice of Petition to Amend

AUGUST 21, 1973.

Take notice that on August 13, 1973, Beacon Gasoline Company (Petitioner), P.O. Box 396, Minden, Louisiana 71055, filed in Docket No. CI67-248 a petition to amend the order heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to gather and transport natural gas produced by Oliver M. Clegg, Trustee, in the Walker Creek Field, Columbia County, Arkansas, for processing and delivery to the gas purchaser, Texas Gas Transmission Corporation (Texas Gas), in Columbia County, Arkansas, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner proposes to transport, process and deliver gas to Texas Gas for two years or until the gas is used in cycling operations in the Walker Creek Field. Oliver M. Clegg, Trustee, has filed an application for a certificate of public convenience and necessity in Docket No. CI74-98 authorizing the sale for resale of natural gas in interstate commerce to Texas Gas within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70) and the delivery of said gas to Petitioner for transportation and processing. Petitioner proposes to charge 1.5 cents per Mcf for processing the gas, which will be reduced to 0.25 cent per Mcf when the initial gathering system costs are recovered, plus a 0.25 cent per Mcf gathering charge.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before September 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). 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.73-18122 Filed 8-24-73;8:45 am]

[Docket No. CI74-101]

C & K PETROLEUM, INC.

Notice of Application

AUGUST 21, 1973.

Take notice that on August 13, 1973, C & K Petroleum, Inc. (Applicant), 608 First City National Bank Building, Houston, Texas 77002, filed in Docket No. CI74-101 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Transcontinental Gas Pipe Line Corporation from the Lake des Allemands Field, St. Charles Parish, Louisiana, 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 commenced the sale of natural gas on August 1, 1973, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for three years from the end of the sixty-day emergency period within the contemplation of section 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 3,000 Mcf of gas per day at 50.0 cents per Mcf at 15.025 p.s.i.a. plus tax reimbursement to the seller for ¾ of any additional gas severance taxes levied one year after the proposed sales commence.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 4, 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 section 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.73-18116 Filed 8-24-73;8:45 am]

[Docket No. CI74-49]

CITIES SERVICE OIL CO.

Notice of Application; Correction

AUGUST 15, 1973.

In the Notice of Application, issued July 30, 1973 and published in the FEDERAL REGISTER August 6, 1973, 38 FR 21213:

Second paragraph, line 2, Change "July 22, 1973" to read "July 2, 1973."

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18028 Filed 8-24-73;8:45 am]

[Docket No. CI74-98]

OLIVER M. CLEGG, TRUSTEE

Notice of Application

AUGUST 21, 1973.

Take notice that on August 14, 1973, Oliver M. Clegg, Trustee (Applicant), P.O. Drawer A, Magnolia, Arkansas 71753, filed in Docket No. CI74-98 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Gas

Transmission Corporation from the Walker Creek Field, Columbia County, Arkansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell for two years or until the gas is used in the cycling of the Walker Creek Field, all the available gas, estimated to be approximately 21,000 Mcf per month at 35.0 cents per Mcf at 15.025 p.s.i.a., subject to downward Btu adjustment, within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70).

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 4, 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.73-18117 Filed 8-24-73;8:45 am]

[Docket No. CP74-39]

COLUMBIA GULF TRANSMISSION CO. AND MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

AUGUST 20, 1973.

Take notice that on August 10, 1973, Columbia Gulf Transmission Company, P.O. Box 638, Houston, Texas 77001, and Michigan Wisconsin Pipe Line Company, One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP74-39 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of gas between them, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants propose to exchange unspecified volumes of natural gas whenever a shortage exists on one Applicant's system which can be alleviated by deliveries of gas from the system of the other Applicant. Such exchanges would be effected at an existing point of interconnection in the Eugene Island Block 250, offshore Louisiana; an existing point of interconnection near Calumet, St. Mary Parish, Louisiana; producing fields, natural gas processing plants and other common points where Applicants take delivery of gas from others; producing fields, natural gas processing plants and other common points where Applicants and/or one or more other pipeline companies take delivery of natural gas, so that gas can be exchanged by Applicants in whole or in part via the facilities of other companies; and such additional points of interconnection between the pipeline systems of Applicants as may be established in the future pursuant to Commission authorization. It is stated that exchange gas will be delivered only when in the judgment of the delivering party it can make them without impairment of its service to its customers and redeliveries will be made as soon as feasible and in any event within 60 days unless a longer period is mutually agreed to.

Any person desiring to be heard or to make any protests with reference to said application should on or before September 14, 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18132 Filed 8-24-73;8:45 am]

[Docket No. E-8350]

DUKE POWER CO.

Supplement to Agreement

AUGUST 20, 1973.

Take notice that on August 8, 1973, Duke Power Company (Company) tendered for filing a Supplement to the Company's Electric Power Contract (designated as FPC No. 201) with the City of Seneca, South Carolina (City).

The Company states that the new contract, dated April 28, 1971, to become effective September 20, 1973, provides for an increase in contract demand from 7,000 KW to 12,000 KW.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8, 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 September 10, 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.73-18136 Filed 8-24-73;8:45 am]

[Docket Nos. RP71-137, RP72-151]

EL PASO NATURAL GAS CO.

Extension of Time

AUGUST 17, 1973.

On August 10, 1973, El Paso Natural Gas Company filed a motion for an extension of time to file an answer to the motion filed August 6, 1973, by Commission Staff Counsel for the institution of a proceeding related to conjunctive billing issues.

Upon consideration, notice is hereby given that the time is extended to and including August 27, 1973, within which answers may be filed to the above motion.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18029 Filed 8-24-73;8:45 am]

[Dockets Nos. CI72-605, CI73-7]

FLORIDA GAS EXPLORATION CO.

Notice of Redesignation

AUGUST 21, 1973.

By a letter filed with the Commission on November 20, 1972, Florida Gas Exploration Company advises that it has changed its corporate name from Coastal Production Company.

Accordingly, the temporary certificates issued and the rate schedules on file with the Commission, set forth in the Appendix hereto, are designated as those of Florida Gas Exploration Company in lieu of Coastal Production Company.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Former designation	New designation	Related Docket No.
Coastal Production Co., FPC Gas Rate Schedule No. 1—Supp. Nos. 1-7, thereto.	Florida Gas Exploration Co., FPC Gas Rate Schedule No. 2—Supp. Nos. 1-7, thereto.	CI72-605
Coastal Production Co., et al. FPC Gas Rate Schedule No. 2.	Florida Gas Exploration Co., et al. FPC Gas Rate Schedule No. 3.	CI73-7

[FR Doc.73-18140 Filed 8-24-73;8:45 am]

[Docket No. E-8323]

FLORIDA POWER AND LIGHT CO.

Extension of Time

AUGUST 17, 1973.

On August 14, 1973, Counsel for the City of Homestead, Florida, requested an extension of time within which to file a comment, protest or petition to intervene on the notice of agreement and proposed changes in rates and charges issued on July 27, 1973.

Upon consideration, notice is hereby given that the time is extended to and including August 22, 1973, within which protests or petitions to intervene may be filed in the above matter.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18030 Filed 8-24-73;8:45 am]

[Docket No. E-6730]

GEORGIA POWER CO.

Filing by Licensee; Correction

JUNE 29, 1973.

In the Notice of Filing by Licensee Agreeing to Pay Certain Sums for Headwater Benefits, issued June 27, 1973 and published in the FEDERAL REGISTER July 2, 1973, 38 FR 17536:

The following corrections should be made to said Notice:

(1) Second paragraph, line 13, strike the comma after 797 and replace with a period so the figures shall read $585,797.00.

(2) Third paragraph, line 1, strike "not" after the word "would".

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18031 Filed 8-24-73;8:45 am]

[Project 2336]

GEORGIA POWER CO.

Application for Change in Land Rights

AUGUST 17, 1973.

Public notice is hereby given that application was filed June 22, 1973, under the Federal Power Act (16 U.S.C. 791a-825r) by the Georgia Power Company (Correspondence to: Mr. I. S. Mitchell III, Vice President and Secretary, Georgia Power Company, P. O. Box 4545, Atlanta, Georgia 30302) for change in land rights for Lloyd Shoals Project No. 2336, located near the Towns of Monticello and Jackson in Jasper, Butts, and Newton Counties, Georgia, on the Ocmulgee River.

Applicant requests Commission approval of a 22-year lease of project lands to the Turtle Cove Property Owners Association, Inc. The land is a discontinuous strip extending for about 13 miles along the Jasper County shoreline of Jackson Lake from a point about a mile upstream of the project dam to a point about one-half mile upstream of Waters Bridge (Georgia Highway No. 212). The strip, which varies in width from zero to fifty feet, lies between the normal high water line (elevation 530 feet M.S.L.) and the project boundary.

The proposed lease provides that owners of lots contiguous to the strip may build docks, piers and swimming floats thereon subject to the approval of Georgia Power Company. Applicant submits that boathouses, lifts, and cribs, as well as sewage releases to the reservoir, will be prohibited.

Any person desiring to be heard or to make protest with reference to said application should on or before October 8, 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.73-18032 Filed 8-24-73;8:45 am]

[Dockets Nos. CP71-222, CP71-223]

GREAT LAKES GAS TRANSMISSION CO.

Further Extension of Time and Postponement of Hearing

AUGUST 20, 1973.

On August 15, 1973, Great Lakes Gas Transmission Company requested a further extension of the procedural dates fixed by notice issued May 18, 1973, in the above-designated matter. The request states that the interveners concur in this request.

Upon consideration, notice is hereby given that the procedural dates are further modified as follows:

Service of Great Lakes Case-In-Chief, September 21, 1973.
Hearing, October 9, 1973 (10:00 a.m., E.D.T.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18138 Filed 8-24-73;8:45 am]

[Docket No. E-8121]

GULF STATES UTILITIES CO.

Order Suspending Proposed Rate Increase, Setting Matter for Hearing, and Instituting Investigation; Correction

JULY 19, 1973.

In the Order Suspending Proposed Rate Increase, Setting Matter for Hearing, and Instituting an Investigation Under section 206, Issued June 14, 1973, and published in the FEDERAL REGISTER June 22, 1973, FR 38(16429): In footnote 3, the terminable date of the Kirbyville Light and Power Company Contract (FPC No. 81) is given as June 1, 1974.

This date should be August 21, 1973. In this same regard, of Appendix A, add under "FPC No. 81, Kirbyville Light and Power Company", after the text of Article IV, the following language:

September 26, 1951, contract amended by letter of August 28, 1952, to change the "not later than" date in Article I to August 21, 1952.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18033 Filed 8-24-73;8:45 am]

[Docket Nos. RP72-118 and RP73-14]

MICHIGAN WISCONSIN PIPE LINE CO.

Tariff Changes Pursuant to Order Approving Rate Settlement

AUGUST 17, 1973.

Take notice that on August 3, 1973, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) tendered for filing revised tariff sheets to its F.P.C. Gas Tariffs, Second Revised Volume No. 1 and First Revised Volume No. 2 as follows:

Volume No. 1 Tariff:
- Substitute Third Revised Sheet No. 27F
- Fourth Revised Sheet No. 27F
- Substitute Fourth Revised Sheet No. 27F
- Fourth Revised Sheet No. 8
- First Revised Sheet No. 9K

Volume No. 2 Tariff:
- Substitute Fourth Revised Sheet No. 92
- Substitute Fourth Revised Sheet No.110
- Substitute Fourth Revised Sheet No. 129
- Substitute Fourth Revised Sheet No. 130
- Substitute Third Revised Sheet No. 141
- Substitute Third Revised Sheet No. 142
- Substitute Third Revised Sheet No. 171
- Substitute First Revised Sheet No. 214
- Substitute First Revised Sheet No. 215
- Substitute Original Sheet No. 231
- Substitute Original Sheet No. 232

Michigan Wisconsin states that the above revised tariff sheets and the rates and tariff changes therein contained are being filed in compliance with the Commission's Order Approving Rate Settlement issued July 24, 1973.

Michigan Wisconsin further states that copies of the filing have been mailed

to its customers and all interested parties in Docket Nos. RP72-118 and RP73-14.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Washington, D.C. 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 August 29, 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.73-18035 Filed 8-24-73;8:45 am]

[Project 346]

MINNESOTA POWER AND LIGHT CO.

Issuance of Annual License

AUGUST 21, 1973.

On August 13, 1970, Minnesota Power and Light Company, Licensee for Blanchard Project No. 346 located on the Mississippi River below Pike Rapids in Morrison County, Minnesota, filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6).

The license for Project No. 346 was issued effective August 25, 1923, for a period ending August 24, 1973. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of Licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual License to Minnesota Power and Light Company for continued operation maintenance of Blanchard Project No. 346.

Take notice that an annual license is to Minnesota Power and Light Company (Licensee) under section 15 of the Federal Power Act for the period August 25, 1973, to August 24, 1974, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Blanchard Project No. 346 subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18141 Filed 8-24-73;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON POWER SUPPLY

Notice of Meeting

Agenda for a meeting of the Technical Advisory Committee on Power Supply, to be held at the Federal Power Commission Offices, 825 North Capitol Street NE., Washington, D.C., at 8:30 a.m., September 11, 1973, Room 5200.

1. Meeting opened by FPC Coordinating Representative.
2. Objectives and purposes of meeting.
a. Additions and corrections to minutes of meeting of July 24, 1973.
b. Review Abstract of Report on Generation Installations Study Area (Mr. Hanrahan).
c. Review Abstract of Report on Power Operations Study Area (Mr. Dille).
d. Review Abstract of Report on Task Force on Forecast Review (Mr. Lloyd).
e. Other Business.
f. Date of Next meeting.
3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18027 Filed 8-24-73;8:45 am]

[Docket No. E-8349]

NIAGARA MOHAWK POWER CORP.

Amendment to Agreements

AUGUST 17, 1973.

Take notice that Niagara Mohawk Power Corporation (Niagara) on August 8, 1973, tendered for filing an amendment (Third Amendment) to its Export Rate Schedule FPC No. 12 as supplemented.

According to Niagara, the supplement constitutes the Third Amendment to an agreement of July 1, 1954, between Niagara and the Hydro-Electric Power Commission of Ontario (Ontario).

Niagara states that, "the agreement of May 11, 1973, incorporates a change in the rate for emergency power and energy delivered by one party in the case of an emergency by the other party." Niagara further states that, "the existing rate for emergency power and energy is no longer adequate in relation to current costs and conditions and is not consistent with rates charged for equivalent sales by (Ontario) to other parties in the United States.

Niagara, in its letter of transmittal, requests a waiver of notice requirement contained in section 35.3 of regulations under the Federal Power Act.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 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 September 10, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18039 Filed 8-24-73;8:45 am]

[Docket No. CI74-91]

NORRIS OIL CO. ET AL.

Notice of Application

AUGUST 20, 1973.

Take notice that on August 9, 1973, Norris Oil Company (Applicant), P.O. Box A-1, Ventura, California 93001, filed in Docket No. CI74-91 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 United Gas Pipe Line Company from the Logansport Field, DeSoto Parish, Louisiana, 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 all the available gas at 50.0 cents per Mcf at 15.025 p.s.i.a., subject to downward Btu adjustments, pursuant to a contract dated June 8, 1973. Said contract provides for a 1.0-cent per Mcf price escalation each year, for reimbursement to the seller for ⅞ of all taxes in excess of 3.3 cents per Mcf, and for a term ending January 1, 1992. The quantity of gas available for sale is presently unknown as Applicant has not completed any wells on the acreage covered by the instant application.

Applicant states that the gas offered for certification has not been previously sold in the interstate market and that no applications have been previously filed with the Commission for certification for the sales of such gas.

Applicant asserts that the sale of gas at the proposed prices with escalations is reasonable as it encourages the development of new domestic gas reserves. Applicant states that recently negotiated intrastate sales in Louisiana call for prices in excess of those proposed in the instant sale. Applicant further asserts that the instant contract prices will be less costly to consumers than other alternative fuel sources. It is noted that rates for imported liquefied natural gas are between 77.0 and 83.0 cents per million Btu, that rates for synthetic gas from liquid hydrocarbons or coal are between 77.0 cents and $1.50 per Mcf, and that rates for delivered Alaskan gas are estimated at $1.00 per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 14, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a pro-

test 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.73-18133 Filed 8-24-73;8:45 am]

[Docket No. RP71-107 (Phase I)]

NORTHERN NATURAL GAS CO.

Proposed Changes in FPC Gas Tariff

AUGUST 17, 1973.

Take notice that on August 8, 1973, Northern Natural Gas Company (Northern) tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Second Revised Sheet No. 59a, First Revised Sheet No. 59b, and Original Sheet No. 59f. An effective date of September 10, 1973, is requested.

Tariff Sheets 59a and 59b contain revisions to Paragraph 9.5 of the General Terms and Conditions of Northern's FPC Gas Tariff to conform it to the clarification of the Commission's October 2, 1972 order as set forth in the Commission's Order Denying Rehearing issued November 27, 1972, Docket No. RP71-107 (Phase I).

Original Sheet No. 59f contains Northern's proposed procedures to meet emergency situations (including environmental emergencies) that may occur during periods of curtailment. This tariff sheet is being filed in compliance with Commission Order No. 467-A, Docket No. R-469.

Copies of the filing have been served upon all gas utility customers and upon interested State Commissions.

It appears reasonable and consistent with the public interest in this proceeding 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 protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with the requirements of §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) on or before August 27, 1973. All 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 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. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18037 Filed 8-24-73;8:45 am]

[Docket No. E-8346]

NORTHERN STATES POWER CO.

Supplement to Interconnection Coordinating Agreement

AUGUST 20, 1973.

Take notice that on August 6, 1973, Northern States Power Company (Northern) tendered for filing on behalf of Interstate Power Company (Interstate), Iowa Public Service Company (Iowa), St. Joseph Light and Power Company (St. Joseph), and Kansas City Power and Light Company (Kansas) Supplement No. 1 to the Twin Cities-Iowa-Omaha-Kansas City Interconnection Coordinating Agreement, dated January 22, 1968, and designated as FPC No. 351, 87, 43, 11, and 67 respectively.

According to Northern the Certificate of Concurrence, enclosed with the letter of transmittal, is filed by Northern on behalf of all parties.

Supplement No. 1, dated August 1, 1973, according to Northern, terminates the Service Schedules and replaces them with First Revised Service Schedules. Northern states that, "the service schedules providing for Emergency Energy, Scheduled Outage Energy and Short Term Power were changed to facilitate transactions under the subject agreement by making the rates comparable to the rates provided under other agreements between power suppliers in the area".

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 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 September 10, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18135 Filed 8-24-73;8:45 am]

[Docket No. RP73-82]

PACIFIC GAS TRANSMISSION CO.

Stipulation and Aggreement in Settlement of Proceeding

AUGUST 17, 1973.

Take notice that on August 10, 1973, Pacific Gas Transmission Company (PGT) tendered for filing a stipulation and agreement in settlement of the proceedings in Docket No. RP73-82. PGT states that the purpose of the filing is to make clear that its January 22, 1973, tariff should be accepted upon the condition, and with the express understanding, that the introduction into PGT's facilities of natural gas from any domestic source and/or sale by PGT of the natural gas from any such source shall in all cases be preceded by appropriate proceedings under section 7 of the Natural Gas Act in order to provide the Commission with an opportunity to consider whether such introduction and/or sale of domestic natural gas is consistent with the public convenience and necessity.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 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 September 3, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18038 Filed 8-24-73;8:45 am]

[Docket No. CP74-40]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

AUGUST 21, 1973.

Take notice that on August 13, 1973, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP74-40 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(b) of the regulations thereunder (18 CFR 157.7(b)) for a certificate of public convenience and necessity authorizing the construction, during a twelve-month period commencing the date of author-

ization, and operation of facilities to take into its certificated pipeline system additional natural gas supplies to be purchased from producers thereof in the general area of its existing system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of natural gas in the various producing areas coextensive with said system.

The total cost of the facilities proposed herein is not to exceed $7,000,000, with no single project costing in excess of $1,000,000. These costs will be financed through funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 14, 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.73-18129 Filed 8-24-73;8:45 am]

[Docket No. RP74-6]

SOUTHERN NATURAL GAS CO.

Filing of Tariff Revisions Containing Proposed Curtailment Plan

AUGUST 17, 1973.

Take notice that on August 2, 1973, Southern Natural Gas Company (Southern) tendered for filing, pursuant to section 4 of the Natural Gas Act, Seventh Revised Sheet No. 40, Third Revised Sheet No. 40A, Second Revised Sheet No. 40B, Second Revised Sheet No. 40C, Second Revised Sheet No. 40D, Second Revised Sheet No. 40E, and First Revised Sheet No. 40F to its FPC Gas Tariff, Sixth Revised Volume No. 1, relating to proposed curtailment procedures. Southern proposes that the aforesaid tariff sheets become effective October 1, 1973. Southern asserts that the revised tariff sheets modify Southern's existing curtailment plan in Docket No. RP72-74 to provide for curtailments pursuant to the nine priority-of-service categories established by the Commission in Order Nos. 467, 467-A, and 467-B.

The curtailment plan provides for the full curtailment of the lower priority category volumes before curtailment of any higher priority volumes is commenced; that curtailments within each priority category shall be made on a pro-rata basis; and that both the direct and indirect customers of Southern that use gas for similar purposes shall be placed in the same category of priority.

The plan provides that, during the period commencing on April 1 of each year and ending on the next ensuing October 31, curtailment orders issued under the plan shall be on an individual delivery point basis; and that, during the period commencing on November 1 and ending on the next ensuing March 31, curtailment orders issued under the plan shall be on a group basis where a purchaser has more than one delivery point and such delivery points have been grouped in an Exhibit A to an executed service agreement. The plan further provides, however, that on days when the forecast mean temperature at Birmingham, Alabama, is 35° Fahrenheit or lower, curtailment orders issued to multidelivery point customers whose delivery points have been grouped shall be issued on a companywide basis.

The plan states that gas taken under any rate schedule in excess of curtailment orders shall be deemed unauthorized overrun gas, and that a purchaser taking unauthorized overrun gas shall pay for such gas in accordance with the penalty provisions of Southern's respective rate schedules. The plan further provides that variations in the curtailment procedure provided in the plan may be permitted when necessary to respond to emergency situations (including environmental emergencies) where supplemental deliveries are required to forestall irreparable injury to life or property.

The plan states that there will be no adjustment in Demand Charges should Southern be unable to deliver a customer's Contract Demand or Maximum Delivery Obligation as a result of curtailments made pursuant to the plan.

The plan provides that Southern will maintain an Index of Requirements which will specify for each customer at each delivery point the requirements specified in the nine priority-of-service categories established by Order Nos. 467, 467-A and 467-B. Such Index of Requirements will be filed with the Commission as part of Southern's FPC Gas Tariff.

Southern states that copies of the tariff filing have been served upon all jurisdictional customers and upon interested state commissions.

Any person desiring to be heard or to make any protest with reference to said filing should, on or before August 31, 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 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 filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18040 Filed 8-24-73;8:45 am]

[Docket No. CP74-42]

SOUTHERN NATURAL GAS CO. AND COLUMBIA GULF TRANSMISSION CO.

Notice of Application

AUGUST 20, 1973.

Take notice that on August 13, 1973, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, and Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, filed in Docket No. CP74-42 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Southern purchases gas well gas from Amoco Production Company (Amoco) and that Columbia Gulf purchases gas well and oil well gas from Exxon Company, USA (Exxon), and oil well gas from Amoco, all from West Delta Block 73 Field, offshore Louisiana. The gas purchased by Columbia Gulf was transported from the Block 73 Field to shore by a pipeline owned by Exxon and delivered to Columbia Gulf at the tailgate of Exxon's Grand Isle Plant in Grand Isle, Louisiana. Due to the necessity of replacing portions of this system, Exxon's transportation service has been interrupted. In addition, Exxon's pipe replacement has reduced oil production efficiency in this field which has resulted in the flaring of oil well gas.

To prevent the flaring of gas and to receive gas well gas deliveries, Columbia Gulf entered into an emergency exchange of gas arrangement with South-

ern on June 22, 1973, with regard to the Amoco gas and on July 15, 1973, with regard to the Exxon gas. Applicants propose that Southern receive at its delivery point in the Block 73 Field such volumes of gas for the account of Columbia Gulf that it has available capacity to take, and that Columbia Gulf receive equivalent daily volumes of gas in exchange for the Amoco gas from Sea Robin Pipeline Company (Sea Robin) at or near the terminus of its facilities near Erath, Louisiana, that Southern may direct Sea Robin to deliver. Furthermore, Columbia Gulf will receive equivalent volumes of gas in exchange for the Exxon gas from the tailgate of Exxon's Delta Plant near Venice, Louisiana, that Southern may direct Exxon to deliver. The exchange arrangements are to continue until Exxon's system has been returned to full service. Any imbalances in deliveries are to be corrected monthly, if possible.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 14, 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18134 Filed 8-24-73;8:45 am]

[Docket No. CP74-37]

TENNESSEE GAS PIPELINE CO.

Notice of Application

AUGUST 17, 1973.

Take notice that on August 9, 1973, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP74-37 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Consolidated Edison Company of New York, Inc. (Con Ed), and Lowell Gas Company (Lowell), both present customers of Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to husband and subsequently to sell and deliver approximately 10,000 Mcf of gas per day, up to 50,000 Mcf of gas for the term ending November 1, 1973, which Con Ed is entitled to receive during that period. It is stated that Con Ed will release such volumes of gas for Lowell's account, but Con Ed will be charged for the gas at Applicant's CD-5 commodity rate. From November 1, 1973, to April 1, 1974, Applicant proposes, if operationally feasible, to deliver up to 10,000 Mcf per day of the "banked gas" in addition to the gas Con Ed is presently entitled to receive from Applicant. Should Applicant be unable to deliver the total daily volume of "banked gas" requested by Lowell and Con Ed, the request by Con Ed will be first honored. Should Con Ed be unable to receive its total volume of "banked gas" Lowell will "back off" its takes from Applicant for redelivery of the supplemental volumes to Con Ed. Lowell will pay Applicant's G-6 commodity rate for the "back off" gas delivered to Con Ed. The total volume of "banked" or "backed off gas" delivered to Con Ed will not exceed 334,000 Mcf, nor will the total deliveries of "banked gas" to Lowell and Con Ed exceed the total volume of gas husbanded for Con Ed prior to November 1, 1973. In addition, Applicant proposes to charge Lowell 96.16 cents per Mcf of the "banked gas" delivered to it and/or Con Ed and 25.0 cents per Mcf of the "back off gas" delivered to Con Ed. If any "banked gas" remains undelivered as of April 1, 1974, Applicant proposes to sell and deliver until November 1, 1974, up to 10,000 Mcf of gas per day to Lowell at 96.16 cents per Mcf.

The purpose of these proposals is to augment Lowell's and Con Ed's ability to avoid curtailments of deliveries to their high priority customers during the 1973-1974 winter season by conserving gas which otherwise would be sold and delivered prior to that period to lower priority customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 12, 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.73-18041 Filed 8-24-73;8:45 am]

[Docket No. E-7929]

TOLEDO EDISON CO.

Further Extension of Time and Postponement of Prehearing Conference and Hearing

AUGUST 21, 1973.

On August 13, 1973, Commission Staff Counsel filed a motion to extend the service and hearing dates fixed by notice issued April 13, 1973, in the above-designated matter. By letter dated August 16, 1973, Staff Counsel advised that the parties had been contacted and that she had received no objection.

Upon consideration, notice is hereby given that the procedural dates are further modified as follows:

Staff Service, August 28, 1973.
Prehearing Conference, September 7, 1973.
Intervener Service, September 21, 1973.
Company Rebuttal, October 2, 1973.
Hearing, October 16, 1973 (10:00 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18128 Filed 8-24-73;8:45 am]

[Docket No. E-7929]

TOLEDO EDISON CO.

Filing of Revised Fuel Clause

AUGUST 17, 1973.

Take notice that Toledo Edison filed a revised Fuel Clause on April 30, 1973, which purports to comply with Docket No. E-7541, Opinion No. 633, holding that fuel adjustment clauses are lawful under the Federal Power Act, and sound as a matter of regulatory policy.

Toledo Edison proposes service to 15 municipalities at wholesale under two rate schedules: Municipal Resale Service Rate—Small applicable to 11 small municipalities, and Municipal Resale Serv-

ice Rate—Large, applicable to four municipalities. The proposed revised fuel cost adjustment clause is applicable to Municipal Resale Service Rate—Large. It is proposed that this clause should supersede the clause shown on Original Sheet Nos. 5 and 6 of Toledo Edison Company's Electric Tariff, original volume No. 1.

Any person desiring to be heard or to make any protest with reference to said filing should on or before August 30, 1973, file with the Federal Power Commission, Washington, D.C. 20426,. petitions to protest or comment 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. The revised fuel clause is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18042 Filed 8-24-73;8:45 am]

[Docket No. E-7929]

TOLEDO EDISON CO.

Service Agreements

AUGUST 21, 1973.

Take notice that Toledo Edison Company (Toledo) on July 30, 1973, tendered for filing unexecuted service agreements dated July 23, 1973, between Toledo and the City of Bowling Green, Ohio, the Village of Montpelier, Ohio, and the City of Napoleon, Ohio. Toledo states that the aforementioned service agreements supercede the individual expired contracts with those three municipal wholesale customers which were designated as Rate Schedule Nos. 5, 14, and 15, respectively. An effective date of August 12, 1973, is requested.

Any person desiring to be heard or to protest said unexecuted service agreements should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol St., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure be filed on or before August 31, 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 these unexecuted service agreements are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18115 Filed 8-24-73;8:45 am]

[Docket Nos. RP71-29, RP71-120]

UNITED GAS PIPE LINE CO.

Proposed Changes in FPC Gas Tariff

AUGUST 20, 1973.

Take notice that on June 29, 1973, United Gas Pipe Line Company (United) tendered for filing revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1 in purported compliance with the Commission's Opinion No. 647-A issued in these proceedings on May 30, 1973.

United asserts that the tendered tariff sheets are designed to effectuate the amended priorities and procedures set forth in Opinion No. 647-A and are to supercede the tariff sheets tendered by United on March 13, 1973. No effective date is proposed by United for its tender of June 29, 1973. Instead, United requests the Commission to postpone the effectiveness of those sheets "until sometime after the questionnaire data have been assembled, collated, and incorporated into a concrete curtailment program which all interested parties will at least have an opportunity to examine and comment on."

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 or 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before September 14, 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.73-18130 Filed 8-24-73;8:45 am]

[Docket Nos. RP71-29, RP71-120]

UNITED GAS PIPE LINE CO.

Proposed Changes in FPC Gas Tariff

AUGUST 20, 1973.

Take notice that on August 3, 1973, United Gas Pipe Line Company (United) tendered for filing revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1, in purported compliance to Commission order issued in the above-entitled proceedings on July 20, 1973.

United asserts that the tendered tariff sheets are designed to effectuate the amended Priorities 3 and 5-B and the changed definitions of "Interruptible Service" and "Feedstock Gas" set forth in the July 20 order.

Take further notice that these amended tariff sheets are to be substituted for the corresponding sheets included in its filing of June 29, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 or 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before September 14, 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.73-18131 Filed 8-24-73;8:45 am]

UNITED GAS PIPE LINE CO.

Filing Cancellation of Tariff Sheet

AUGUST 17, 1973.

Take notice that on August 9, 1973, United Gas Pipe Line Company tendered for filing First Revised Sheet No. 513 to its FPC Gas Tariff. This sheet is the cancellation of an exchange agreement between United Gas Pipe Line Company and Trunkline Gas Company which terminates by its own terms, and it is proposed that this tariff sheet become effective September 2, 1973.

The company states that a copy of the tariff sheet has been mailed to Trunkline Gas Company.

Protests or petitions to intervene are due to be filed with the Federal Power Commission on or before September 3, 1973.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18043 Filed 8-24-73;8:45 am]

[Docket No. E-8312]

UTAH POWER AND LIGHT CO.

Service Agreement

AUGUST 20, 1973.

Take notice that on July 11, 1973, Utah Power and Light (Utah) tendered for filing a letter agreement between Utah and Nevada Power Company (Nevada) providing for sale of up to 50Mw of power by Utah to Nevada. The agreement is to be effective from June 1, 1973, to September 15, 1973. Revenues resulting from the agreement amount to $853,690.

Utah states that delivery of the power and energy sold under the agreement will be made at various points on its

interconnection with the U.S. Bureau of Reclamation.

Utah requests waiver of the notice requirements of § 35.3 of the Commission's regulations. Since service has been rendered by Utah under the agreement since June 1, 1973, that is the requested effective date.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 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 August 29, 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 the tender are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18137 Filed 8-24-73;8:45 am]

[Docket No. E-8344]

COLUMBUS AND SOUTHERN OHIO ELECTRIC CO.

Amendment to Agreement

AUGUST 21, 1973.

Take notice that Columbus and Southern Ohio Electric Company (Company) on August 2, 1973, tendered for filing an amendment (Second Amendment) to its Rate Schedule FPC No. 14 as supplemented. The Company states that the supplement constitutes the Second Amendment to an agreement of May 15, 1964, between the Company and the City of Westerville, Ohio (City).

According to the company, the Second Amendment amends the supplemented rate schedule by increasing the capacity from 10,000 KW to 20,000 KW and inserts for the first time a fuel cost adjustment clause.

The proposed fuel cost adjustment clause provides "that the energy charge shall be increased .0056¢ per KWH for each .5¢ increase above 40¢ in the average cost per million Btu of fuel consumed at the Company's generating stations during the second calendar month preceding the billing date".

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 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 September 4, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18111 Filed 8-24-73;8:45 am]

[Docket No. RP72-6]

EL PASO NATURAL GAS CO.

Notice of Joint Petition for Extraordinary Relief

AUGUST 21, 1973.

Take notice that on August 2, 1973, the Department of Water and Power of the City of Los Angeles and Southern California Edison Company (Petitioners) filed their joint petition for extraordinary relief from the impact of curtailment plan in effect on the Southern Division System of El Paso Natural Gas Company during 1974.[1]

Petitioners, electric generating agencies servicing central and southern California, allege that they have been unable to contract for sufficient fuel oil to meet their combined requirements in 1974, 1975, and 1976. They state that their combined deficiency for 1974 amounts to 23.1 million barrels of fuel oil. For 1975 and 1976, the estimated deficiencies amount to 44.5 and 44.0 million barrels respectively.

Petitioners state that the 1974 deficiency approximately corresponds to their anticipated curtailment in gas supplies. They therefore request relief from curtailment to the extent necessary to offset their fuel oil deficiencies. Petitioners state that the Department of Water and Power has on hand or under contract sufficient fuel oil supplies to last until late February or early March, 1974. Thereafter, it would be necessary to curtail its electrical load an average of 35 percent unless additional fuel supplies can be found. Southern California Edison anticipates that it will face a similar situation in October, 1974.

Petitioners allege that their situation is unique in that they have been deprived of the opportunity to obtain additional natural gas supplies from both the existing supplier and other suppliers. They further allege that these unique circumstances expose the electrical energy markets served by petitioners to curtailments which would have a tremendous, adverse effect on the health and welfare of a large segment of the national population as well as a staggering effect on the economy of their service areas.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 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 September 17, 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 application are on file with the Commission and are available for public inspection.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18123 Filed 8-24-73;8:45 am]

[1] Petitioners allege that extraordinary relief will be necessary under either the existing interim curtailment plan or the recommended permanent curtailment plan (See Presiding Judge's Decision on Curtailment Plan, Docket No. RP72-6, issued June 5, 1973).

[Docket No. CI74-102]

EXXON CORP.

Notice of Application

AUGUST 21, 1973.

Take notice that on August 13, 1973, Exxon Corporation (Applicant), P.O. Box 2180, Houston, Texas 77001, filed in Docket No. CI74-102 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to El Paso Natural Gas Company from the South Carlsbad Field, Eddy County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell for one year approximately 210,000 Mcf of gas per month at 55.0 cents per Mcf at 14.65 p.s.i.a., subject to upward and downward Btu adjustment, within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Estimated initial downward Btu adjustment is 0.27 cent per Mcf of gas. Upward adjustment is limited to 1,175 Btu per cubic foot.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 4, 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.73-18114 Filed 8-24-73;8:45 am]

[Docket No. CI73-865]

HOOVER & BRACKEN OIL PROPERTIES, INC.

Notice of Application; Correction

JULY 12, 1973.

In the Notice of Application, Issued June 19, 1973 and published in The FEDERAL REGISTER July 2, 1973 FR 38(17532); Second paragraph, Lines 1 through 23: Applicant States that as a small producer certificate holder in Docket No. CS71-484 it is filing the instant certificate application solely to secure pregranted abandonment authorization and that it does not intend to file a rate schedule for the proposed sale. Should read:

Applicant, which is a small producer certificate holder in Docket No. CS73-138, states that it is filing the instant application because of the uncertainty of said certificate procedure as a result of the decision by the United States Court of Appeals in its docket 71-1560, et al., on December 12, 1972.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18034 Filed 8-24-73;8:45 am]

[Docket No. CI73-864]

HOOVER & BRACKEN OIL PROPERTIES, INC.

Notice of Application; Correction

JULY 12, 1973

In the Notice of Application, Issued June 19, 1973 and published in The FEDERAL REGISTER July 2, 1973, (38 FR 17531): Second paragraph, lines 1 through 23: Applicant states that as a small producer certificate holder in Docket No. CS71-484 it is filing the instant certificate application solely to secure pregranted abandonment authorization and that it does not intend to file a rate schedule for the proposed sale. Should read:

Applicant, which is a small producer certificate holder in Docket No. CS73-138, states that it is filing the instant application because of the uncertainty of said certificate procedure as a result of the decision by the United States Court of Appeals in its docket 71-1560, et al., on December 12, 1972.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18139 Filed 8-24-73;8:45 am]

[Dockets Nos. CP72-26, CP72-184, CP73-282]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Tariff Changes

AUGUST 21, 1973.

Take notice that on August 13, 1973, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) tendered for filing revised and new tariff sheets to its F.P.C. Gas Tariff, First Revised Volume No. 2 as follows:

Second Revised Sheet Nos. 212 and 213.
First Revised Sheet Nos. 229 and 230.
Original Sheet Nos. 336 through 343.

Michigan Wisconsin states that the above revised and new tariff sheets are being filed in compliance with the Commission's Orders Issuing Certificates of Public Convenience and Necessity in Docket Nos. CP72-26, issued July 26, 1973, CP72-184, issued July 26, 1973 and CP73-282 issued July 24, 1973.

Michigan Wisconsin further states that copies of this filing have been mailed to Central Indiana Gas Company, Inc., Wisconsin Southern Gas Company and North Central Public Service Company.

Michigan Wisconsin has requested that the Commission waive its applicable rules and regulations to the extent necessary, under Part 154 of the Natural Gas Act, to permit the proposed tariff sheets to become effective on the date the respective orders issuing certificates of public convenience and necessity were issued.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Washington, D.C. 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 August 31, 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.73-18125 Filed 8-24-73;8:45 am]

[Project No. 2301]

MONTANA POWER CO.

Notice of Extension of Time

AUGUST 21, 1973.

On August 8, 1973, The Central Montana Electric Generation and Transmission Cooperative, Inc., and Mid-West Electric Consumers Association, Inc., filed a motion for an extension of time within which to file petitions to intervene or protests to the notice issued July 18, 1973, in the above-designated matter.

Upon consideration, notice is hereby given that the time is extended to and including October 9, 1973, within which protests or petitions may be filed in the above-designated matter.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18126 Filed 8-24-73;8:45 am]

[Docket No. CI74-99]

INVESTORS ROYALTY CO., INC.

Notice of Application

AUGUST 21, 1973.

Take notice that on August 13, 1973, Investors Royalty Company, Inc. (Applicant), 1309 Thompson Building, Tulsa, Oklahoma 74103, filed in Docket No. CI74-99 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Transcontinental Gas Pipe Line Corporation from the Karon Field, Live Oak County, Texas, 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 intends to commence the sale of natural gas within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for twelve months from the end of the sixty-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 1,000 Mcf of gas per day at 55.0 cents per Mcf at 14.65 p.s.i.a. during the sixty-day emergency period and 50.0 cents per Mcf at 14.65 p.s.i.a. during the twelve-month period.

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. There, any person desiring to be heard or to make any protest with reference to said application should on or before September 4, 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 §§ 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.73-18112 Filed 8-24-73;8:45 am]

[Docket No. CP74-41]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

AUGUST 21, 1973.

Take notice that on August 13, 1973, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP74-41 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas in interstate commerce with Mississippi River Transmission Company (Mississippi River), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to a contract dated July 9, 1973, it will take, for two years, up to 90,000 Mcf of gas per day from reserves dedicated to Mississippi River in the Mills Ranch Field, Wheeler County, Texas, with delivery at a point of interconnection in Wheeler County. It is stated that ⅓ of this volume of gas will be purchased by Applicant at 45.0 cents per Mcf at 14.65 p.s.i.a. during the first year, and at 46.0 cents per Mcf at 14.65 p.s.i.a. during the second year, all subject to upward and downward Btu adjustment. Applicant proposes to exchange with Mississippi River volumes of gas equivalent to ⅔ of the quantity of gas delivered to Applicant, with redelivery to Mississippi River at an existing sales point in Clinton County, Illinois. It is stated that the redelivered volumes will be adjusted for Btu content and that any imbalances will be balanced after each twelve-month period. Deliveries of the exchange gas are to be made primarily during the months from April through November. It is stated that the necessary gas purchase facilities in Wheeler County will be constructed pursuant to Applicant's effective budget-type certificate. Mississippi filed on August 3, 1973, in Docket No. CP74-29 an application requesting authorization to sell gas to and exchange gas with Applicant.

The stated purpose of this proposal is to provide additional gas to augment Applicant's overall gas reserves and to provide Mississippi River with gas for injection into its storage facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 14, 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.73-18124 Filed 8-24-73;8:45 am]

[Project 2729]

POWER AUTHORITY OF THE STATE OF NEW YORK

Extension of Time for Filing Intervention

AUGUST 21, 1973.

On June 7, 1973, a Notice of application for a major license for the proposed Breakabeen Pumped Storage Project No. 2729 was issued, with August 8, 1973, as the due date for interventions into this proceeding.

Upon consideration, notice is hereby given that the time is extended to and including October 9, 1973, within which petitions to intervene may be filed.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18127 Filed 8-24-73;8:45 am]

[Docket No. CI74-95]

J. G. STONE

Notice of Application

AUGUST 21, 1973.

Take notice that on August 8, 1973, J. G. Stone (Applicant), P.O. Box 178, Lolita, Texas 77971, filed in Docket No. CI74-95 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Eastern Transmission Corporation from the Little Kentucky Field Area, Jackson County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that he commenced the sale of gas on July 21, 1973, within the contemplation of § 157.29 of the regulation under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for one year from the end of the sixty-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 1,000 Mcf of gas per day at 45.0 cents per Mcf at 14.65 p.s.i.a., subject to downward Btu adjustment. Deliveries are estimated to be 30,000 Mcf of gas per month.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 4, 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 rule.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 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 to be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-18113 Filed 8-24-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3479]

EBERSTADT FUND, INC., AND F. EBERSTADT & CO.

Order Exempting Applicants

AUGUST 22, 1973.

Notice is hereby given that The Eberstadt Fund, Inc. (Eberstadt), a Maryland corporation registered as a diversified, open-end management investment company under the Investment Company Act of 1940 (Act), and F. Eberstadt & Co., Managers & Distributors, Inc., 61 Broadway, New York, New York 10006 (Eberstadt M&D), a Delaware corporation registered as an investment adviser under the Investment Advisers Act of 1940 (collectively "Applicants"), have filed an application in connection with the merger of Surveyor Fund, Inc. (Surveyor), a Delaware corporation registered under the Act as a diversified, closed-end management company, with and into Eberstadt. All interested persons are referred to the application, as amended, on file with the Commission for a statement of the representations contained therein, which are summarized below.

Eberstadt and Surveyor propose to enter into an Agreement and Articles of Merger (Agreement), which will provide for the merger of Surveyor into Eberstadt. Currently Eberstadt has issued 2,649,907 shares of its capital stock and has total net assets of $25,146,565. Shares of Eberstadt are offered to the public at the net asset value per share plus varying sales charges as described in Eberstadt's prospectus. Surveyor has issued 5,668,657 shares of its common stock, including 421,883 treasury shares, and has total net assets of $128,821,812. Surveyor does not have an investment adviser, and its shares are currently traded at a discount from net asset value. Under the terms of the Agreement, the outstanding shares of Surveyor will be converted into shares of Eberstadt according to a ratio based upon the net asset values of the two funds at the time of the merger with a minor adjustment to take account of certain future tax effects. Eberstadt will change its name to Surveyor Fund, Inc. ("surviving fund") and will operate as an open-end, diversified investment company of the management type as defined by the Act. The merger will substantially increase the size of Eberstadt and will eliminate for Surveyor the disadvantage of its shares selling in the market at a discount from net asset value.

Debentures.—As of May 31, 1973, Surveyor had outstanding $20,000,000 principal amount of its 5 percent Convertible Debentures, Series A, due February 1, 1984 (Debentures), which were issued pursuant to an Indenture dated January 1, 1969 (Indenture) between Surveyor and Manufacturers Hanover Trust Company, as Trustee (Trustee). The Debentures, convertible into shares of Surveyor common stock, are redeemable prior to maturity at the option of Surveyor at specified redemption prices and, in addition, are redeemable commencing in 1980 at the principal amount through the operation of a sinking fund. The present conversion ratio is 32.971 shares for each $1,000 principal amount of Debentures, which is equivalent to a conversion price of $30.33 per share; the optional redemption price during the twelve month period ending February 1, 1974 is 105.50 percent of the principal amount. Redeeming Debenture holders are entitled to this amount plus accrued interest to the date of redemption.

Eberstadt and Surveyor have agreed that the Debentures should be called for redemption rather than continued as an obligation of the surviving fund. The Indenture requires that notice be given to Debenture holders not less than 30 days prior to the redemption date. Surveyor does not want the Debentures called prior to the merger because of the loss to that company and its shareholders which would occur if the Debentures were called for redemption but the merger were not effected. In that situation, Surveyor would be obligated to pay a redemption premium of $1,100,000 and would lose the benefit of having outstanding Debentures carrying a 5 percent interest rate. An agreement has been reached, therefore, that the Debentures will be called upon the merger for redemption 30 days after the effective date of the merger.

Surveyor's net assets, for purposes of the merger, will be reduced by an amount equal to the sum of the redemption price of the Debentures and accrued interest to the date of the call, and Eberstadt will enter into a supplemental indenture with the Trustee to assume the obligations of Surveyor under the Indenture and to provide for the issuance of shares of capital stock of the surviving company to Debenture holders upon any conversion of the Debentures on or prior to the redemption date. Any conversion will be at a rate expressed in numbers of Eberstadt shares per $1,000 principal amount of Debentures, determined by multiplying the number of Surveyor shares into which that principal amount of Debentures is convertible on the effective date of the merger by the number of shares of capital stock of Eberstadt into which each share of Surveyor stock is convertible upon the merger. If the merger had occurred on May 31, 1973, for example, 2.483 shares of the surviving fund would have been issued per share of Surveyor. Each $1,000 principal amount of Surveyor Debentures would then have been convertible into 81.867 shares of the surviving fund equivalent to a conversion cost for Debenture holders of approximately $9.63 per share. Thus, the conversion price on that date would have exceeded the net asset value per share of the shares to be received upon conversion by approximately 27 percent. Applicants contend, therefore, that on May 31, 1973, Debenture holders would have preferred to receive the redemption price of $1,055, plus the accrued interest for each $1,000 principal amount of Debentures, rather than to convert such Debentures into shares of the surviving fund having a net asset value of approximately $788. It is not possible to determine what the exchange ratio of shares will be on the effective date of the merger, or to estimate what percentage the conversion price will be of the net asset value per share on that date. However, applicants contend that the conversion of Debentures is not likely to be economically attractive to Debenture holders in the absence of an approximately one-third appreciation in the value of the stock receivable upon conversion between now and a date 30 days after the merger (tentatively scheduled for September 10, 1973).

The agreement of the surviving fund, as successor to Surveyor, to either pay the redemption price or convert the Debentures within 30 days of the effective date of the merger may be considered the issuance of a "senior security" by the surviving fund. Since the surviving fund will be an open-end investment company, it will be prohibited by section 18(f) of the Act from issuing any senior securities, and an exemption from that section pursuant to section 6(c) of the Act is necessary. Moreover, since any conversion of Debentures during the 30 day period would be at a price per share other than the current offering price of the surviving fund, an exemption from section 22(d) of the Act pursuant to section 6(c) is also necessary as section 22(d) requires that the securities of a registered investment company be sold to the public only at the current offering price described in the prospectus of the company.

Sublease.—Upon the effectiveness of the merger and pursuant to an Assignment and Assumption Agreement (Assignment) between Surveyor and Eberstadt M&D, Surveyor will assign to Eberstadt M&D its rights, and Eberstadt M&D will assume the obligations of Surveyor, under the Indenture of Sublease dated August 23, 1972 ("Sublease") between Surveyor and Control Data Corporation. The Sublease provides for the rental of a portion of the twelfth floor of One State Street Plaza, New York, New York for a sixteen-year term.

The basic annual rent is approximately $84,000 with rental payments beginning August 1, 1973. Since the space is unnecessary for the operation of the surviving fund, it was determined that the sublease should not be included as a part of the merger transaction. Under the Assignment, Eberstadt M&D will assume liability for the rent and other obligations of Surveyor under the Sublease. The surviving fund will remain contingently liable to pay such rentals and perform such obligations in the event of a default by Eberstadt M&D. It is anticipated that Eberstadt M&D will sublease the offices to an unaffiliated third party or parties. Pursuant to an agreement to be entered into between Eberstadt and Eberstadt M&D, Eberstadt M&D will bear all losses resulting from any such arrangements; any profits realized by Eberstadt M&D will be paid over to the surviving fund.

Eberstadt M&D presently acts as investment adviser of and distributor for Eberstadt, and therefore, is an affiliated person of, and principal underwriter for Eberstadt within the meaning of the Act. Eberstadt M&D may be deemed to be participating, as principal, in the merger transaction with Eberstadt, because the assignment to Eberstadt M&D of the rights of Surveyor, and the assumption by Eberstadt M&D of the liabilities of Surveyor under the sublease are subject to the effectiveness of the merger and become operative simultaneously with the merger. Section 17(d) of the Act and Rule 17d–1 thereunder, in the absence of Commission approval, prohibit an affiliated person of a registered investment company, or an affiliated person of such person, from participating in a transaction in connection with a joint enterprise or other joint arrangement in which such registered company is also a participant unless the Commission has granted an application filed pursuant to Rule 17d–1 regarding such participation.

Shares issued in merger.—The exchange ratio to be applied in the proposed merger is similar to that employed in numerous combinations of investment companies. The adjustment to be made in the net asset values of Surveyor and Eberstadt is based on a practice which has evolved over a period of years in connection with the combination of investment companies and is designed to recognize the potential tax effect of the disproportion in realized and unrealized taxable capital gains and losses of the combining companies as well as other tax effects. The method of adjustment customarily used in connection with mergers of investment companies provides for an adjustment solely to the net assets of the non-surviving company. However, the exchange ratio in the proposed merger represents the average of the ratios derived by adjusting the net assets of Surveyor and Eberstadt separately since application of the customary method produces different results depending on which fund survives the merger. The adjustment utilized for the proposed merger more nearly reflects the fact that, although Eberstadt will be the surviving legal entity, Surveyor will be the surviving accounting entity. According to Applicants, the proposed exchange ratio, including the tax adjustment, was arrived at by the parties after arms-length negotiations. The Boards of Directors of the two funds have determined that the exchange ratio is fair and that the granting of this exemption will facilitate the merger, with the resulting benefits to the stockholders of Eberstadt and Surveyor.

The shares of Eberstadt are currently offered to the public at prices consisting of the net asset value per share plus sales charges as described in Eberstadt's prospectus. Therefore, in order to effectuate the proposed merger, an exemption from section 22(d) of the Act pursuant to section 6(c) is necessary.

Applicants represent that the following factors support the granting of the requested exemptions described above:

In determining whether to grant the requested exemptions from sections 18(f) and 22(d) pursuant to section 6(c) of the Act, the Commission must decide if and to what extent such exemptions are necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Eberstadt and Surveyor have agreed that the Debentures should be redeemed to facilitate the proposed merger and in recognition of the prohibition of section 18(f) of the Act against a registered open-end company issuing senior securities, except in connection with bank borrowings. The Board of Directors of Eberstadt has determined that the leverage represented by the Debentures would be contrary to the existing investment policies of Eberstadt. They have also determined that the existence of such leverage would require the surviving fund, whose investment objective will be long-term growth of capital, to invest in income-producing securities or otherwise make investment decisions based on the necessity of covering the interest on the Debentures rather than on the overall investment goals of its stockholders. The Indenture requires that Debenture holders be given notice 30 days before the redemption date. Because of the economic losses which Surveyor would incur if the Debentures were redeemed but the merger was not consummated, Surveyor has requested the Debentures be called upon the merger for redemption at a date 30 days after the effective date of the merger. Applicants contend that it is unlikely that the value of the stock receivable upon conversion of the Debentures will appreciate the one-third necessary to make such conversion economically attractive and equally unlikely, therefore, that any dilution will occur as to shares of the surviving fund due to Debenture holders converting their Debentures before the redemption date. The Eberstadt directors have concluded that the benefits of the proposed merger to that company's stockholders, particularly the anticipated lower expense ratio and the greater economic viability of the surviving fund, outweigh the possibility of dilution resulting from the conversion of Debentures.

Under section 17(d) of the Act and Rule 17d–1 thereunder, the Commission, in passing upon an application to permit an affiliated person of a registered investment company to participate in a joint enterprise or joint arrangement in which such registered company is a participant, considers whether such participation is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from, or less advantageous than, that of other participants. Applicants represent that the Board of Directors of Eberstadt has concluded that the surviving fund will have no use for the space at One State Street in New York and that the Sublease should not be included as a part of the liabilities being transferred to the surviving fund as a result of the merger. Moreover, it is represented that the subleasing of such property to third parties by the surviving fund may be deemed inconsistent with its stated investment objectives and policies, and that any rentals received from such subleasing would not be considered "qualifying income" under Section 851 of the Internal Revenue Code of 1954 ("Code") and might, in future years, jeopardize the status of the surviving fund as a "registered investment company" under the Code. The assumption by Eberstadt M&D of the obligation to pay rentals under the Sublease will relieve the surviving fund of a substantial primary liability, and thus facilitate the merger, with the consequent benefits to the stockholders of Surveyor and Eberstadt. Moreover, the terms of the assignment are, in effect, the same terms that Surveyor negotiated with Control Data Corporation in 1972 for the office space covered by the Sublease. Applicants contend that the terms upon which Eberstadt will participate in the merger are not less advantageous than those upon which Eberstadt M&D will participate. First, the Sublease is an unnecessary liability to the surviving fund. Second, the consideration to be paid by Eberstadt in connection with the merger—the shares to be issued for the assets to be acquired—will be determined by the relative net asset values of the funds pursuant to a formula based on the practice which has evolved over a period of years in connection with the combination of investment companies. Thus, the value given by Eberstadt for the assets to be acquired in the merger will not reflect the positive or negative value, if any, of the Sublease. Third, Eberstadt M&D will bear fully any losses arising from the assignment and will pay over any profits to the surviving fund.

Notice is further given, that any interested person may, not later than September 5, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be

controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

The aforementioned notice period has been determined to be fair and reasonable in view of the fact that special meetings of the shareholders of Surveyor and Eberstadt have been called for September 7, 1973, for the purpose of voting upon the proposed merger which is scheduled to take effect on September 10, 1973.

By the Commission.

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

[FR Doc.73-18098 Filed 8-24-73;8:45 am]

[70-5370]

GEORGIA POWER CO.

Notice of Proposed Agreement

AUGUST 20, 1973.

Notice is hereby given that Georgia Power Company (Georgia), 270 Peachtree Street NW., Atlanta, Georgia 30303, an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application-declaration with this Commission designating sections 6, 7, 9(a), and 12(d) of the Public Utility Holding Company Act of 1935 (Act), and Rules 44(b)(3) and 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

Georgia states that in order to comply with prescribed air and water quality control standards of the State of Georgia it has been and will be necessary to construct certain pollution control facilities. By resolution of September 22, 1972, the Development Authority of Bartow County, Georgia (Authority), authorized a proposal to the Company to provide pollution control facilities (Project) for Units Nos. 2, 3, and 4 of Georgia's Bowen electric generating plant located in Bartow County.

Georgia proposes to enter into an agreement of sale (Agreement) with the Authority whereby the Authority will construct and equip the Project. To finance construction, the Authority will issue, pursuant to an indenture (Indenture) to be entered into between the Authority and an indenture trustee (Trustee), pollution control revenue bonds (Revenue Bonds) in a principal amount presently estimated not to exceed $41,000,000. The proceeds from the sale of the Revenue Bonds will be deposited by the Authority with the Trustee and will be applied to the payment of the cost of construction (as defined in the Agreement) of the Project. Under the Agreement, Georgia will complete construction of the Project; to the extent, if any, that the proceeds from the sale of the Revenue Bonds are insufficient to complete construction, Georgia will supply the deficiency.

The Agreement also will provide for the sale of the Project to Georgia at a price payable in semiannual installments over a period of 30 years sufficient to pay the principal of and interest on the Revenue Bonds as they become due and payable. The Agreement further provides that Georgia may prepay the purchase price (a) at any time on or after 10 years from the date of issuance of the Revenue Bonds in whole or in part at the option of Georgia, such payments to be sufficient to redeem or purchase outstanding Revenue Bonds, including applicable premiums, and (b) in whole, without premium, at the option of Georgia, in certain other specified contingencies.

In order to obtain the benefit of a rating for the Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under Georgia's bond indenture (Mortgage), Georgia proposes to issue a series of such first mortgage bonds (Collateral Bonds) under the Mortgage, pursuant to a supplemental indenture (Supplemental Mortgage). The Collateral Bonds, to be issued in a principal amount (not exceeding $41,000,000) equal to the principal amount of the Revenue Bonds, will be deposited with the Trustee as Security for Georgia's obligations under the Agreement. The Collateral Bonds will have a stated interest rate equal to the interest rate per annum to be borne by the Revenue Bonds, will mature on the maturity date of such Revenue Bonds, and will be non-transferrable. The Supplemental Mortgage will provide, however, that until the Trustee shall have demanded mandatory redemption of the Collateral Bonds, no interest in respect of the Collateral Bonds shall accrue or become payable, but that upon accelerations by the Trustee of payments under the Agreement, he may demand the mandatory redemption of the Collateral Bonds at a price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

The Indenture will provide that, upon deposit of funds with or direction to the Trustee by Georgia to apply available funds, or upon delivery of outstanding Revenue Bonds sufficient to pay or redeem all or any part of the Revenue Bonds, the Trustee will be obligated to deliver to Georgia Collateral Bonds in an aggregate principal amount equal to that amount of Revenue Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

In order to comply with applicable statutes of the State of Georgia, it will be necessary for Georgia to sell to the Authority such portions of the Project which have been constructed and are now owned by Georgia (Existing Facilities), relating principally to Unit No. 2 of the Bowen plant which is now in operation. The Agreement states that Georgia will receive, out of the proceeds of the Revenue Bonds, an amount equal to Georgia's original cost (approximately $30,592,000 as of June 30, 1973) for the Existing Facilities at the time of the sale. The Existing Facilities will become a part of the Project which Georgia proposes to purchase as provided in the Agreement. The proceeds to be received by Georgia for the Existing Facilities will be applied initially to obtain their release from the lien of the Mortgage, but may be withdrawn by Georgia in accordance with applicable provisions of the Mortgage.

It is contemplated that the Revenue Bonds will be sold by the Authority pursuant to arrangements with a group of underwriters represented by Blyth Eastman Dillon & Co., Incorporated, and The First Boston Corporation. In accordance with the laws of the State of Georgia, the interest rate to be borne by the Revenue Bonds will be fixed by the board of directors of the Authority. While Georgia will not be a party to the underwriting arrangement for the Revenue Bonds, the Agreement will provide that the terms of the Revenue Bonds and their sale by the Authority shall be satisfactory to Georgia. Application has been made on behalf of Georgia and the Authority to the Internal Revenue Service for its ruling that interest on the Revenue Bonds will be exempt from Federal income taxation, and the transactions proposed are contingent upon receipt of a favorable ruling to such effect. The proposed method of financing the Project will be pursued to the extent permissable under such ruling.

The management of Georgia believes the acceptance of the Authority's proposal and the consummation of the transactions herein proposed to be in the best interest of Georgia's consumers and investors and consistent with sound and prudent financial policy. Georgia has been advised that the annual interest rate on obligations, interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds to be, 1½ percent to 2½ percent lower than the rates on obligations of like tenor and comparable

quality, interest on which is fully subject to Federal income tax.

The application-declaration states that the fees incident to be proposed disposition of the Existing Facilities and the acquisition of the Project (as distinguished from and excluding fees and expenses incident to the sale of the Revenue Bonds by the Authority payable out of the proceeds of such sale) are estimated to be $76,500, including legal fees of $20,000 and trustee fees of $15,000. It is stated that the issuance of the Collateral Bonds is subject to the jurisdiction of the Georgia Public Service Commission, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction in respect thereof. Georgia states further that the competitive bidding requirements of Rule 50 in respect of the issuance of the Collateral Bonds are inappropriate under the circumstances described herein, inasmuch as the Collateral Bonds are to be issued and pledged solely to secure Georgia's obligations to the Authority and no public offering of the Collateral Bonds is to be made. It is stated that no other aspect of the proposed transactions is subject to the jurisdiction of any State commission or Federal commission, other than this Commission.

Notice is further given that any interested person may, not later than September 11, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-18094 Filed 8-24-73;8:45 am]

MASSACHUSETTS MUTUAL LIFE INSURANCE CO. AND MASSACHUSETTS MUTUAL VARIABLE ANNUITY FUND 2

Notice of Application

AUGUST 20, 1973.

Notice is hereby given that Massachusetts Mutual Life Insurance Company (Mass Mutual) and Massachusetts Mutual Variable Annuity Fund 2 (Fund), 1295 State Street, Springfield, Massachusetts 01111 (herein collectively called Applicants) have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act), for an order exempting Applicants from the provisions of section 22(c), 22(d), 26(a), and 27(c)(2) of the Act and Rule 22c-1 promulgated thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

On May 12, 1971, Mass Mutual established Fund pursuant to Chapter 175 of the Massachusetts General Laws as a separate account to offer variable annuity contracts to individuals not entitled to special tax treatment with respect thereto (Contracts). Payments made under the Contracts will be invested in shares of MML Investment Company, Inc. (MML Investment), an open-end diversified investment company registered under the Act and managed by Mass Mutual. Fund has registered under the Act as a unit investment trust.

Applicants have previously been granted exemption from sections 22(c), 22(d), and 26(a) of the Act and Rule 22c-1 thereunder with respect to single payment immediate Contracts. Applicants now request comparable exemptions in connection with periodic and single payment deferred Contracts, for the offering of which a registration statement under the Securities Act of 1933 has been filed.

Rule 22c-1.—Rule 22c-1, promulgated pursuant to section 22(c), prohibits a registered investment company issuing a redeemable security, a person designated in such company's prospectus as authorized to consummate transactions in any such security, and a principal underwriter of, or dealer in, any such security, from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. The current net asset value must be computed not less frequently than once daily on each day that the New York Stock Exchange is open for trading as of the time of the close of trading on such Exchange.

Applicants request an exemption from Rule 22c-1 so as to permit the application of purchase payments received, and the determination of death benefits and redemption values, to be based on valuations as of the close of the New York Stock Exchange on the date the purchase payment, notice of death or request for redemption is received, regardless of the time of receipt, except to the extent such payment is made in person or such notice or request is delivered in person at the home office of Mass Mutual. Applicants represent that in almost all instances purchase payments, death notices, and redemption requests will be received by mail and that, therefore, it will be fortuitous whether such receipt is prior or subsequent to the close of the New York Stock Exchange.

Section 22(d).—Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus.

Applicants request an exemption from section 22(d) to permit Contracts which depend in whole or in part on the investment performance of the Fund to be sold without a deduction for sales expenses upon the receipt of proceeds payable under fixed-dollar life insurance or annuity contracts previously issued by Mass Mutual. Applicants represent that sales expenses will be lower with this class of Contract Owners; that such other contracts have already been subject to sales expenses; and that no unfair discrimination between variable annuity Contract Owners would result from the requested exemption.

Section 26(a) and 27(c)(2).—Sections 26(a) and 27(c)(2) of the Act prohibit a depositor of or principal underwriter for a registered unit investment trust from selling any periodic payment plan ceritficate issued by such a trust unless the certificate is issued pursuant to a trust indenture, agreement of custodianship, or other instrument which provides (i) that the securities and other property of the trust shall be held by a custodian or trustee which is a qualified bank; (ii) that the custodian or trustee may collect from income and, if necessary, the corpus of the trust, fees for services theretofore performed and reimbursement for expenses theretofore incurred, except that no payment to the depositor or principal underwriter shall be allowed the custodian or trustee as an expense except as a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping or other administrative services; (iii) that the custodian or trustee shall not resign until either the trust has been liquidated or a qualified successor custodian or trustee has been appointed; and (iv) that certain records be kept.

In support of the requested exemption Applicants stated that as a regulated insurance company Mass Mutual's obligations to the Contract Owners provide substantially the same protections envisioned by the requirements of those sections. Mass Mutual, which had an unassigned surplus of $190,696,000, as of December 31, 1972, is subject to regulation by the Department of Banking and Insurance of the Commonwealth of Massachusetts and the National Association of Insurance Commissioners. Its

officers and employees are covered by a fidelity bond in the amount of $2,000,000. The assets of the Fund, equal to the reserves and other liabilities for variable benefits which depend upon the Fund's investment performance, are not chargeable with liabilities arising out of any other business Mass Mutual may conduct.

Applicants also state that while the assets of the Fund will be invested in shares of the MML Investment Company, Inc. (MML Investment) which will be held by the Fund in an open account on the books and records of the Fund and MML Investment without the issuance of transferable stock certificates which might require safekeeping, the portfolio securities and other assets of MML Investment itself will be held in the custody of a qualified bank. They add that there is no substantial risk of abandonment of Contract Owners by Mass Mutual as sponsor of the Fund because of the binding obligation of Mass Mutual under the Contracts to provide lifetime benefits to Contract Owners. they also state that substitution by the Fund of other securities for MML Investment shares is subject to the vote of the Contract Owners.

Applicants have consented that this requested exemption be subject to the conditions that the deductions under the Contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe; that the Commission shall reserve jurisdiction for such purpose; and that the payment of sums and charges out of the assets of the Fund shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the consent of Applicants to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services. Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and Rules promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, no later than September 12, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. Any time after said date, as provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for a hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered), and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-18095 Filed 8-24-73;8:45 am]

[70-5259]

MIDDLE SOUTH UTILITIES, INC. ET AL.

Notice of Post-Effective Amendment

AUGUST 20, 1973.

In the Matter of: Middle South Utilities, Inc., 280 Park Avenue, New York, New York 10017; System Fuels, Inc., 225 Baronne Street, New Orleans, La. 70112; Arkansas Power & Light Company, Ninth and Louisiana Streets, Little Rock, Ark. 72203; Louisiana Power & Light Company, 142 Delaronde Street, New Orleans, La 70174; Mississippi Power & Light Company, Electric Building, Jackson, Miss. 39205; New Orleans Public Service Inc., P.O. Box 60340, New Orleans, La. 70160.

Notice is hereby given that Middle South Utilities, Inc. ("MSU"), a registered holding company, its public utility subsidiary companies, Arkansas Power & Light Company ("Arkansas"), Louisiana Power & Light Company ("Louisiana"), Mississippi Power & Light Company ("Mississippi") and New Orleans Public Service Inc. ("NOPSI") (collectively referred to as "Operating Companies"), and System Fuels, Inc. ("SFI") a joint non-utility subsidiary company and System Fuels, Inc. ("SFI") a joint non-utility subsidiary company of Operating Companies, have filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), (7), 12(b) and 12(f) and Rules 45 and 50(a)(2) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

The Commission has heretofore by order authorized SFI to issue and sell its unsecured promissory notes ("Notes"), in an aggregate amount not exceeding $12,000,000 outstanding at any one time, to The Hibernia National Bank in New Orleans ("Hibernia") from time to time for a period of two years from the date of an agreement ("Loan Agreement") among Hibernia, SFI, Operating Companies and MSU. Under the Loan Agreement, nine banks ("Participating Banks") are participating to the extent of 80 percent of borrowings made. (See Holding Company Act Release No. 17797, dated December 8, 1972.)

By mutual agreement, the parties to the Loan Agreement now propose to amend said Loan Agreement to effect an increase in the amount of borrowings by SFI under the line of credit with Hibernia from $12,000,000 to $25,090,000 at any one time outstanding. The same Participating Banks specified in the aforesaid declaration, as amended, will continue to participate in the increased borrowings by SFI from Bank, and the percentage of their participation in the increased borrowings at any one time will be increased from 80 percent to 86.1 percent up to a maximum of $21,590,000. The participation of each Participating Bank in the maximum borrowings under the Loan Agreement will be as follows:

Participating bank	Participation in total $25,090,000 borrowing	
	Percent	Amount
Whitney National Bank of New Orleans	31.9	$8,000,000
First National Bank of Commerce New Orleans, La	15.9	4,000,000
National American Bank of New Orleans	7.4	1,850,000
Deposit Guaranty National Bank, Jackson, Miss	4.8	1,200,000
First National Bank of Jackson, Miss	4.8	1,200,000
First National Bank in Little Rock, Ark	6.0	1,500,000
Commercial National Bank, Little Rock, Ark	2.4	600,000
Simmons First National Bank of Pine Bluff, Ark	11.9	3,000,000
Mississippi Bank and Trust Company, Jackson, Miss	1.0	240,000
	86.1	21,590,000

Hibernia's participation in the total borrowings will be the balance of 13.9 percent, or up to a maximum of $3,500,000. All other terms and conditions of the Loan Agreement and Participation Agreement are to remain unchanged.

As of July 31, 1973, SFI had made borrowings from Hibernia under the line of credit in the aggregate principal sum of $12,000,000, the proceeds of which were applied by SFI toward the purchase of oil for use as fuel by Arkansas, Louisiana, Mississippi, NOPSI, and Arkansas-Missouri Power Company. The declarants state that as a result of curtailments of natural gas deliveries it is necessary to increase the supply of oil as an alternative fuel. Therefore, SFI proposes to use the proceeds from the herein requested additional borrowings to finance

a larger fuel oil inventory presently estimated to range from 5,000,000 to 9,000,000 bbls.

Pursuant to an order of the Commission, dated December 17, 1971, SFI may borrow from Operating Companies, from time to time through 1973, an aggregate amount not to exceed $30,000,000 outstanding at any one time, for terms of not more than ten years. SFI has represented it will at all times, unless the Commission shall otherwise expressly authorize, maintain the aggregate of its capital stock, surplus, and principal amount of its indebtedness to Operating Companies, at an amount equal to at least 35 percent of SFI's total capitalization.

Declarants state that no special or separate expenses are anticipated in connection with the additional borrowings referred to herein. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 14, 1973, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated address, and proof of service (by affidavit, or in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective in the manner provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.73-18089 Filed 8-24-73;8:45 am]

[70-5344]

NATIONAL FUEL GAS CO. ET AL.

Notice of Termination

AUGUST 21, 1973.

Notice is hereby given that National Fuel Gas Company ("National Fuel"), 30 Rockefeller Plaza, New York, New York 10020, a registered holding company, and its subsidiary companies, Iroquois Gas Corporation, Pennsylvania Gas Company, United Natural Gas Company, and NFG Gas Corporation, filed a joint application-declaration with this Commission designating sections 2(a)(4), 2(a)(7), 5(d), 6(a), 7, 9(a), 10, and 12 of the Public Utility Holding Company Act of 1935 ("Act"), and Rules 42, 43, 62, 63, 64 and 65 promulgated thereunder as applicable to the proposed transactions. The application-declaration proposes a series of intra-system transactions ("the Plan") whereby National Fuel will cease to be a holding company, and its successor by merger, NFG Gas Corporation ("NFG"), will acquire all of the System's gas utility distribution properties and related assets, and will have three subsidiary companies that are non-utility companies within the meaning of the Act. All interested persons are referred to said joint application-declaration for a complete statement of the transactions therein proposed, which are summarized below.

National Fuel, a New Jersey corporation, is solely a holding company. It owns all of the outstanding capital stocks of Iroquois Gas Corporation ("Iroquois"), Pennsylvania Gas Company ("Penn Gas") and United Natural Gas Company ("United"); and of two other subsidiary companies, The Mars Company ("Mars") and The Sylvania Corporation ("Sylvania"). It also owns all of the outstanding long-term debt of these companies. On a corporate basis, at December 31, 1972, National Fuel had total assets of $260,074,675, consisting almost entirely of notes payable to its subsidiary companies and of their outstanding capital stocks. Its outstanding long-term securies, all publicly-held, consisted of $167,170,000 principal amount of debentures maturing on various dates through 1997, and 5,122,515 shares of common stock, par value $10 per share.

Iroquois, Penn Gas, and United are engaged in the distribution of natural and mixed gas at retail, and by reason thereof each is a gas utility company as defined in section 2(a)(4) of the Act. They are also engaged in the production, purchase, storage, and transmission of natural and manufactured gas and in the sale of gas-burning equipment and appliances. Mars and Sylvania are non-utility companies engaged in production of oil and gas.

Over 90 percent of the System gas requirements are purchased from a number of non-affiliated pipeline suppliers connected at various points to the System pipeline. The companies coordinate certain of their functions for economy of operations and for long-range planning of gas supply. National Fuel performs administrative functions on behalf of its subsidiary companies, and permanent financing for its subsidiary companies is provided by National Fuel through the public sale of its common stock and debentures.

Iroquois, Penn Gas, and United are interconnected through a System-owned pipeline network extending from southwestern Pennsylvania to the New York-Canadian border at the Niagara River and serve approximately 465 communities located in substantially contiguous areas in northwestern Pennsylvania, western New York and a small section of eastern Ohio bordering on the Pennsylvania service area. These service areas have a combined estimated population of approximately 2,362,000. About 465,000 customers are served in New York State, 181,000 in Pennsylvania, and 4,000 in Ohio.

Iroquois, a New York corporation, operates solely in western New York. The principal communities served by it are Buffalo, Niagara Falls and Batavia. Penn Gas, a Pennsylvania corporation, serves five counties in northwestern Pennsylvania, including the cities of Erie and Warren, and two counties in western New York. United, a Pennsylvania corporation, serves 13 counties in northwestern Pennsylvania, including the cities of Sharon, Oil City, and Bradford, and two counties in Ohio.

Under the Plan, National Fuel will be merged into the newly organized NFG, a New York corporation having its principal office in Buffalo, New York. NFG will be the surviving corporation with powers appropriate to conduct the business of a public-utility company. It will acquire all the assets of National Fuel and assume all its liabilities, and will execute and deliver to the Trustees under National Fuel's Debenture Indentures, supplemental indentures satisfactory to the Trustees whereby NFG will assume the due and punctual payment of principal and interest on the debentures, and the performance of all other obligations and covenants of National Fuel under said Indentures. Holders of common stock of National Fuel may surrender their shares for an equal number of shares of NFG; shares not surrendered will be deemed for all corporate purposes to evidence the ownership of shares of NFG. Shares of NFG common stock will have rights and privileges not less favorable than those attaching to the present shares of National Fuel common stock. The common stock of NFG, like that of National Fuel, will be listed on the New York Stock Exchange.

After all necessary regulatory approvals have been obtained National Fuel proposes to solicit proxies from its shareholders, at a special stockholders' meeting called for that purpose, to vote on the proposed merger into NFG. The proxy material will include a description of the Plan and the transactions related thereto. It is stated that, under New Jersey law, the merger requires the affirmative vote of at least two-thirds of National Fuel's outstanding common stock, and that dissenting stockholders, if any, have no appraisal rights.

Concurrently with the merger, Iroquois, Penn Gas and United will transfer to NFG all of their gas distribution properties, franchises, and other related assets, at the underlying book values thereof on the date of transfer. NFG

will thus become a gas utility company, as defined in section 2(a)(4) of the Act, with all rights, privileges and obligations of a public-utility company theretofore vested in the three subsidiary companies. As consideration for these property transfers, NFG will (i) cancel a portion of the debt owed it by each of the three subsidiary companies; (ii) assume a portion of their other liabilities; and (iii) surrender for cancellation part of their outstanding shares of common stocks. Based on data as of December 31, 1971, an engineering study prepared by National Fuel indicates that the proposed property transfers to NFG and the related consideration therefor would have been as shown below, had the transactions been effected on that date.

	Per books at December 31, 1971	Portion (distribution properties) transferred to NFG	(c) Consideration
Iroquois:			
Total assets (a)	$207,922,971	$162,845,503	
Total liabilities:			
Long-term debt (b)	95,263,000		880,220,500
Other liabilities	27,841,825		11,223,971
Common equity (b)	84,818,146		71,101,032
	207,922,971		162,845,503
United:			
Total assets (a)	88,305,588	38,245,499	
Total liabilities:			
Long-term debt (b)	22,661,000		368,000
Other liabilities	14,443,353		3,022,418
Common equity (b)	51,201,235		34,855,081
	88,305,588		38,245,499
Penn gas:			
Total assets (a)	55,552,533	30,253,494	
Total liabilities:			
Long-term debt (b)	18,102,925		8,187,000
Other liabilities	8,726,939		3,300,772
Common equity (b)	28,722,669		18,765,722
	55,552,533		30,253,494
Combined:			
Total assets (a)	351,781,092	231,044,496	
Total liabilities:			
Long-term debt (b)	136,026,925		88,775,500
Other liabilities	51,012,117		17,547,161
Common equity (b)	164,742,050		124,721,835
	351,781,092		231,044,496

(a) Net of valuation reserves.
(b) All owned by National Fuel.
(c) Represents portions of debt and common stock to be cancelled and other liabilities to be assumed.

The amounts shown in the foregoing table will be adjusted to the extent necessary as of the date of consummation of the transactions reflected therein.

It is further proposed that upon such transfer to NFG of their respective distribution properties, Iroquois, United and Penn Gas will merge. United will be the surviving company, with a change of name to National Fuel Gas Supply Corporation ("Supply Corp."). All of the assets of the three constituent companies will be vested in, and their liabilities will be assumed by, Supply Corp. The then outstanding shares of common stock of Iroquois and Penn Gas will be converted into an equal aggregate par value amount of Supply Corp. common shares, and NFG will own all of the outstanding pro forma common stock of Supply Corp. This merger will consolidate into Supply Corp. all of the gas storage, interstate gas transmission, and related properties of the present National Fuel System.

Upon consummation of the foregoing, NFG will be a public-utility company with two operating divisions—one for New York, and the other for Pennsylvania and the small number of customers in Ohio. Besides Supply Corp., NFG will retain Mars and Sylvania as subsidiary companies without change. After giving effect to all the proposed transactions, the pro forma consolidated assets and liabilities of NFG and its subsidiaries will be the same as those of the present National Fuel Sytem (adjusted for fees and expenses to be incurred in connection with the Plan); all of the long-term debt of the three subsidiary companies will be held by NFG; and the outstanding consolidated long-term debt will consist solely of the present debentures of National Fuel to be assumed by NFG. It is represented that on a consolidated basis as of the date of consummation of the Plan, the long-term debt will not exceed 60 percent of total capitalization and surplus and that, for the 12-month period ending on that date, interest requirements will be earned not less than 2.6 times.

It is stated that the realignment proposed by the Plan will simplify the structure of the National Fuel System and that economies in the future cost of service may be anticipated. It is further stated that the proposed realignment will simplify local regulation as well as future proceedings and filings at the Federal Power Commission in respect of the interstate pipeline operations which will be conducted by Supply Corp.

National Fuel states that, when the Plan is consummated, neither it nor NFG will be a holding company as defined in section 2(a)(7)(A) of the Act. NFG, a gas distribution company, will have three subsidiary companies—Supply Corp., Mars and Sylvania—which will be nonutility companies within the meaning of the Act. It is requested that upon consummation of the Plan, NFG be declared not to be a holding company and that National Fuel's registration as such be terminated pursuant to section 5(d) of the Act.

It is stated that the New York Public Service Commission and the Public Utilities Commission of Ohio have jurisdiction over the transfers of the properties in those respective States to NFG; that the Pennsylvania Public Utility Commission has jurisdiction over the transfer of Pennsylvania properties to NFG and must approve the commencement of utility operations in that State by NFG; and that the Federal Power Commission has jurisdiction over the abandonment of pipeline facilities and related services and the acquisition and operation thereof by Supply Corp. Applications therefor have been filed and the related orders of those commissions will be supplied herein by amendment.

Fees and expenses to be incurred in connection with the proposed Plan are estimated at $382,000, including counsel fees of $150,000 and expenses of $30,000 for the proposed proxy solicitation. In addition, certain State taxes and fees, as well as fees relating to applications filed with the above-mentioned regulatory bodies, are expected to be incurred; a statement of the amounts thereof will be supplied by amendment.

Notice is further given that any interested person may, not later than September 21, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and (100) thereof or take such other action as it may deem appropriate. Persons who re-

quest a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.73-18091 Filed 8-24-73;8:45 am]

[811-2027]

NEW ISSUES FUND, INC.

Proposal To Terminate Registration Pursuant to Section 8(f) of the Act

AUGUST 21, 1973.

Notice is hereby given that the Commission proposes, pursuant to section 8 (f) of the Investment Company Act of 1940 (Act), to declare by order upon its own motion that New Issues Fund, Inc. (Fund) % Donald F. French, Esquire, Valicenti, Leighton Reid & Pine, 70 Pine Street, New York, New York 10005, registered under the Act as an open-end, diversified management investment company, has ceased to be an investment company as defined in the Act.

Fund was organized as a Maryland corporation on February 5, 1970, and filed a Notification of Registration on Form N-8A on February 18, 1970. Neither a Registration Statement on Form N-8B-1 nor a registration statement under the Securities Act of 1933 was ever filed, no shares were ever issued, and Fund has no assets or liabilities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than September 17, 1973, at 5:30 p.m., submit to the Commissioin in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Fund at the address set forth above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated herein, unless an order for a hearing shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.73-18090 Filed 8-24-73;8:45 am]

[812-3487]

STATE STREET INVESTMENT CORP.

Notice of Filing of Application

AUGUST 21, 1973.

Notice is hereby given that State Street Investment Corporation (Applicants), 225 Franklin Street, Boston, Massachusetts 02110, a Massachusetts corporation registered under the Investment Company Act of 1940 (Act) as a diversified, open-end management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting Applicant from the provisions of section 22(d) of the Act which, in pertinent part, prohibit a registered investment company from selling any redeemable security issued by it to any person except either to or through a principal underwriter for distribution or at a current public offering price described in the prospectus. Section 22(d) of the Act would prevent Applicant, which does not have a prospectus describing a current public offering price, from acquiring the assets of North American Realty Corporation (North American) in exchange for the shares of Applicant. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that North American, a New York corporation, was incorporated in 1939 and has, since organization, operated as a family private investment company investing and reinvesting its assets in a diversified portfolio of securities. Substantially all of North American's assets are in the form of investments in marketable securities, cash and cash items. At present North American has 24 stockholders and is a personal holding company for Federal income tax purposes. Applicant asserts that North American is excepted from the definition of an investment company by reason of section 3(c)(1) of the Act.

On July 20, 1973, Applicant and North American entered into an Agreement and Plan or Reorganization (Agreement) whereby substantially all of the assets of North American are to be transferred to Applicant in exchange for shares of Applicant's common stock and the assumption by Applicant of North American's liability to pay to any of its stockholders who dissent from the reorganization the value of their holdings of North American stock. Pursuant to the Agreement, the number of Applicant's shares to be delivered to North American shall be determined by dividing the aggregate value (subject to a possible adjustment described below) of the assets of North American to be transferred to Applicant (less the amount of any liability of North American to its stockholders that is assumed by the Applicant) by the net asset value per share of Applicant. In determining the number of Applicant's shares to be delivered to North American, the aggregate value of the assets of North American will be reduced by the amount, if any, which is determined by the application of a formula (set forth in the Agreement) designed to compensate Applicant for any potential tax liability resulting from any excess in the proportion of the net asset value of North American represented by realized and unrealized appreciation over the proportion of the net asset value of Applicant represented by realized and unrealized appreciation. The amount of any liability to North American's dissenting stockholders that may be assumed by Applicant will be fixed by agreement between North American and such stockholders but may not exceed an amount equal to the net asset value, on the valuation date, of that number of Applicant's shares which such stockholders would have been entitled to receive on the closing date had they not objected to the reorganization. It is a condition precedent to the consummation of the reorganization that the holders of no more than 20 percent of North American's outstanding stock object to the reorganization.

Applicant' and North American have applied for a ruling from the Internal Revenue Service (the receipt of which is a condition precedent to the consummation of the proposed transaction, waivable by North American) to the effect that: the contemplated transaction will constitute a tax-free reorganization and consequently, among other things, no gain or loss will be recognized by Applicant as the result of the exchange of its shares for the assets of North American, and the Federal tax basis to Applicant of the assets acquired from North American will be the same basis those assets had in the hands of North American.

As of May 31, 1973, the market value of the assets of North American less the amount of a possible liability to North American's dissenting stockholders (assuming for these purposes a dissent of 20 percent of North American's outstanding stock) was approximately $6,642,000. Prior to the consummation of the transaction, North American intends to sell assets with a market value of $2,703,622. The proceeds of such sales will be either transferred to Applicant as cash or reinvested in securities appropriate for Applicant's portfolio and transferred to Applicant at the closing.

Following consummation of the transaction, Applicant intends to sell certain securities transferred to it by North American having a market value up to, and not in excess of, 25 percent of the value of the assets of North American at the closing date. The remainder of the assets received will be retained in Applicant's portfolio. Applicant has been advised that the stockholders of North American have no present intention of redeeming any substantial number of, or otherwise transferring, any of Applicant's shares and that in no event will an amount greater in the aggregate than 20 percent of such shares be redeemed in the first year following the proposed transaction.

Assuming that the closing under the Agreement had taken place on May 31, 1973, when the net asset value of the shares of Applicant was $46.04, 144,282 shares of Applicant would have been transferred to North American, or approximately 1.62 percent of the number of Applicant's shares outstanding immediately after such transfer.

Applicant represents that neither North American nor any shareholder, director or officer of North American is either an "affiliated person" of Applicant, or an "affiliated person" of any "affiliated person" of Applicant. The Agreement was negotiated at arms-length by the principals of North American and Applicant.

Section 6(c) of the Act permits the Commission, upon application, to exempt a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicant contends that the proposed transaction will increase its assets and thus reduce its costs per share.

Notice is further given that any interested person may, not later than September 14, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-18092 Filed 8-24-73;8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

FEDERAL ADVISORY COUNCIL ON UNEMPLOYMENT INSURANCE

Notice of Meeting

A meeting of the Federal Advisory Council on Unemployment Insurance will be held at 9 a.m. on Friday, September 14, 1973, in Conference Room 107A, Main Labor Building, 14th and Constitution Avenue, NW., Washington, D.C. This meeting will be open to the public.

The agenda of the meeting is as follows:

Morning

9:00 Opening of Meeting.
Swearing in of new Member.
9:15 Developments in the Manpower Administration:
Mr. William H. Kolberg, Council Chairman and Assistant Secretary for Manpower.
10:15 Status Report: Unemployment Insurance Federal Legislative Developments:
Mr. Robert C. Goodwin, Council Vice Chairman and Associate Manpower Administrator for Unemployment Insurance.
10:45 Presentation on Unemployment Insurance Program Administration Concerns.
11:30 Lunch

Afternoon

12:45 Presentation and discussion continues on program administration concerns.
3:30 Summary and Council recommendations.
Adjournment

Any inquiries concerning this meeting should be directed to: Mrs. Sally Ehrle, Executive Secretary, Federal Advisory Council on Unemployment Insurance, Room 5102, Main Labor Building, Washington, D.C. 20210. Mrs. Ehrle's telephone number is Area Code 202, number 961-4097.

Signed at Washington, D.C. this 20th day of August 1973.

WILLIAM H. KOLBERG,
Council Chairman and Assistant Secretary for Manpower.

[FR Doc.73-18049 Filed 8-24-73;8:45 am]

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 621 (36 FR 12819), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. While effective and expiration dates are shown for those certificates issued for less than a year, only the expiration dates are shown for certificates issued for a year. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates were issued to variety-department stores and provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below $1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below $1 an hour in the base year; or provide the same standards authorized in certificates previously issued to the establishment.

Allen Mercantile Co., 95 East Main Street, Hyrum, Utah; 6-25-74.

Ben Franklin Store: 528 West Main Street, Jackson, Mo., 7-14-74; Berkeley Square Shopping Center, Goose Creek, S.C., 7-13-74.

Crest 5-10-25¢ Stores Co.: Smith Crossroads Shopping Center, Lenoir, N.C., 7-13-74; Town and Country Shopping Center, Lincolnton, N.C., 7-13-74; 519 12th Street, West Columbia, S.C., 7-31-74.

Edward's, Inc., University Ridge, Greenville, S.C.; 8-11-74.

Elmore, Sunset Plaza Shopping Center, Decherd, Tenn.; 7-2-74.

W. T. Grant Co., 139 North Seymour Avenue, Mundelein, Ill.; 6-26-74.

Halls 5 & 10¢ Stores, 122-128 South Main Street, Woodruff, S.C.; 7-2-74.

S. S. Kresge Co.: No. 4052, Fort Smith, Ark., 6-10-74; No. 4415, Daytona Beach, Fla., 6-30-74; No. 4410, Jacksonville, Fla., 7-14-74; No. 4138, Atlanta, Ga., 7-6-74; No. 4140, Atlanta, Ga., 7-9-74; No. 4561, Chicago, Ill., 7-20-74; No. 4591, Chicago, Ill., 6-25-74; No. 4563, Bedford, Ind., 6-23-74; No. 4215, Kansas City, Kan., 7-9-74; No. 4560, Kansas City, Kan., 6-25-73 to 5-28-74; No. 157, Newport, Ky., 7-13-74; No. 4428, Muskegon, Mich., 6-30-74; No. 4350, Columbia, Mo., 6-23-74; No. 4217, Independence, Mo., 7-14-74; No. 555, Jennings, Mo., 7-1-74; No. 249, Joplin, Mo., 6-26-74; No. 4577, Fremont, Nev., 6-20-74; No. 4060, Charlotte, N.C., 6-22-74; No. 4353, Minot, N.D., 7-5-74; No. 4417, Cleveland, Ohio, 7-14-74; No. 4301, Lima, Ohio, 7-13-74; No. 3015, Mentor, Ohio, 7-14-74; No. 4202, Greenville, S.C., 6-18-73 to 6-8-74; No. 4093,

Madison, Tenn., 7–19–74; No. 4354, Lubbock, Tex., 6–30–74; No. 4219, Green Bay, Wis., 7–4–74; No. 4559, LaCrosse, Wis., 6–22–74; No. 4374, Wausau, Wis., 7–20–74.

McCrory McLellan Green Stores: No. 278, West Helena, Ark., 6–25–74; No. 389, Baltimore, Md., 7–12–74; No. 166, Springfield, Mo., 7–16–73 to 7–14–74; No. 255, Norfolk, Nebr., 7–9–74; No. 168, Camden, N.J., 7–29–74; No. 376, Freehold, N.J., 6–5–74; No. 1152, Irvington, N.J., 7–28–74; Nos. 272 and 7506, Jersey City, N.J., 7–29–74; No. 1034, Manasquan, N.J., 7–29–74; No. 1085, Newark, N.J., 7–31–74; No. 131, Passaic, N.J., 7–31–74; No. 218, Perth Amboy, N.J, 7–31–74; No. 219, Dayton, Ohio, 7–14–74; No. 1071, Allentown, Pa., 6–20–74; No. 397, Kutztown, Pa., 6–26–74; No. 233, Sunbury, Pa., 6–30–74; No. 545, Laredo, Tex., 6–27–74.

G. C. Murphy Co.: No. 433, Anna, Ill., 6–28–74; No. 251, Berwyn, Ill., 4–24–74; No. 77, Fort Wayne, Ind., 6–22–74; No. 427, Winchester, Ind., 6–29–74; No. 338, Raleigh, N.C., 6–30–74; No. 809, McKees Rocks, Pa., 7–14–74; No. 328, York, Pa., 6–30–74; No. 318, Parkersburg, W.V., 7–14–74.

Neisner Brothers, Inc., No. 66, Clermont, Fla., 7–19–74.

J. J. Newberry Co., No. 36, Dover, N.J., 7–30–74.

Rose's Stores, Inc.: No. 173, Tifton, Ga., 6–18–73 to 5–14–74; No. 27, Warrenton, N.C., 7–7–74.

Scott Stores, Co.: No. 9132, Elizabethtown, Ky., 6–29–74; No. 9131, Harlan, Ky., 6–23–74.

Spurgeon's, 903–905 Braden, Chariton, La., 7–13–74.

Sterling Stores Co., 1563 South Highland, Jackson, Tenn., 7–15–74.

T. G. & Y. Stores Co.: No. 249, Fort Smith, Ark., 6–11–74; No. 1312, Longwood, Fla., 6–30–74; No. 1315, Orlando, Fla., 8–31–74; No. 1316, Orlando, Fla., 6–30–74; No. 302, Kansas City, Kans., 6–21–74; No. 309, Manhattan, Kans., 7–15–74; No. 145, Independence, Mo., 6–28–74; No. 483, Kansas City, Mo., 6–30–74; No. 450, Sedalia, Mo., 7–16–74; No. 281, Los Alamos, N.M., 7–6–74; No. 434, Muskogee, Okla., 7–2–74; No. 1012, Oklahoma City, Okla., 7–20–74.

Temple Avenue Department Store, Inc., 143 Temple Avenue, Newman, Ga., 7–9–74.

Terry Farris, No. 5430, San Antonio, Tex., 9–4–74.

The following certificates issued to variety-department stores permitted to rely on the base-year employment experience of others were either the first full-time student certificates issued to the establishment, or provide standards different from those previously authorized. The certificates permit the employment of full-time students at rates of not less than 85 percent of the applicable statutory minimum in the classes of occupation listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

G. McNew Stores: No. 10, North Little Rock, Ark., salesclerk, 4 to 12 percent, 7–15–74; No. 6815, Fort Collins, Colo., salesclerk, stock clerk, 28 to 59 percent, 7–4–74; No. 29, Dade City, Fla., salesclerk, office clerk, stock clerk, porter, 11 to 32 percent, 7–11–74; No. 17, East Brunswick, N.J., salesclerk, stock clerk, office clerk, 19 to 37 percent, 7–16–74; No. 6, Concord, N.C., salesclerk, 9 to 39 percent, 7–11–74; No. 12, Tamaqua, Pa., salesclerk, office clerk, stock clerk, 15 to 32 percent, 7–1–74; No. 430, Jackson, Tenn., salesclerk, stock clerk, office clerk, 4 to 17 percent, 7–5–74.

G. C. Murphy Co., for the occupations of salesclerk, office clerk, stock clerk, janitorial: No. 357, Auburn, Ala., 9 to 15 percent, 6–12–74; No. 354, Franklin, Va., 11 to 20 percent, 7–5–74; No. 340, Fond du Lac, Wis., 9 to 20 percent, 7–10–74.

Rose's Stores Inc.: No. 244, Eustis, Fla., stock clerk, salesclerk, checker, window trimmer, merchandise marker, order writer, 13 to 32 percent, 7–4–74; No. 239, Hammond, La., salesclerk, stock clerk, checker, window trimmer, merchandise marker, order writer, 13 to 32 percent, 6–27–74; No. 242, Chapel Hill, N.C., salesclerk, stock clerk, 13 to 28 percent, 6–17–74.

T. G. & Y. Stores Co.: 1802 East 66 Avenue, Gallup, N.M., salesclerk, stock clerk, office clerk, 13 to 24 percent, 7–15–74; No. 1903, Santa Fe, N.M., salesclerk, stock clerk, office clerk, 14 to 24 percent, 7–31–74.

Each certificate has been issued upon the representations of the employer, which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificate may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof on or before September 26, 1973.

Signed at Washington, D.C. this 20th day of August 1973.

DONALD T. CRUMBACK,
Authorized Representative of the Administrator.

[FR Doc.73–18050 Filed 8–24–73;8:45 am]

NATIONAL ADVISORY COUNCIL FOR DRUG ABUSE PREVENTION

EVALUATION OF DRUG ABUSE PREVENTION PROGRAMS

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of a meeting of the National Advisory Council for Drug Abuse Prevention on September 13 and 14, 1973, at the Indianapolis Museum of Art, Indianapolis, Indiana. The principal purposes of the meeting will be to continue development of projects on evaluation of drug abuse prevention programs and jobs for ex-addicts; to review Council input to Drug Abuse Prevention Week, to the FY 75 Federal Budget and to the revised Federal Drug Strategy document; and to further explore polydrug abuse.

This meeting is open to the public. Any member of the public wishing to attend the Council, V. Rodger Digilio, at 726 Jackson Place NW., Washington, D.C. 20506, telephone (202) 456–6772.

V. RODGER DIGILIO,
Executive Director.

AUGUST 21, 1973.

[FR Doc.73–17997 Filed 8–24–73;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS EXPANSION ARTS ADVISORY PANEL TASK FORCE

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92–463), notice is hereby given that a meeting of the Expansion Arts Advisory Panel Task Force to the National Endowment for the Arts will be held at 9:30 a.m. on August 28, 1973, at the National Endowment for the Arts, 806 15th Street NW., Washington, D.C.

The meeting will be for the purpose of a general policy discussion on the Expansion Arts Program and discussion on the Expansion Arts Touring Program. The meeting will be open to the public on a space available basis. Accommodations are limited. Further information can be obtained from Mrs. Eleanor A. Snyder, Advisory Committee Management Officer, National Endowment for the Arts, 806 15th Street NW., Washington, D.C. 20506, or call Area Code 202–382–2854.

PAUL BERMAN,
Director of Administration, National Foundation on the Arts and the Humanities.

[FR Doc.73–18173 Filed 8–24–73;8:45 am]

RAILROAD RETIREMENT BOARD

RAILROAD RETIREMENT SUPPLEMENTAL ANNUITY PROGRAM

Determination of Quarterly Rate of Excise Tax

In accordance with directions in section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C. § 3221(c)) as amended by section 5(a) of Public Law 91–215, the Railroad Retirement Board has determined that the excise tax imposed by such section 3221(c) on every employer, with respect to having individuals in his employ, for each man-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning October 1, 1973, shall be at the rate of seven and one-half cents.

Dated: August 20, 1973.

By Authority of the Board.

[SEAL] R. F. BUTLER,
Secretary of the Board.

[FR Doc.73–18053 Filed 8–24–73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[I.C.C. Order 109; Rev. S.O. 994]

ANN ARBOR RAILROAD CO.

Rerouting or Diversion of Traffic

In the opinion of Lewis R. Teeple, Agent, The Ann Arbor Railroad Company is unable to transport traffic over its car ferry between Frankfort, Michigan, and Manitowoc, Wisconsin, because

of a broken crankshaft on its boat Arthur K. Atkinson.

It is ordered, That:

(a) The Ann Arbor Railroad Company being unable to transport traffic over its car ferry between Frankfort, Michigan, and Manitowoc, Wisconsin, because of a broken crankshaft on its boat Arthur K. Atkinson, that line is hereby authorized to reroute or divert such traffic via any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 9:00 a.m., August 17, 1973.

(g) *Expiration date.* This order shall expire at 11:59 p.m., August 24, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 17, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-18104 Filed 8-24-73;8:45 am]

[Notice 328]

ASSIGNMENT OF HEARINGS

AUGUST 22, 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.

FD-27438, National Railroad Passenger Corporation, Discontinuance of Trains Nos. 98 & 99 Between Norfolk/Newport News and Richmond, Virginia, now being assigned hearing September 24, 1973 (2 days), at Newport News, Va., in a hearing room to be later designated.

No. 35831, Container Interchange Contracts—Petition for Investigation, No. 35835, American Export Lines, Inc., Et Al. V. The Alabama Great Southern Railroad Company, Et Al., No. 35843, The Maritime Administration, United States Department of Commerce V. Seaboard Coast Line Railroad Company, Et Al., now assigned prehearing conference September 19, 1973, at Washington, D.C., is postponed to October 3, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

FD-27438, National Railroad Passenger Corporation, Discontinuance of Trains Nos. 98 & 99 Between Norfolk/Newport News and Richmond, Virginia, now being assigned hearing September 26, 1973 (1 day), at Richmond, Virginia, in a hearing room to be later designated.

MC 110689 Sub 6, Airway Trucking Co., now assigned September 24, 1973, at Los Angeles, Calif., is canceled and the application is dismissed.

MC 114789 Sub 41, Nationwide Carriers, Inc., now assigned October 9, 1973, at St. Paul, Minn., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-18107 Filed 8-24-73;8:45 am]

[Notice 341]

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 on or before September 17, 1973. 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-74506. By order of August 20, 1973, the Motor Carrier Board approved the transfer of a portion of the operating rights in Certificate No. MC-21135 to Rico Transportation Co., Inc., South River, N.J., issued to M. L. Kester Transportation, Inc., Phila., Pa., authorizing the transportation of: General commodities, usual exceptions, between points in Philadelphia, Pa.—Alan Kahn, Attorney, 1920 Two Penn Center Plaza, Phila., Pa. 19102; Robert B. Pepper, Practitioner, 168 Woodbridge Ave., Highland Park, N.J. 08904.

No. MC-FC-74507. By order of August 20, 1973, the Motor Carrier Board approved the transfer to Donahue Trucking Co., Inc., Milwaukee, Wis., of Certificate No. MC-134167 issued to Mary Agnes Donahue, d.b.a. Konahue Trucking Co., Butler, Wis., authorizing the transportation of: Hospital materials and supplies, between Milwaukee, Wis., on the one hand, and, on the other, Jackson, Ocomnomowoc, and Lake Geneva, Wis.—Martin J. Leavitt, Attorney, 22375 Haggerty Road, Northville, Mich. 48167.

No. MC-FC-74630. By order of August 20, 1973, the Motor Carrier Board approved the transfer to Jerome R. Coughran, doing business as Holton Truck Line, Holton, Kansas, of Certificate of Registration No. MC-9735 (Sub-No. 2), issued on June 10, 1964, to Cecil W. Leep, doing business as Holton Truck Line, Holton, Kansas, evidencing the authority to perform a transportation service in interstate or foreign commerce corresponding in scope to the intrastate authority granted in certificates issued in Dockets Nos. 8,375 M and 35,669 M by The State Corporation Commission of the State of Kansas—Mr. James E. Parmiter, Attorney at Law, 101 West Fourth Street, Holton, Kansas 66436.

No. MC-FC-74636. By order of August 16, 1973, the Motor Carrier Board approved the transfer to Clarence C. Hatcher and Richard L. Hatcher, a partnership, doing business as C. C. and R. L. Hatcher, Alsey, Ill., of the operating rights in Permit No. MC-128351 (Sub-No. 2) issued June 14, 1967, to William Ross, Winchester, Ill., authorizing the transportation of brick, tile, clay products, and refractory cements between Alsey, Ill., on the one hand, and, on the other, points in Iowa, Indiana, Kentucky, Michigan, Missouri, Nebraska and Wisconsin—Robert T. Lawley, 300 Reisch

Bldg., Springfield, Ill. 62701, Attorney for applicants.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.73-18106 Filed 8-24-73;8:45 am]

[Notice 114]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 17, 1973.

The following are notices of filing of application, 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, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (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 730 (Sub-No. 350 TA), filed August 7, 1973. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, P.O. Box 958, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Waste Solvent*, in bulk, in tank vehicles, from Phoenix, Ariz., to Reedley, Calif.; and (2) *petroleum products*, in bulk, in tank vehicles, from Roosevelt, Utah, to Henderson, Nev., for 180 days. SUPPORTING SHIPPER: Safety Kleen Corporation, 3158 Des Plaines Avenue, Des Plaines, Ill. 60018; Sun Oil Company of Pennsylvania, P.O. Box 2039, Tulsa, Okla. 74102. SEND PROTESTS TO: A. J. Rodriquez, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 29573 (Sub-No. 6 TA), filed August 8, 1973. Applicant: JOSEPH L. SCHNEIDER, 2023 Rivington Road, Rockford, Ill. 61111. Applicant's representative: Robert M. Kaske 2017 Wisteria Rd. Rockford, Ill. 61107 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising material* when moving in the same load as malt beverages, from La Cross and Sheboygan, Wis., to McHenry, Ill. SUPPORTING SHIPPER: James W. Hetterman, Chas. Herdrich & Son, 1014 N. River Road, McHenry, Ill. SEND PROTESTS TO: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 50307 (Sub-No. 63 TA), filed August 8, 1973. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Arthur Liberstein, One World Trade Center, New York, N.Y. 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 Bridgeport, Montgomery County, Pa., on the one hand, and, on the other, Phillipsburg, N.J., for 150 days. SUPPORTING SHIPPER: Art Shirt Co., Inc., 1407 Broadway, New York, N.Y. SEND PROTESTS TO: Paul W. Assenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 51146 (Sub-No. 326 TA), filed August 7, 1973. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 54306, 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil DuJardin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lignin pitch* in bags, drums, boxes, or packages, from Oconto Falls, Wis., to Mercersburg, Pa., for 180 days. SUPPORTING SHIPPER: Scott Paper Company, Scott Plaza, Philadelphia, Pa. 19113 (Charles T. Hill, Jr., Staff Transportation Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 97357 (Sub-No. 47 TA), filed August 6, 1973. Applicant: ALLYN TRANSPORTATION COMPANY, 14011 South Central Avenue, Los Angeles, Calif. 90059. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten sulfur*, liquid, in bulk, in tank vehicles, from points in Contra Costa and Sonoma Counties, Calif., to Wingate Company at or near Wabuska, Nev., for 180 days. SUPPORTING SHIPPER: Wingate Company, 4791 East Date Avenue, Fresno, Calif. 93745. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 106893 (Sub-No. 16 TA), filed August 7, 1973. Applicant: PHILLIP G. WIEDERHOLD AND EDWARD E. WIEDERHOLD, doing business as WIEDERHOLD BROTHERS, P.O. Box 33, 5824 Walen Street, Elkton, Mich. 48731. Applicant's representative: Robert A. Sullivan, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Skids, saddles, pallets, boxes, and other fabricated wood products*, from the plantsite of Michigan Lumber Fabricators, Inc., at Elkton, Mich., to points in Illinois, Indiana, and Ohio, for 180 days. SUPPORTING SHIPPER: Michigan Lumber Fabricators, Inc., Elkton, Mich. 48731. SEND PROTESTS TO: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower Bldg., Detroit, Mich. 48226.

No. MC 113908 (Sub-No. 283 TA), filed August 6, 1973. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, P.O. Box 3180, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propionic acid*, in bulk, in tank and hopper type vehicles, from Sterlington, La., to Des Moines, Iowa, for 180 days. SUPPORTING SHIPPER: Kemin Industries, Inc., 2104 Maury Street, Des Moines, Iowa 50317. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 115273 (Sub-No. 12 TA) (CORRECTION), filed July 26, 1973, published in the FEDERAL REGISTER issue of August 10, 1973, and republished as corrected this issue. Applicant: ACME CARRIERS, INC., 216 3rd Street, Brooklyn, N.Y. 11215. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306.

NOTE.—The purpose of this partial republication is to show the correct commodity description as *Bomb bodies*, in lieu of Bom bodies, which was published in the FEDERAL REGISTER in error. The rest of the application remains as previously published.

No. MC 115524 (Sub-No. 19 TA), filed August 6, 1973. Applicant: BURSCH TRUCKING, INC., 415 Rankin Road NE., Albuquerque, N. Mex. 87107. Applicant's representative: Don F. Jones (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Forest products*, including *lumber, plywood, particleboard, hardboard and shingles* (except in bulk), *roofing products and insulating materials*, including *composition or prepared roofing, asphalt shingles and composition or asphalt building board* (except in bulk), between points in Arizona, Colorado, and New Mexico, (1) from points in Arizona, Colorado, and New Mexico, on

the one hand, to points in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, Texas, and Utah, on the other; (2) from points in McCurtain County, Okla., and Ardmore, Stroud, and Wynnewood, Okla., to points in Arizona, Colorado, and New Mexico; (3) from points in Dallas County, Lubbock County, and Harris County, Tex., to points in Arizona, Colorado, and New Mexico; (4) from Denver, Colo., to points in Arizona and New Mexico; and (5) from points in Bernalillo County, N. Mex., to points in Arizona, Colorado, New Mexico, and Texas, on and north of U.S. Highway 80 and on and west of U.S. Highway 70, for 180 days. SUPPORTING SHIPPER: Sagebrush Sales Company, Post Office Box 25606, Albuquerque, N. Mex. 87125. SEND PROTESTS TO: William R. Murdoch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1106 Federal Office Building, 517 Gold Avenue SW., Albuquerque, N. Mex. 87101.

No. MC 136268 (Sub-No. 3 TA), filed August 2, 1973. Applicant: WHITEHEAD SPECIALTIES, INC., 1017 Third Avenue, Monroe, Wis. 53566. Applicant's representative: Michael J. Wyngaard, 329 W. Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Molded polyurethane foam and molded polyurethane foam products*, from Brodhead, Wis., to points in Minnesota, Michigan, Illinois, Tennessee, Ohio, Iowa, Kentucky, Indiana, and Missouri, and (2) *materials, equipment, and supplies* used or useful in the manufacture, sale, or distribution of molded polyurethane foam and molded polyurethane foam products, from points in Minnesota, Michigan, Illinois, Tennessee, Ohio, Iowa, Kentucky, Indiana, and Missouri, to Brodhead, Wis., for 180 days. SUPPORTING SHIPPER: Janesville Products, Inc., Brodhead, Wis. SEND PROTESTS TO: Barney L. Hardin, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

No. MC 136987 (Sub-No. 6 TA) (CORRECTION), filed July 13, 1973, published in the FEDERAL REGISTER issue of August 8, 1973, and republished as corrected this issue. Applicant: REMINGTON FREIGHT LINES INC., 604 N. Main Street, Remington, Ind. 47977. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning compounds; pot scourers*, steel or plastic with or without soap; and *steel wool*, from Lond, Ohio, to points in Illinois, Maryland, New Jersey, New York, Connecticut, Pennsylvania, and Massachusetts; Salem, Va., and St. Louis, Mo., for 180 days. SUPPORTING SHIPPER: Purex Corporation, Ltd., 6901 McKissock Avenue, St. Louis, Mo. 63147. SEND PROTESTS TO: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne, Fort Wayne, Ind. 46802.

NOTE.—The purpose of this republication is to show the applicant's correct representative and to change the territorial description to add different destination points.

By the Commission.

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

[FR Doc.73-18109 Filed 8-24-73;8:45 am]

[Notice 115]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

The following are notices of filing of application, 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, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (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 1756 (Sub-No. 26 TA), filed August 13, 1973. Applicant: PEOPLES EXPRESS CO., 497 Raymond Blvd., Newark, N.J. 07105. Applicant's representative: Bert Collins, 5 World Trade Center, New York, N.Y. 10045. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends and materials and supplies and equipment* used in connection therewith, between Passaic County, N.J., on the one hand, and, on the other, New Rochelle, Pelham, New Hyde Park, and Richmond County, N.Y., for 180 days. SUPPORTING SHIPPER: Continental Can Company, Inc., 633 Third Ave., New York, N.Y. 10017. SEND PROTESTS TO: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 2860 (Sub-No. 125 TA), filed August 9, 1973. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Chistian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, (1) from the plant or warehouse facilities of Heinz U.S.A. at Holland, Mich.; Iowa City and Muscatine, Iowa; Salem, N.J.; Bowling Green and Fremont, Ohio; and Mechanicsburg, Chambersburg, Leetdale and Pittsburgh, Pa., to the distribution facility of Heinz U.S.A. at Greenville, S.C.; and (2) from the distribution facility of Heinz U.S.A. at Greenville, S.C., to points in Alabama, Georgia, Mississippi, Tennessee and the New Orleans, La., Commercial Zone, restricted to traffic originating at and destined to the points and territories shown, for 180 days. SUPPORTING SHIPPER: Heinz U.S.A. Divn. H. J. Heinz Co., P.O. Box 57, Pittsburgh, Pa. 15230. SEND PROTESTS TO: Richard M. Regan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, N.J. 08608.

No. MC 3252 (Sub-No. 87 TA), filed August 13, 1973. Applicant: MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04103. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, Mass. 02043. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from ports of entry on the United States/Canada International Boundary line located at or near Houlton, Vanceboro, and Calais, Maine, to Woodland, Jay, Great Works, Lincoln, Rumsford, and Westbrook, Maine, for 180 days. SUPPORTING SHIPPER: Sobin Chlor-Alkali, Inc., P.O. Box 149, Orrington, Maine 04474. SEND PROTESTS TO: Donald G. Weiler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 307, 76 Pearl Street, P.O. Box 167, PSS, Portland, Maine 04112.

No. MC 26396 (Sub-No. 88 TA), filed August 9, 1973. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, P.O. Box 990, 201 W. Park, Livingston, Mont. 59047. Applicant's representative: Dave Kemp (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Elevator legs* (tubular grain elevating equipment), *component parts, attachments and accessories*, from the plant site of Sweet Manufacturing Company at Springfield, Ohio, to points in Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Montana, Idaho, Wyoming, Colorado, Oklahoma, Texas, Washington, Oregon, and Missouri, for 180 days. SUPPORTING SHIPPER: Sweet Manufacturing Company, 2000 East Leffel Lane, Springfield, Ohio 45501. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Com-

mission, Rm. 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 32166 (Sub-No. 9 TA), filed August 13, 1973. Applicant: BRONAUGH MOTOR EXPRESS, INC., 1025 Nandino Boulevard, Lexington, Ky. 40511. Applicant's representative: Robert H. Pearce, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Corbin, Ky., and Knoxville, Tenn., serving no intermediate points; (A) from Corbin, Ky., over U.S. Highway 25–E to Taxewell, Tenn., thence over Tennessee Highway 33 to Knoxville, Tenn., and return over the same route; (B) from Corbin, Ky., over U.S. Highway 25–W to Knoxville, Tenn., and return over the same route, for 180 days. RESTRICTION: Service at Knoxville, Tenn., and points in its commercial zone is restricted against the transportation of traffic originating at, destined to, or interchanged at Lexington, Ky., Louisville, Ky., and Cincinnati, Ohio, and points in their respective commercial zones.

NOTE.—Applicant intends to tack the authority here applied for to authority proposed to be purchased from McDuffee Motor Freight in MC–F–10780 at Corbin, Ky.

SUPPORTED BY: There are approximately 16 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: R. W. Schneiter, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 222 Bakhaus Building, 1500 West Main Street, Lexington, Ky. 40505.

No. MC 47171 (Sub-No. 88 TA), filed August 9, 1973. Applicant: COOPER MOTOR LINES, INC., Mlg: P.O. Box 4255, Park Place, 301 Hammett St., Greenville, S.C. 29608. Applicant's representative: Harris G. Andrews (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Baltimore, Md., on the one hand, and, on the other, points in Salem and Cumberland Counties, N.J., and points in that part of Pennsylvania east of the Susquehanna River, for 180 days. SEND PROTESTS TO: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, S.C. 29201.

No. MC 51146 (Sub-No. 298 TA), filed August 10, 1973. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: David A. Petersen (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferric chloride*, in bulk, in rubber-lined trailers, from plant site of K. A. Steel Chemical Company at or near Lemont, Ill., to points in Wisconsin, for 180 days. SUPPORTING SHIPPERS: K. A. Steel Chemicals, Inc., 2770 Des Plaines Ave., Des Plaines, Ill. (Nat J. Rowell, Vice Pres.); The Chemical Supply Company, P.O. Box 567, Neenah, Wis. 54956 (Robert E. Anderson, Assistant General Mgr.); Hydrite Chemical Co., 1237 W. Bruce Street, Milwaukee, Wis. 53204 (Edward A. Wex, Ex. Vice Pres.). SEND PROTESTS TO: District Supervsior John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 71459 (Sub-No. 37 TA), filed August 9, 1973. Applicant: O.N.C. FREIGHT SYSTEMS, 2800 West Bayshore Road, Palo Alto, Calif. 94303. Applicant's representative: John Paul Fischer, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Salt Lake City, Utah and the commercial zone of Salt Lake City, Utah, with the right to tack said authority with authority found in MC 71459 (Sub No. 28 TA), for 180 days. SUPPORTING SHIPPERS: There are approximately 16 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: District Supervisor Claud W. Reeves, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 87720 (Sub-No. 148 TA), filed August 13, 1973. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Flemington, N.J. 08822. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail and chain grocery, hardware and drug stores, in containers, and materials and supplies (except in bulk) used in the manufacture and distribution of the commodities described for the account of American Home Products Corporation, from Chicago, Ill., commercial zone to Detroit, Mich., commercial zone, for 180 days. SUPPORTING SHIPPER: American Home Products Corp., 685 Third Avenue, New York, N.Y. SEND PROTESTS TO: District Supervisor Richard M. Regan, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, N.J. 08608.

No. MC 97357 (Sub-No. 48 TA), filed August 7, 1973. Applicant: ALLYN TRANSPORTATION COMPANY, 14011 South Central Avenue, Los Angeles, Calif. 90059. Applicant's representative: David P. Christianson, 825 City National Bank Bldg., 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distillate and residual fuel oils*, from points in Kern County, Calif., to Phoenix, Red Rock, and Yuma, Ariz., and from points in Los Angeles County, Calif., to Glendale, Mesa, Phoenix, Red Rock, Yuma, Tempe, and Casa Grande, Ariz., for 150 days. SUPPORTING SHIPPERS: Salt River Project, P.O. Box 1980, Phoenix, Ariz. 85001; Aromalene Oil Co., 2750 East Spring St., Long Beach, Calif. 90806; Arizona Public Service Co., P.O. Box 21666, Phoenix, Ariz. 85036. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 99780 (Sub-No. 25 TA), filed August 8, 1973. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 NE. Bond St., Mlg: P.O. Box 1345, 61601, Peoria, Ill. 61603. Applicant's representative: John R. Zang (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat products and meat byproducts* as described in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Waterloo, Iowa, and Peoria, Ill., to points in Indiana, for 180 days. SUPPORTING SHIPPER: D. H. Hager, Manager Transportation Services, The Rath Packing Company, Sycamore and Elm, Waterloo, Iowa 50704. SEND PROTESTS TO: Richard Shullaw, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 103498 (Sub-No. 34 TA), filed August 7, 1973. Applicant: W. D. SMITH TRUCK LINE, INC., P.O. Drawer C, DeQueen, Ark. 71832. Applicant's representative: Donald T. Jack, Jr., 1550 Tower Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used creosoted railway crossties*, from Wright City, Okla., to Somerville, Tex., and Houston, Tex., and from Morris, Okla., to Advance, La., for 180 days. SUPPORTING SHIPPER: L. B. Foster Company, 2000 West Loop South, Houston, Tex. 77027. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 103993 (Sub-No. 775 TA), filed August 13, 1973. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul Borghesana (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Kitchen and bathroom modules, on undercarriages, from Eaton Rapids, Mich., to points in Marion County, Ind., and Fairfax County, Va., for 180 days. SUPPORTING SHIPPER: Westinghouse Housing Systems, 501 Marlin, Eaton Rapids, Mich. 48827. SEND PROTESTS TO: Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 903 TA), filed August 9, 1973. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, P.O. Box 855, Des Moines, Iowa 50304. Applicant's representative: E. Check (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank vehicles, from Sioux City, Iowa, to points in Nebraska, South Dakota, and Minnesota, for 150 days. SUPPORTING SHIPPER: Power Plant Aggregate of Iowa, Box 1618, Sioux City, Iowa 50302. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 108460 (Sub-No. 48 TA), filed August 9, 1973. Applicant: PETROLEUM CARRIERS COMPANY, P.O. Box 762, 5104 W. 14th St., Sioux Falls, S. Dak. 57106. Applicant's representative: Stanley Mundhenke (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Mankato, Minn., to points in South Dakota as follows: Sioux Falls, Chamberlain, N. Sioux City, Huron, and Yankton, for 180 days. SUPPORTING SHIPPER: Thomas W. Taylor, President, Taylor Oil Company, Box 818, Sioux Falls, S. Dak. 57101. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 110689 (Sub-No. 7 TA), filed August 9, 1973. Applicant: AIRWAY TRUCKING CO., Mlg: P.O. Box 6967 E.L.A. 90022, Los Angeles, Calif., 1605 Chapin Road, Montebello, Calif. 90640. Applicant's representative: Charles R. Hart, Jr., 1255 Lincoln Boulevard, Suite 300, Santa Monica, Calif. 90401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit and tubing*, from points in California to points in Arizona, for 180 days. SUPPORTING SHIPPERS: Interpace Corporation, 2901 Los Feliz Blvd. Los Angeles, Calif. 90039; Winter Wolff & Co., Inc., 1451 New Dock St., Terminal Island, Calif.; Johns-Manville Prod Corp. P.O. Box 9067, Long Beach, Calif. 90810; Certain-Teed Products Corp., Piping & Plastics Group, P.O. Box 120–A, Santa Clara, Calif. 95052; Cal Metal Corp. 1351 W. Sepulveda, Torrance, Calif. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 112107 (Sub-No. 5 TA), filed August 9, 1973. Applicant: NEW ENGLAND MOTOR FREIGHT, INC., 520 Main Street, Wallington, N.J. 07057. Applicant's representative: Morton E. Kiel, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Chemicals* (except in bulk), serving Branchburg, N.J., as an off route on its regular route, between Paterson, N.J., and Providence, R.I., for 180 days.

NOTE.—Applicant states it does intend to tack with its authority.

SUPPORTING SHIPPER: Azoplate Division of American Hoechst Corporation, Murray Hill, N.J. SEND PROTESTS TO: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 112617 (Sub-No. 306 TA), filed August 7, 1973. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Bruce H. Kraemer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel*, in bulk, in tank vehicles, from the plantsite of Ashland Oil Inc., at Covington, Ky., to the Boeing Aircraft Co., at Wichita, Kans., for 90 days. SUPPORTING SHIPPER: United States Army, Department of Defense, Washington, D.C. SEND PROTESTS TO: Wayne L. Merilatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 114301 (Sub-No. 79 TA), filed August 8, 1973. Applicant: DELAWARE EXPRESS CO., P.O. Box 97, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and vinyl siding and accessories and materials* used in the installation thereof, from Certain-Teed's Plant at or near Hagerstown, Md., to points in Ohio, Pennsylvania, Kentucky, New Jersey, Virginia, West Virginia, and the District of Columbia, for 180 days. SUPPORTING SHIPPER: Paul D. Bruno, Traffic Supervisor, Certain-Teed Products Corporation, Valley Forge, Pa. 19481. SEND PROTESTS TO: William L. Hughes, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 814–B Federal Building, Baltimore, Md. 21201.

No. MC 114457 (Sub-No. 160 TA), filed August 13, 1973. Applicant: DART TRANSIT COMPANY, 780 N. Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane products*, from Newton, Kans., to points in Arkansas, Missouri, Oklahoma, and Texas, for 180 days. SUPPORTING SHIPPER: Future Foam, Inc., P.O. Box 1017, Downtown Station, Omaha, Nebr. 68101. SEND PROTESTS TO: District Supervisor Raymond T. Jones, Bureau of Operations, Interstate Commerce Commission, 448 Federal Bldg. & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 117940 (Sub-No. 94 TA), filed August 8, 1973. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Bldg., 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from South Edmeston and Walton, N.Y., Hagerstown, Md., and Elizabeth, N.J., to points in North Carolina, South Carolina, Georgia, Florida, Tennessee, and Alabama, for 180 days. SUPPORTING SHIPPER: Breakstone Sugar Creek Foods, Division of Kraftco Corporation, 450 East Illinois Street, Chicago, Ill. 60611. SEND PROTESTS TO: District Supervisor A. N. Spath, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 124078 (Sub-No. 557 TA), filed August 13, 1973. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Lipe, Tenn., to High Ridge, Mo., for 180 days. SUPPORTING SHIPPER: H–J Enterprises, Inc., P.O. Box 8507, Sappington, Mo. 63126 (J. F. Shekelton, Pres.). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 125140 (Sub-No. 17 TA), filed August 8, 1973. Applicant: RICHARD B. BRUNZLICK, Augusta, Wis. 54722. Applicant's representative: F. H. Kroeger, 2288 University Ave., St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, dairy byproducts, fruit juices and fruit drinks*, from St. Paul, Minn., to Amery, Baldwin, Chippewa Falls, Eau Claire, Galesville, Hudson, Luck, Menomonie, New Richmond, La Crosse, Osceola, Strum, and Tomah, Wis., for 180 days. SUPPORTING SHIPPER: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. SEND PROTESTS TO: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 110 S. 4th St., 448 Federal Bldg. & U.S. Court House, Minneapolis, Minn. 55401.

No. MC 125785 (Sub-No. 22 TA), filed August 10, 1973. Applicant: SATURN EXPRESS, INC., 7800 F St., Omaha, Nebr. 68127. Applicant's representative:

Robert C. McCandless, 1819 H Street NW., Suite 700, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings and related parts and equipment*, between the plantsites of Stran-Steel Corp., at or near Houston, Tex., and at or near Terre Haute, Ind., from the plantsite of Stran-Steel Corp., at or near Houston, Tex., to points in Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, Oregon, Washington, and California, for 180 days. SUPPORTING SHIPPER: Stran-Steel Corporation, Warner A. Mize, Jr., P.O. Box 14205, Houston, Tex. 77021. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Bldg., Omaha, Nebr. 68102.

No. MC 129480 (Sub-No. 8 TA), filed August 9, 1973. Applicant: TRI-LINE EXPRESSWAYS, LTD., 550 71st Ave. SE., P.O. Box 5245, Station A, Calgary, Alberta, Canada. Applicant's representative: Hugh Sweeney, P.O. Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals*, other than in bulk, from the plantsite of Monsanto Co., near Muscatine, Iowa, to the International Boundary line between the United States and Canada, situated in Montana, North Dakota, and Minnesota, for 180 days. SUPPORTING SHIPPER: Monsanto Company, 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133119 (Sub-No. 24 TA), filed August 9, 1973. Applicant: HEYL TRUCK LINES, INC., 235 Mill St., Akron, Iowa 51001. Applicant's representatives: Roger Hyle (Same address as above) and A. J. Swanson, 521 So. 14 St. (Box 81849), Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus concentrate*, from points in Willacy, Starr, Hidalgo, Cameron, and Nueces Counties, Tex., to points of Entry located on the International Boundary line between the United States and Canada located in the State of Washington, restricted to traffic moving in foreign commerce, for 180 days. SUPPORTING SHIPPER: Texas Citrus Exchange, Charles E. Der, Sales Mgr.—Processing Div. P.O. Box 480, 1312 So. Closner, Edinburg, Tex. 78539. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Bldg., Omaha, Nebr. 68102.

No. MC 134534 (Sub-No. 7 TA), filed August 10, 1973. Applicant: LUIS BASTERRECHEA, doing business as BASTERRECHEA DISTRIBUTING, 341 Colorado, Gooding, Idaho 83301. Applicant's representative: Jay L. Depew, P.O. Box 961, Twin Falls, Idaho 83301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat and packinghouse products*, from points in Gooding County, Idaho, to points in Cascade County, Mont., for 180 days. SUPPORTING SHIPPER: Magic Valley Packing Company, E of City, Gooding, Idaho 83301. SEND PROTESTS TO: C. W. Campbell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 550 West Fort Street, Box 07, Boise, Idaho 83724.

No. MC 136786 (Sub-No. 22 TA), filed August 13, 1973. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Boulevard, Rm. 205, Minneapolis, Minn. 55416. Applicant's representative: K. O. Petrick (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles* distributed by meat packinghouses (except hides and commodities in bulk), from the plantsite and storage facilities utilized by Missouri Beef Packers, Inc., at or near Boise, Idaho, to points in Nebraska, Illinois, Wisconsin, Iowa, Missouri, and Minnesota, for 150 days. SUPPORTING SHIPPER: Missouri Beef Packers, Inc., 630 Amarillo Bldg., Amarillo, Tex. 79101. SEND PROTESTS TO: District Supervisor A. N. Spath, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 138018 (Sub-No. 1 TA), filed August 8, 1973. Applicant: REFRIGERATED FOODS, INC., 3200 Blake St., P.O. Box 1018, 80205, Denver, Colo. 80205. Applicant's representative: Donald L. Stern, 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, to points in California, Oregon, Washington, Colorado, Nebraska, Minnesota, Wisconsin, and Illinois, restricted to traffic originating at the named facilities, for 180 days. SUPPORTING SHIPPER: Missouri Beef Packers, Inc., 630 Amarillo Building, Amarillo, Tex. 79101. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 138563 (Sub-No. 1 TA), filed August 6, 1973. Applicant: J.M.J. PROJECTS, INC. 2109 West 50th Street, Shawnee Mission, Kans. 66205. Applicant's representative: Erle W. Francis, Suite 719, 700 Kansas Avenue, Topeka, Kans. 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used and junk batteries; residues, residuum scale, slimes, sludge, sweepings or washings*, NOI, in packages; and scrap, NOI, loose, from Leavenworth, Kans., to Omaha, Nebr.; and (2) *lead ingots*, antimonial and litharge, from Ohama, Nebr., to Leavenworth, Kans., and Kansas City, Mo., for 180 days. SUPPORTING SHIPPER: Gould, Inc., 1110 Highway 10, Mendota Heights, Minn. SEND PROTESTS TO: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 138804 (Sub-No. 1 TA), filed August 13, 1973. Applicant: GLEN E. DORRITY, doing business as GLEN E. DORRITY TRUCKING, 1104 Industrial Ave., South Lake Tahoe, Calif. 95705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paving materials, rock and sand*, in bulk, in dump trucks, from points in Lyon and Storey Counties, Nev., to points in Alpine, Amador, and El Dorado Counties, Calif., for 180 days. SUPPORTING SHIPPERS: George Reed, Inc., P.O. Box 1756, Modesto, Calif., 95354; Tahoe Asphalt & Paving, 1104 Industrial Ave., South Lake Tahoe, Calif. 95705; Basis Rock Products, Inc., P.O. Box 1300, Susanville, Calif. 96130. SEND PROTESTS TO: District Supervisor Robert G. Harrison, Bureau of Operations, Interstate Commerce Commission, 203 Federal Building, 705 North Plaza Street, Carson City, Nev. 89701.

No. MC 138961 TA, filed August 6, 1973. Applicant: BARNER HEAVY HAULING, INC., 4827 East Illinois Avenue, Fresno, Calif. 93727. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93721. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and equipment* which, because of size or weight, cannot be transported on regular highway equipment, for such transportation applicant maintains what are commonly known as low-bed trailers of different sizes and lengths. The commodities which applicant proposes to transport include, but are not limited to, road making and road building machinery and equipment, tractors, scrapers, graders, rollers, paving machines, log skidders, and front-end loaders, including log loaders. Applicant also proposes to transport on the specialized equipment with the foregoing articles parts thereof and/or incidental thereto, between points in King County, Wash., Multnomah and Jackson Counties, Oreg., and points in Alameda, Fresno, Los Angeles, and San Diego Counties, Calif., for 180 days. SUPPORTING SHIPPER: Consolidated Equipment Sales, Inc., 2740 E. Jensen, Fresno, Calif. SEND PROTESTS TO: District Supervisor Claud W. Reeves, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 138984 (Sub-No. 1 TA), filed August 13, 1973. Applicant: PARADIS TRANSFER AND STORAGE CO., INC., 922 Whitman, Medford, Oreg. 97501. Applicant's representative: Robert R. Hollis, 1121 Commonwealth Building, Portland, Oreg. 97204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, carbonated or phosphated, NOI, not including extracts, syrups, nor alcoholic beverages, in glass or metal cans, in barrels or boxes, between Grants Pass, Medford and Klamath Falls, Oreg., on the one hand, and, Redding, Calif., on the other, for 180 days. SUPPORTING SHIPPER: Medford Coca-Cola Bottling Co., Inc., 3074 Crater Lake Ave., Medford, Oreg. 97501. SEND PROTESTS TO: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 S.W. Pine, Portland, Oreg. 97204.

No. MC 138985 TA, filed August 10, 1973. Applicant: KEISE McGARY, 80 High Street, Houlton, Maine 04730. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Landscape ties, firring strips, and pallets*, from Smyrna Mills, Maine, to points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, and the District of Columbia, for 180 days. SUPPORTING SHIPPER: Guy Friel & Sons, P.O. Box 106, Smyrna Mills, Maine 04780. SEND PROTESTS TO: Donald G. Weiler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 307, 76 Pearl Street, Portland, Maine 04112.

MOTOR CARRIERS OF PASSENGERS

No. MC 138986 TA, filed August 13, 1973. Applicant: PENJERDEL COACHES, INC., 124 W. Fifth St., Chester, Pa. 19013. Applicant's representative: William H. Powelson (Same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *REGULAR ROUTES: Passengers and their baggage*, in the same vehicle with passengers, between Wilmington, Del., and the Delaware-Pennsylvania state line serving all intermediate points; from Wilmington over U.S. Highway 13 to the Delaware-Pennsylvania State line, and return over the same route; *passengers*, between Darby, Pa., and the Pennsylvania-Delaware State line, serving all intermediate points on the specified routes; Westbound: From Darby, Pa., over Parker Avenue, Collingdale Borough, Pa., to U.S. Highway 13, thence over U.S. Highway 13 to the Borough of Eddystone, Pa., thence over U.S. Highway 13 and Borough Streets to the City of Chester, Pa., thence over City Streets and U.S. Highway 13 to the Borough of Trainer, Pa., thence over U.S. Highway 13 (Post Road) to the Pennsylvania-Delaware State line; Eastbound: From the Pennsylvania-Delaware State line over U.S. Highway 13 (Post Road) to the City of Chester, Pa., thence over U.S. Highway 13 and City Streets to the Borough of Eddystone, Pa., thence over Borough Streets and U.S. Highway 13 to Ridley Township, Pa., thence over U.S. Highway 13 to Springfield Road (the dividing line between the Boroughs of Collingdale and Darby, Pa.,) thence over Springfield Road to the Borough of Darby. *Passengers and their baggage*, in special operations during the season extending from August 1 to October 31, inclusive, of each year, between Chester, Pa., and the Brandywine Raceway, New Castle County, Del., near Brandywine, Del., serving the intermediate point of Marcus Hook, Pa., and points between Marcus Hook and the said Brandywine Raceway; from Chester over U.S. Highway 13 to junction unnumbered highway in New Castle County, Del., known as Naamans Road, thence over said unnumbered highway via Carpenter, Del., to the Brandywine Raceway, and return over the same route. *IRREGULAR ROUTES: Passengers and their baggage*, restricted to traffic originating in the territory indicated, in charter operations, from points in Delaware within 15 miles of Wilmington, Del., to Baltimore, Md., Washington, D.C., Fort Humphreys, Va., points in the New York, N.Y., Commercial Zone, as defined by the Commission, and those in Pennsylvania within 65 miles of Wilmington, Del., and return; from points in Delaware County, Pa., to points in New York, New Jersey, Delaware, Maryland and the District of Columbia, and return. *Passengers and their baggage*, in special operations, during the authorized racing season of each year, beginning and ending at Chester, Pa., and extending to Atlantic City Race Track, at or near McKee City, N.J., Garden State Park Race Track, in Delaware Township, Camden County, N.J., and Monmouth Park Race Track, at or near Oceanport, N.J. *REGULAR ROUTES: Passengers and their baggage, and express newspapers*, in the same vehicle with passengers, in a seasonal operation between May 15 and September 15, both inclusive of each year, between Bridgeton, N.J., and Wildwood, N.J., serving all intermediate points: From Bridgeton over New Jersey Highway 49 to junction New Jersey Highway 27, thence over New Jersey Highway 47 via Rio Grande, N.J., to Wildwood, and return over the same route; *passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, between Wilmington, Del., and Atlantic, N.J., serving all intermediate points in New Jersey, except those north of Pennsville, N.J., on New Jersey Highway 49 between the Delaware Memorial Bridge and Pennsville, N.J.; from Wilmington over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 via the Delaware Memorial Bridge to junction New Jersey Highway 49, thence over New Jersey Highway 49 to Pennsville, N.J. (formerly from Wilmington over U.S. Highway 13 to junction Delaware Highway 41, thence over Delaware Highway 41 to New Castle, Del., thence across the Delaware River to Pennsville, N.J.), thence over New Jersey Highway 49 via Salem, N.J., to Bridgeton, N.J., thence over New Jersey Highway 77 to junction unnumbered highway, thence over unnumbered highway to Richland, N.J., thence over U.S. Highway 40 to Atlantic City, and return over the same route; between Pennsville, N.J., and Wilmington, Del., serving all intermediate points: From Pennsville over New Jersey Highway 49 to junction New Jersey Bridge Approach Road, thence over New Jersey Bridge Approach Road and across the Delaware Memorial Bridge, thence over the Delaware Bridge Approach Road to junction Wilmington-New Castle Highway, and thence over Wilmington-New Castle Highway to Wilmington, and return over the same route; between Pennsville, N.J., and Richland, N.J., serving no intermediate points: From Pennsville over New Jersey Highway 49 to junction U.S. Highway 40, thence over U.S. Highway 40 to Richland, and return over the same route. *IRREGULAR ROUTES:* Passengers, in round trip, special operations, in each year during the periods of the authorized racing meets at Garden State Race Track located in Delaware Township, N.J., beginning and ending at Wilmington, Del., and extending to Garden State Race Track in Delaware Township, N.J.; passengers and their baggage, in special operations, in round-trip service, restricted seasonally to the authorized racing season of each year at the Pimlico Race Course, beginning and ending at Wilmington, Del., and extending to the Pimlico Race Course, Baltimore, Md., with no pickup or discharge of passengers enroute. Passengers and their baggage in the same vehicle with passengers, between Chester, Pa., and junction New Jersey County Route 581 and U.S. Highway 40, at or near Pole Tavern, from Chester across the Delaware River, via the Chester-Bridgeport Delaware River Ferry, thence over U.S. Highway 322 to junction New Jersey County Route 538, at or near Swedesboro, N.J., thence over New Jersey County Route 538 to junction New Jersey County Route 76, thence over New Jersey County Route 76 to junction New Jersey County Route 581, thence over New Jersey County Route 581 to junction U.S. Highway 40, and return over the same route, for 180 days. SUPPORTING SHIPPERS: Benvenuto, Inc., 2nd & French Sts., Wilmington, Del. 19801; Marlyn Travel Agency, Inc., and Weit Tours, Inc., 27-A N. Lansdowne Avenue, Lansdowne, Pa. 19050; Al Westmand, 2523 Peoples St., Chester, Pa. 19013; Chester Bus Centre, Inc., 124 W. Fifth St., Chester, Pa. 19013. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3238, Federal Bldg., 600 Arch St., Philadelphia, Pa. 19106.

By the Commission.

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

[FR Doc.73-18108 Filed 8-24-73;8:45 am]

[Ex Parte 241; Rule 19, Exemption 47]

SEABOARD COAST LINE RAILROAD CO.

Exemption Under Mandatory Car Service Rules

It appearing, that there is an emergency movement of military impedimenta from Fort Stewart, Georgia, to Fort Hood, Texas; that the originating carrier has insufficient system cars of suitable dimensions immediately available for loading with this traffic; that sufficient cars of other ownerships having suitable dimensions are available on the lines of the originating carrier and on its connections; and that compliance with Car Service Rules 1 and 2 would prevent the timely assembly and use of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, the Car Service Division of the Association of American Railroads is authorized to direct the movement to the Seaboard Coast Line Railroad Company, the railroads designated by the Car Service Division are authorized to move to, and the Seaboard Coast Line Railroad Company is authorized to accept, assemble, and load not to exceed fifty-three (53) empty cars with military impedimenta from Fort Stewart, Georgia, to Fort Hood, Texas, regardless of the provisions of Car Service Rules 1(b), 2(c), 2(d), or 2(e).

Effective August 20, 1973.

Expires August 31, 1973.

Issued at Washington, D.C., August 20, 1973.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.73-18105 Filed 8-24-73;8:45 am]

CUMULATIVE LISTS OF PARTS AFFECTED—AUGUST

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

43 CFR—Continued

PUBLIC LAND ORDERS—Continued

5362 ... 22002
5372 ... 21167
5373 ... 21168
5374 ... 21168
5375 ... 22550
5376 ... 22550
5377 ... 22550
5378 ... 22550
5379 ... 22470
5380 ... 22550
5381 ... 22551
5382 ... 22551
5383 ... 22551
5384 ... 22552
5385 ... 22552
5386 ... 22625

45 CFR

5 ... 22230
205 ... 22007
206 ... 22009
233 ... 22010
124 ... 21788
129 ... 21924
185 ... 21646
249 ... 21413

PROPOSED RULES:

67 ... 20465
205 ... 21936, 22042, 22141
249 ... 21936
250 ... 21936, 22242, 22415
405 ... 21936

46 CFR

10 ... 22787, 22788
12 ... 22787
31 ... 22787
71 ... 22787
72 ... 20448
91 ... 22787
92 ... 20448
105 ... 22787
111 ... 22788
160 ... 21784
175 ... 22787
176 ... 22787
187 ... 22787
188 ... 22787
189 ... 22787
190 ... 20448
294 ... 20807

PROPOSED RULES:

160 ... 22492
531 ... 21941, 22244
536 ... 21941, 22244
538 ... 22495
542 ... 21941

47 CFR

1 ... 22225
2 ... 20436, 20618, 22385
23 ... 22477
73 ... 20619, 20620, 21169, 21265, 21927, 21929, 22010, 22012, 22385, 22789
76 ... 20439
87 ... 21169, 22226
89 ... 20436, 22014, 22385
91 ... 20437, 22014, 22385
93 ... 20439, 22015, 22385

PROPOSED RULES:

73 ... 20469, 20627, 21651, 21940
95 ... 22046

49 CFR

1 ... 20449, 21413, 21930
85 ... 22388, 22789
171 ... 21990
172 ... 20838
173 ... 20838, 21990, 22552
178 ... 20839, 21990, 22552
571 ... 20449, 21930, 22125, 22390, 22397, 22790
572 ... 20449
1006 ... 21932
1033 ... 20621, 20622, 20840, 21170, 21414, 21638, 22398, 22482, 22552, 22625, 22790
1059 ... 21932
1107 ... 20623, 22125
1203 ... 21746
1300 ... 21932
1304 ... 21933
1307 ... 21933
1308 ... 21933
1309 ... 21933

PROPOSED RULES:

173 ... 22901
177 ... 22901
192 ... 21182, 22044
195 ... 21182
Ch. II ... 21503
217 ... 21797, 22043
221 ... 22417
390 ... 22244
391 ... 22244
392 ... 22244
393 ... 22244
394 ... 22244
395 ... 22244
396 ... 22244
397 ... 22244
571 ... 22417, 22493, 22904
575 ... 21939
581 ... 20899, 22492
1107 ... 21436
1201 ... 21436
1241 ... 22650
1310 ... 20852, 22654

50 CFR

1 ... 22015
10 ... 22015
20 ... 20456, 22021, 22626, 22896
28 ... 20624, 22482
32 ... 20461, 20624, 20625, 21414, 21415, 21497, 21776, 22024, 22025, 22125–22129, 22234, 22235, 22398, 22399, 22483, 22487, 22488, 22553, 22626, 22790, 22896
33 ... 22236
240 ... 22399

PROPOSED RULES:

18 ... 22143
32 ... 22036
216 ... 22133, 22490

FEDERAL REGISTER PAGES AND DATES—AUGUST

Pages	Date
20423–20601	Aug. 1
20603–20798	2
20800–21139	3
21141–21235	6
21237–21380	7
21381–21479	8
21481–21613	9
21615–21735	Aug. 10
21737–21909	13
21911–21965	14
21967–22108	15
22109–22205	16
22207–22358	17
22359–22457	20
22459–22527	Aug. 21
22529–22614	22
22615–22758	23
22759–22876	24
22877–22947	27

federal register

MONDAY, AUGUST 27, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 165

PART II

ENVIRONMENTAL PROTECTION AGENCY

■

AUTOMOBILE FUEL ECONOMY

Voluntary Labeling Program

ENVIRONMENTAL PROTECTION AGENCY

AUTOMOBILE FUEL ECONOMY

Voluntary Labeling Program

Notice is hereby given that the Environmental Protection Agency is issuing procedures for a voluntary fuel economy labeling program for automobiles.

In his Energy Message to Congress on April 18, 1973, President Nixon assigned the Environmental Protection Agency, in cooperation with the Department of Commerce and the Council on Environmental Quality, the responsibility to develop a program for informing the public as to the fuel economy characteristics of automobiles. The program calls for voluntary support from automobile manufacturers in labeling each vehicle for fuel economy and providing other useful information in the dealer showroom. This notice sets forth the procedures for participation in the program.

The procedures set forth in this notice shall govern the program. However, with a view toward possible revision, interested persons are invited to express their views on the program by submitting written comments in triplicate to the Director, Technical Support and Special Projects, Office of Air and Water Programs, Room 737, East Tower, U.S. Environmental Protection Agency, Washington, D.C. 20460. The Environmental Protection Agency is particularly interested in receiving comments on the effectiveness of the recommended vehicle label.

Comments received will be available for public inspection and copying at the Freedom of Information Center, Room 227 West Tower, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, during normal working hours.

Purpose and goals.—The purpose of this notice is to establish procedures for the Agency's program for fuel economy labeling of new automobiles. This program is being implemented in response to the direction of President Nixon in his 1973 Energy Message, that the Environmental Protection Agency, in cooperation with the Department of Commerce and the Council on Environmental Quality, develop a voluntary labeling program applicable to automobiles.

The fundamental objective of the program is to reduce energy usage in the transportation sector. The following goals are intermediate to this principal aim: (1) increase public awareness of factors which influence fuel economy; (2) influence consumers to purchase vehicles with good fuel economy; and (3) influence manufacturers to produce vehicles with improved fuel economy.

Definitions.—(a) As used herein, all terms not defined below shall have the meaning given them in the Clean Air Act or in 40 CFR Part 85, Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines.

(b) "Fuel Economy" means the miles a motor vehicle can be driven on a specified driving cycle per gallon of fuel.

(c) "Federal Emission Test Procedure" refers to the dynamometer driving schedule, dynamometer procedure, and sampling and analytical procedures described in 40 CFR Part 85 for the applicable model years.

(d) "Durability Driving Schedule" means the mileage accumulation procedure specified in Appendix IV to 40 CFR Part 85.

(e) "Vehicle Configuration" means a unique combination of engine configuration, inertia weight, transmission type and axle ratio.

(f) "Fuel Economy Data Car" means a vehicle which is selected from a specific vehicle configuration for fuel economy testing for the purpose of this program.

Scope of the program. Automobiles which will be included in the fuel economy labeling program are light duty gasoline fuel vehicles, light duty diesel vehicles, and light duty trucks. Additional types of motor vehicles may be included in the program by the Administrator at a later date. Automobiles which are manufactured to be sold outside the United States are not included in this program.

Program provisions—A. *General.*—The program employs two complementary mechanisms for disseminating vehicle fuel economy data to the consumer: an EPA sponsored public information program and a manufacturers voluntary vehicle labeling program. The public information program is addressed in the section entitled "Consumer Education".

The manufacturers' voluntary program will involve both individual vehicle labels and dealer showroom information. Each participating manufacturer will place a sticker on each automobile. In the 1974 model year, manufacturers may choose whether to label their vehicles with specific or comparative information. Data illustrating the effects of optional equipment on fuel economy, the variation in fuel costs with different vehicles and options, and other explanatory information will be available for display in the dealer showroom.

B. *Schedule.* All aspects of the labeling program will be implemented during the 1974 automotive model year. Initially EPA will bear the primary responsibility for data collection, data dissemination, and program operation. However, there will be a transference of this basic program responsibility to the automobile manufacturers in subsequent years. At program maturity the EPA function will be in certifying test results, performing confirmatory tests, and compiling comparative data on all vehicles tested.

C. *The fuel economy label.*—All manufacturers who participate in the labeling program must provide prospective purchasers with written information describing the fuel economy of their vehicles. This information will be presented on a purchaser-removable label in the form indicated below. The label must be of a reasonable size and must be prominently displayed on the same window as the price sticker. Any alternative location must be approved by EPA. The fuel economy sticker will contain a table which will group automobiles into weight categories and show comparative fuel economy and fuel cost for each category. The format for this label is illustrated in Figure 1. The data necessary for this label will be provided to the participating manufacturers by EPA at the beginning of the model year.

The miles per gallon averages for a given weight category listed on the comparative table will be calculated as a harmonic average of the fuel economy data from emissions certification vehicles of the applicable model year, which are tested by EPA. These miles per gallon averages will serve as a basis for calculation of the comparative fuel costs. The miles driven and per gallon fuel costs used in this calculation will be noted on the label.

A participating manufacturer may also elect to present specific fuel economy results on his vehicle. In addition to comparative data this fuel economy sticker will contain EPA-approved information describing the fuel economy representative of the specific vehicle for the test procedure specified below. The format for this label is illustrated in Figure 2. It is intended that all labels include vehicle-specific information after the 1974 model year.

FIGURE 1

ILLUSTRATIVE LABEL FOR 1974 VEHICLES--COMPARATIVE INFORMATION

The fuel economy values listed below were determined from tests conducted by the U.S. Environmental Protection Agency.

The table shows miles per gallon (MPG) performance and fuel costs for vehicles in different weight categories. These results were developed using a test procedure which simulates commuter-type driving. They are not indicative of highway-type driving.

The fuel economy numbers for the weight category in which this vehicle falls are circled.

Vehicle Test Weight (lbs.)	Range of MPG	Average MPG	Fuel Costs (10,000 mi. and 40¢/gal.)
2,000	22-27	25	$160
2,250	19-23	21	$190
2,500	18-23	20	$200
2,750	14-21	18	$220
3,000	13-18	15.5	$260
3,500	10-18	14	$285
4,000	8-13	11	$365
4,500	8-14	10	$400
5,000	8-11	9.5	$420
5,500	7-10	8.5	$470

The actual fuel economy of this vehicle will depend on factors such as individual driving habits, the maintenance conditions of the vehicle, and the optional equipment chosen. Additional fuel economy information is available from your dealer and from the U.S. Environmental Protection Agency, Washington, D.C.

Vehicle-specific information will be derived from either EPA certification tests or additional manufacturer testing. All testing must be carried out in accordance with procedures set forth in this notice. A manufacturer will not be held liable, under warranty provisions, for information presented on the fuel economy label.

D. *Test procedure.*—The Environmental Protection Agency and the participating manufacturers shall follow a specified test procedure in determining fuel economy for the purpose of the program. For the 1974 model year the 1972 Federal Emissions Test Procedure shall be used. Each vehicle must be driven 4,000 miles according to the Durability Driving Schedule and tested according to the Federal Emissions Test Procedure at that point as set out in 40 CFR 85.073–7. The expression used to calculate fuel economy based upon analyses of the exhaust gas derived from the 1972 Federal Test Procedure is as follows:

$$\text{Fuel economy} = \frac{2423}{(0.866)(HC)+(0.429)(CO)+(0.273)(CO_2)}$$

FIGURE 2

ILLUSTRATIVE LABEL FOR 1974 VEHICLES--SPECIFIC INFORMATION

Based on the results of tests conducted or certified by the U.S. Environmental Protection Agency, the fuel consumption of this vehicle is estimated to be:

13.5 Miles Per Gallon

on an EPA test cycle which simulates commuter-type driving.

The table below shows miles per gallon (MPG) performance and fuel costs for vehicles in different weight categories. The test weight and the measured fuel economy of this vehicle are circled. These figures are not indicative of performance during highway driving.

Vehicle Test Weight (lbs.)	Range of MPG	Average MPG	Fuel Costs (10,000 mi. & 40¢/gal.)
2,000	22-27	25	$160
2,250	19-23	21	$190
2,500	18-23	20	$200
2,750	14-21	18	$220
3,000 3100	13-18	15.5 13.5	$260 $295
3,500	10-18	14	$285
4,000	8-13	11	$365
4,500	8-14	10	$400
5,000	8-11	9.5	$420
5,500	7-10	8.5	$470

The actual fuel economy of this vehicle will depend on factors such as individual driving habits, the maintenance condition of the vehicle, and the optional equipment chosen. Additional fuel economy information is available from your dealer and from the U.S. Environmental Protection Agency, Washington, D.C.

where

Fuel economy = Fuel economy in miles per gallon.
HC = Hydrocarbon mass emissions expressed in grams per mile.
CO = Carbon monoxide mass emissions expressed in grams per mile.
CO_2 = Carbon dioxide mass emissions expressed in grams per mile.

E. *Test vehicle requirements.*—The EPA records fuel economy measurements made on all emission data vehicles tested at its facility. The manufacturers may use these fuel economy test results to label vehicles of the applicable vehicle configuration. If two vehicles of the same vehicle configuration are tested by EPA, the applicable fuel economy figure shall be the harmonic average of the results for the vehicles involved.

In order that data can be made available for vehicle configurations other than those represented by vehicles tested by EPA, participating manufacturers may elect to test fuel economy data cars representative of other vehicle configurations. Fuel economy results derived from tests on a fuel economy data car will be applicable only to production vehicles of the same vehicle configuration as that represented by the fuel economy data car. However, in conducting these tests, a fuel economy data car which has accumulated at least 4,000 miles but not more than 10,000 miles may, for example, be used to represent other vehicle configurations with the same engine configuration and same transmission type by changing axle ratios and varying inertia weight loadings.

For the purpose of mileage accumulation, emissions testing, and fuel economy testing, manufacturers' fuel economy data cars will be treated to the extent possible, as emission data cars in 40 CFR Part 85. Each configuration of a fuel economy data car must meet the same emission requirements as an emission data vehicle with the same engine/system combination at the time of the fuel economy test, taking into account the deterioration factor established for that engine family as per 40 CFR 85.074-28. Fuel economy data will not be accepted by EPA for the purposes of this program unless accompanying emission data demonstrates that the test vehicle meets applicable emission standards.

F. *Certification of vehicle specific fuel economy results.*—In those situations where a manufacturer elects to provide vehicle specific fuel economy results, such results must be certified by the EPA prior to use on a vehicle label. The information required to be submitted in an application for such certification is specified below. All information should be submitted to the Division of Certification and Surveillance, Ann Arbor, Michigan.

(1) All information furnished for emission data vehicles where not already submitted to EPA for the applicable model year.

(2) Fuel economy and emissions results as measured on the specified test procedure whether derived from EPA emission certification tests or manufacturer conducted tests.

(3) A description of the tests performed and calculations made in order to ascertain compliance with specified procedures.

(4) A listing of all vehicles to which each separate fuel economy test result is applicable.

(5) A statement that the fuel economy data cars with respect to which data are submitted have been tested in accordance with applicable test procedures, that they are representative of the vehicle configuration listed, and that they are in compliance with applicable Federal emission standards.

The EPA will examine fuel economy data submitted as they compare to data on vehicles in the same engine family or of the same inertia weight. The fuel economy results will be examined by the EPA using statistical methods. If in the Administrator's judgment the data are accurate, obtained in accordance with required procedures, and representative of the particular vehicle, the test results will be certified by the EPA and will be available for use describing all vehicles of that vehicle configuration. If the data

fail to meet the above criteria, the EPA reserves the right to reject the data or require a confirmatory test.

The EPA fuel economy data certification shall extend for the duration of the model year. In the event of running changes, where such changes require the performance of an emission test, the fuel economy results from such emissions test shall be used on vehicles incorporating that running change. Where running changes are made for which EPA does not require an emissions test, the fuel economy results originally attained shall continue to apply. In a situation where a manufacturer feels these fuel economy results are not representative of the vehicle's fuel economy after the running change he may carry out testing at his own facility and submit the results for EPA's approval.

G. *Provisions for retest.*—A manufacturer may request that EPA retest a vehicle only if the first test is invalid under the provisions of 40 CFR Part 85 for the purpose of emissions performance. If a manufacturer feels the fuel economy results derived from a valid emissions test are not representative he may conduct a retest at his own facility. The results of this retest are subject to the same review and approval process as is specified above for testing of vehicles which EPA does not test. If the fuel economy results meet the criteria outlined, these results will be used in lieu of previous EPA results. If the data do not meet these requirements, the EPA fuel economy results will be utilized. EPA reserves the right to do confirmatory testing on these retests.

H. *Showroom information.*—Participating manufacturers will be asked to encourage their dealers to make certain information available in their dealer showrooms. This information will include but will not be limited to the following:

(1) A description of the fuel economy labeling program;

(2) A general discussion of fuel economy and the factors that influence fuel economy;

(3) A characterization of the effects of optional equipment on vehicle fuel economy;

(4) A calculation of comparative fuel costs for vehicles with different fuel economies;

(5) An explanation of the fuel economy test procedure and an interpretation of results therefrom; and

(6) A listing of sources for additional, more detailed information.

EPA will provide a pamphlet for the showroom in the initial year of the program. Any showroom information on fuel economy should be conveniently located and accessible to consumers.

I. *Consumer education.*—The Environmental Protection Agency, in cooperation with interested government agencies and other public, private, and industry groups, will initiate a program to inform consumers about the labeling program and the fuel economy issue in general.

J. *Participation by manufacturers.*—(1) *Voluntary Participation.*—Manufacturers desiring to participate in the fuel economy program should notify the Administrator of the Environmental Protection Agency. This notification should state that the manufacturer is aware of the responsibilities of participation and will abide by all the conditions specified.

(2) *Conditions for participation.*—The conditions for participation of a manufacturer in the program include the following:

(a) The manufacturer will arrange to display a fuel economy label on the same window as the price sticker or in another location approved by EPA. (See Program Provisions, Section C) on every light duty vehicle and light duty truck which is manufactured by him for sale in the United States.

(b) The manufacturer will include only EPA-approved test results on the vehicle label.

(c) The manufacturer will encourage his dealers to make the appropriate information available in each dealer showroom.

(d) In performing his own testing for the purposes of this program each manufacturer will use only the specified test procedure and will submit both emissions and fuel economy results to EPA for certification.

(e) The manufacturer agrees, at his expense, to comply with any reasonable request of the Environmental Protection Agency to conduct confirmatory tests on a vehicle for which he is submitting fuel economy data. Alternatively, the manufacturer may withdraw the test results from consideration.

K. *Termination of participation.*—(1) *EPA termination.*—The Environmental Protection Agency, upon finding that the manufacturer is not complying with the conditions of participation, may terminate the participation of any manufacturer. The manufacturer will first be given an opportunity to show cause why participation should not be terminated.

(2) *Manufacturer termination.* A manufacturer may terminate his participation and responsibilities under this program at any time by giving written notice to the Administrator.

L. *Amendment or revision of voluntary fuel economy labeling program.*—The Administrator will amend or revise any section above as the need arises. Such amendment or revisions shall take into consideration the automobile manufacturers' lead time which is required to implement the revisions.

Dated August 17, 1973.

JOHN QUARLES,
Acting Administrator.

[FR Doc.73-17891 Filed 8-24-73;8:45 am]

now available
15-year Cumulation

LAWS AFFECTED TABLES FOR 1956–1970

VOLUMES 70–84
UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of public laws enacted during the years 1956–1970. Includes index of popular name acts affected in Volumes 70–84.

Price: $8.15 domestic postpaid;
$7.50 GPO Bookstore

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

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