

# federal register

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

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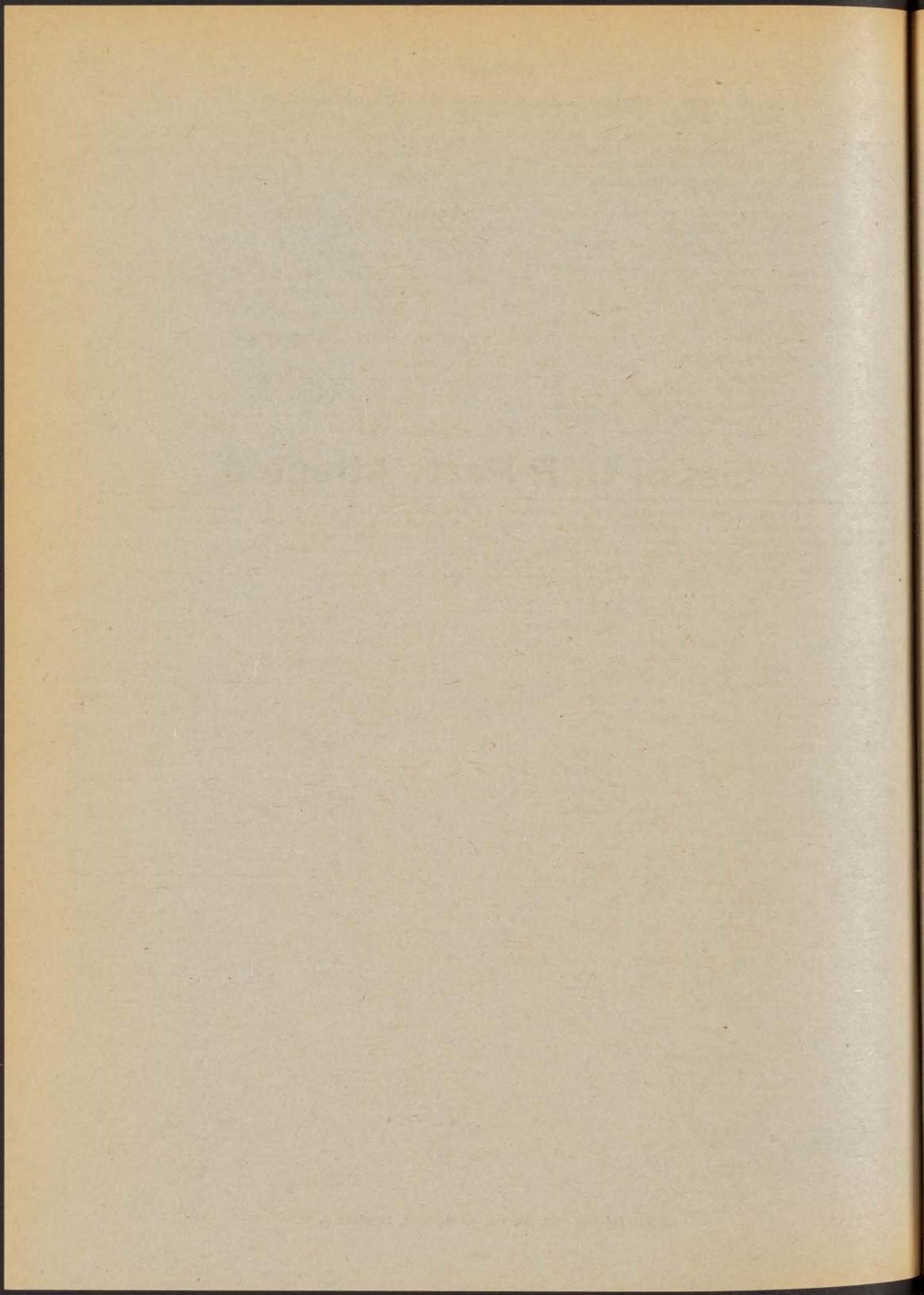
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# Rules and Regulations

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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 16—Commercial Practices

### CHAPTER I—FEDERAL TRADE COMMISSION

[Docket C-2480]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Berkey Photo, Inc.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages or connections*; 13.15–195 *Nature*; 13.15–265 *Service*; 13.15–270 *Size and extent*; § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.155 *Prices*; 13.155–70 *Percentage savings*. Subpart—Misrepresenting—Business status, advantages or connections: § 13.1490 *Nature*; § 13.1553 *Services*; § 13.1555 *Size, extent or equipment*. —Goods: § 13.1625 *Free goods or services*; § 13.1647 *Guarantees*; § 13.1725 *Refunds*; —Prices: § 13.1785 *Comparative*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1955 *Free goods*; § 13.2010 *Money back guarantee*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Berkey Photo, Inc., New York, N.Y., Docket C-2480, Dec. 5, 1973]

##### In the Matter of Berkey Photo, Inc., a Corporation.

Consent order requiring a New York City seller of film and photo processing services, among other things to cease misrepresenting merchandise as free; misrepresenting services offered by respondent, misrepresenting the size or extent of respondent's business; misrepresenting the nature of their business; misrepresenting percentage savings; misrepresenting refunds. Further, respondents are ordered to maintain for a minimum of two years copies of all promotional material made for distribution of film and/or inducing mail order finishing of amateur photographic film.

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

*It is ordered*, That respondent Berkey Photo, Inc., a corporation, its successors and assigns, and its officers, and respondent's agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of film or photo processing services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, orally or in writing, directly or by implication, that film or any article of merchandise is being given free or without charge or cost or as a gift, in connection with the purchase of film processing services, when the stated price for the processing services required to be purchased in order to obtain said film is more than the customary and usual price charged for processing services without film for a substantial period of time in the recent and regular course of respondent's business; or misrepresenting, in any manner, the terms and conditions of a free offer.

2. Misrepresenting, orally or in writing, directly or by implication, that customers need never buy film again or utilizing words of similar import or meaning.

3. Representing, orally or in writing, directly or by implication, that any merchandise and/or service is guaranteed, (a) unless the terms, conditions and extent to which such guarantee applies and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed, and (b) unless respondent, within a reasonable time, not to exceed ten (10) working days from receipt of the request, performs each obligation directly or indirectly represented with said guarantee; or misrepresenting, in any manner, the terms, conditions and extent of any guarantee.

4. Representing, orally or in writing, directly or by implication, that film sold by respondent requires special processing or must be processed by respondent when said film can adequately be processed by companies other than respondent.

5. Representing, orally or in writing, directly or by implication, through the device of a cautionary statement or warning, that film must be processed by respondent, unless such film does actually require special processing.

6. Representing, orally or in writing, directly or by implication, that respondent will develop full size prints from negatives unless respondent does develop prints in the size generally accepted as full size by the photo processing industry; or misrepresenting, in any manner, the size of prints developed by respondent.

7. Representing, orally or in writing, directly or by implication, that respondent has more film processing locations than it actually operates; or misrepresenting, in any manner, the number of processing locations operated by respondent.

8. Representing, orally or in writing, directly or by implication, that the Camera Club of America is a club; or mis-

representing, in any manner, the organization or nature of respondent's business.

9. Representing, orally or in writing, that each roll of film is custom processed; or misrepresenting, in any manner, the nature of processing methods or the individual attention given.

10. Using the representation "all for \$4.25, regular value \$9.90", or "save over 50%", or any other representation or representations of similar import or meaning in conjunction with a stated dollar or percentage amount of savings, unless the stated dollar or percentage amount of savings actually represents the difference between the offering price and the actual bona fide price at which such processing services have been sold or offered for sale on a regular basis to the public by respondent for a reasonably substantial period of time in the recent, regular course of its business.

11. Representing, orally or in writing, directly or by implication, that refunds are made, cash or credit, without clearly and conspicuously disclosing all of the terms and conditions of said refunds.

*It is further ordered*, That respondent deliver a copy of this order to cease and desist to all present and future personnel of respondent engaged in the offering for sale, sale or distribution of film or photo processing services or in any aspect of preparation, creation, or placing of advertising, and that respondent secure a signed statement acknowledging receipt of said order from each such person.

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

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

*It is further ordered*, That respondent maintain for at least a two (2) year period, copies of all advertisements, direct mail and in-store solicitation literature, coupon solicitation requests, and any other such promotional material made for purposes of distribution of film and/or inducing the mail order finishing of amateur photographic film.

*It is further ordered*, That the respondent herein shall within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and

form in which it has complied with this order.

Issued: December 5, 1973.

By the Commission.

[SEAL]

CHARLES A. TOBIN,  
Secretary.

[FR Doc.74-475 Filed 1-4-74;8:45 am]

[Docket 8860]

### PART 13—PROHIBITED TRADE PRACTICES

#### ITT Continental Baking Company, Inc., et al.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52) [Modified order, ITT Continental Baking Company, Inc., et al., Rye, New York, Docket 8860, Dec. 14, 1973]

*In the Matter of ITT Continental Baking Company, Inc., a Corporation, and Ted Bates & Company, Inc., a Corporation.*

Order modifying Commission decision and order issued Oct. 19, 1973 (38 FR 31827), by deleting from paragraph I.1.a. the requirement that respondent identify the basis relied upon for nutritional claims. Further, order denies respondents' petitions for reconsideration.

The order ruling on petitions for reconsideration is as follows:

*It is ordered*, That paragraph I.1.a. of the Commission order to cease and desist, entered herein on October 19, 1973, be modified to read as follows:

The nutritional properties of any such product in generalized terms such as "rich in nutrients," vitamins or iron fortified, "enriched," or other similar nutritional references, unless the advertised nutritional value can be substantiated for the average and ordinary use of the product by consumers or by particular groups of consumers provided they are specified.

*It is further ordered*, That the petitions for reconsideration filed by respondents, except to the extent they have been granted by this order, be, and they hereby are, denied.

By the Commission; Commissioners Thompson and Hanford not participating.

Issued: December 14, 1973.

[SEAL]

CHARLES A. TOBIN,  
Secretary.

[FR Doc.74-474 Filed 1-4-74;8:45 am]

### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

#### "Backhaul" Allowances Advisory Opinion Affirmed

A new § 15.483 is added as follows:

§ 15.483 "Backhaul" allowances advisory opinion affirmed.

(a) The Commission has completed reconsideration of its advisory opinion on "backhaul" allowances (16 CFR 15.147; 32 FR 14694, October 24, 1967)

and concluded that it should not be rescinded.

(b) The Commission announced that:

(1) It intends to scrutinize delivered price systems in the food products industry in order to determine whether such systems are unfair to customers or to ultimate consumers, in violation of section 5 of the Federal Trade Commission Act.

(2) It intends to develop empirical information on the impact on food prices of delivered pricing systems which will enable it to make this determination.

(3) It is taking this action in view of representations made by interested parties, including the Cost of Living Council.

(4) It is of the view that questions properly would not arise under the laws it administers if sellers, using valid uniform, zone delivered pricing systems, offer to all customers, on a nondiscriminatory basis, in lieu of a delivered price, the option of purchasing at a true f.o.b. shipping point price.

(38 Stat. 717, as amended, 15 U.S.C. 41-58.)

Released: December 26, 1973.

By direction of the Commission.

[SEAL]

CHARLES A. TOBIN,  
Secretary.

[FR Doc.74-520 Filed 1-4-74;8:45 am]

### Title 17—Commodity and Securities Exchanges

#### CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. AS-150]

### PART 211—INTERPRETATIVE RELEASES RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

#### Statement of Policy on Establishment and Improvement of Accounting Principles and Standards

Various Acts of Congress administered by the Securities and Exchange Commission clearly state the authority of the Commission to prescribe the methods to be followed in the preparation of accounts and the form and content of financial statements to be filed under the Acts and the responsibility to assure that investors are furnished with information necessary for informed investment decisions. In meeting this statutory responsibility effectively, in recognition of the expertise, energy and resources of the accounting profession, and without abdicating its responsibilities, the Commission has historically looked to the standard-setting bodies designated by the profession to provide leadership in establishing and improving accounting principles. The determinations by these bodies have been regarded by the Commission, with minor exceptions, as being responsive to the needs of investors.

The body presently designated by the Council of the American Institute of Certified Public Accountants (AICPA) to establish accounting principles is the Financial Accounting Standards Board (FASB). This designation by the AICPA

followed the issuance of a report in March 1972 recommending the formation of the FASB, after a study of the matter by a broadly based study group. The recommendations contained in that report were widely endorsed by industry, financial analysts, accounting educators, and practicing accountants. The Commission endorsed the establishment of the FASB in the belief that the Board would provide an institutional framework which will permit prompt and responsible actions flowing from research and consideration of varying viewpoints. The collective experience and expertise of the members of the FASB and the individuals and professional organizations supporting it are substantial. Equally important, the commitment of resources to the FASB is impressive evidence of the willingness and intention of the private sector to support the FASB in accomplishing its risk. In view of these considerations, the Commission intends to continue its policy of looking to the private sector for leadership in establishing and improving accounting principles and standards through the FASB with the expectation that the body's conclusions will promote the interests of investors.

In Accounting Series Release No. 4 (1938) [11 FR 10913] the Commission stated its policy that financial statements prepared in accordance with accounting practices for which there was no substantial authoritative support were presumed to be misleading and that footnote or other disclosure would not avoid this presumption. It also stated that, where there was a difference of opinion between the Commission and a registrant as to the proper accounting to be followed in a particular case, disclosure would be accepted in lieu of correction of the financial statements themselves only if substantial authoritative support existed for the accounting practices followed by the registrant and the position of the Commission had not been expressed in rules, regulations or other official releases. For purposes of this policy, principles, standards and practices promulgated by the FASB in its Statements and Interpretations<sup>1</sup> will be considered by the Commission as having substantial authoritative support, and those contrary to such FASB promulgations will be considered<sup>2</sup> to have no such support.

<sup>1</sup> Accounting Research Bulletins of the Committee on Accounting Procedure of the American Institute of Certified Public Accountants and effective opinions of the Accounting Principles Board of the Institute should be considered as continuing in force with the same degree of authority except to the extent altered, amended, supplemented, revoked or superseded by one or more Statements of Financial Accounting Standards issued by the FASB.

<sup>2</sup> It should be noted that Rule 203 of the Rules of Conduct of the Code of Ethics of the AICPA provides that it is necessary to depart from accounting principles promulgated by the body designated by the Council of the AICPA if, due to unusual circumstances, failure to do so would result in misleading financial statements. In such a case, the use of other principles may be accepted or required by the Commission.

In the exercise of its statutory authority with respect to the form and content of filings under the Acts, the Commission has the responsibility to assure that investors are provided with adequate information. A significant portion of the necessary information is provided by a set of basic financial statements (including the notes thereto) which conform to generally accepted accounting principles. Information in addition to that included in financial statements conforming to generally accepted accounting principles is also necessary. Such additional disclosures are required to be made in various fashions, such as in financial statements and schedules reported on by independent public accountants or as textual statements required by items in the applicable forms and reports filed with the Commission. The Commission will continue to identify areas where investor information needs exist and will determine the appropriate methods of disclosure to meet these needs.

It must be recognized that in its administration of the Federal Securities Acts and in its review of filings under such Acts, the Commission staff will continue as it has in the past to take such action on a day-to-day basis as may be appropriate to resolve specific problems of accounting and reporting under the particular factual circumstances involved in filings and reports of individual registrants.

The Commission believes that the foregoing statement of policy provides a sound basis for the Commission and the FASB to make significant contributions to meeting the needs of registrants and investors.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

DECEMBER 20, 1973.

[FR Doc.74-506 Filed 1-4-74;8:45 am]

[Release No. 34-10552]

**PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934**

**Transactions in Certain Options; Correction**

In Release No. 34-10552 of December 13, 1973, which appeared in the FEDERAL REGISTER for Monday, December 17, 1973 at 38 FR 34665, the effective date which appeared in the last line of the first column on page 34666 was erroneously given as January 7, 1974 through a typographical error. As indicated in the second paragraph of the release on page 34665, the effective date of § 240.9b-1 is January 17, 1974 and the date indicated at the end of column 1 on page 34666 should be corrected accordingly, so as to also read "January 17, 1974."

For the Commission, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

DECEMBER 17, 1973.

[FR Doc.74-508 Filed 1-4-74;8:45 am]

[Release No. 34-10547]

**PART 241—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER**

**Views and Comments Relating to Quarterly Reporting on Form 10-Q**

The Securities and Exchange Commission today reiterated the importance to the investing public of complete, accurate and timely filing of regular quarterly reports on Form 10-Q (17 CFR 249.308a) under section 13 or 15(d) of the Securities Exchange Act of 1934 by those public companies required to file such reports within forty-five days after the end of each of their first three fiscal quarters pursuant to Rule 13a-13 (17 CFR 240.13a-13) or 15d-13 (17 CFR 240.15d-13) under the Exchange Act. While the Commission and its staff continue to study the recommendation of the Commission's Industrial Issuers Advisory Committee regarding the issuance of Guides for the Preparation and Filing of Registration Statements and Reports under the Securities Exchange Act of 1934, comparable to the Guides under the Securities Act of 1933,<sup>1</sup> the Commission has authorized this interpretative release of certain views and comments of the Division of Corporation Finance to assist public companies, their counsel and accountants in completing and filing Form 10-Q. This release is a compilation of such views and comments with respect to questions frequently raised by public companies as well as with respect to the problems and deficiencies frequently encountered by the staff during the three years since Form 10-Q was adopted. All interested persons are invited to submit their views and comments on improving the efficacy and processing of this form to Alan B. Levenson, Director, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549.

Generally speaking, the majority of the deficiencies in Form 10-Q are the result of a failure to examine closely, and comply fully with, the General Instructions to Form 10-Q and the specific instructions to the items contained therein. While Form 10-Q is primarily considered to be a condensed, unaudited interim financial report and is deemed not to be "filed" for purposes of the li-

<sup>1</sup> See Securities Act Release No. 4936 (33 FR 18617), as amended by Securities Act Release Nos. 5005 (34 FR 15245), 5036 (35 FR 1233), 5094 (35 FR 16919), 5102 (35 FR 17990), 5171 (36 FR 13915), 5209 (36 FR 22013), 5278 (37 FR 15986), 5396 (38 FR 17199).

ability provisions of section 18 of the Exchange Act, this does not mean that such reports should not be carefully reviewed by the management of a public company and, to the extent necessary, by a company's independent public accountants and counsel, since quarterly reports are subject to the general anti-fraud provisions of the Exchange Act and represent an integral part of a public company's continuing obligation to publicly disclose all material information on a current basis.

With respect to the timeliness of filing quarterly reports, present Commission rules require that a Form 10-Q be filed within 45 days after the end of each of an issuer's first three fiscal quarters. Nevertheless, the Division continues to urge all public companies to file accurate periodic reports under the Exchange Act as early as is reasonably possible and to participate actively in the prompt public dissemination of this information. In this regard, it should be noted that the Commission's Industrial Issuers Advisory Committee has recommended that "interim earnings should be publicly reported on a basis consistent with Form 10-Q and should be accompanied by comment on reasons for unusual increases or decreases in revenue or income; results for the fourth fiscal quarter should be disclosed in connection with the announcement of results for the fiscal year and material year-end adjustments should be the subject of comment." While these and other recommendations are under consideration, the Division will continue to encourage the practices voluntarily adopted by certain public companies of announcing publicly the availability upon request of their periodic reports and, in some cases, of distributing copies of all such reports to their stockholders and other interested persons.

With respect to particular questions and problems, the Division has set forth its interpretations and views below in accordance with the structure of Form 10-Q. The Division requests that all public companies, their accountants and counsel, utilize this release in connection with the preparation of Form 10-Q, but cautions that this release should not be relied upon as a comprehensive or definitive checklist for that form.

**FACING SHEET**

Although this sheet is relatively simple to complete, many companies have failed to include their Commission file number, as required, which has hampered the processing and public availability of these filings. Additionally, a significant number of companies have also failed to set forth the statement (and appropriate check mark) relating to the filing of reports under the Exchange Act, as required by Exchange Act Release No. 9786 (37 FR 20576), which makes compliance with Rule 144 (17 CFR 230.144) under the Securities Act of 1933 more burdensome for companies' affiliates and holders of their restricted securities.

**PART A—SUMMARIZED FINANCIAL INFORMATION**

It should initially be noted that many of the substantive accounting problems relevant to Form 10-Q are discussed in the Accounting Principles Board's Opinion No. 28 relating to "Interim Financial Reporting." Particular attention should be directed to that Opinion and to APB Opinions 11 and 20 especially with respect to the disclosure of the utilization of loss carry forwards, the basis for restatement of prior periods, and the per share effect of extraordinary items, each of which is frequently omitted from quarterly reports on Form 10-Q. Besides finding non-compliance with respect to developments in accounting principles, the Division continues to encounter general accounting and disclosure deficiencies as a result of a failure to comply fully with General Instruction H to Form 10-Q. Specifically, some public companies have not complied with Instruction H by failing to:

1. Report their interim financial results on a cumulative basis from the beginning of the fiscal year as set forth in paragraph (a);
2. Adequately disclose the effect of a business combination treated as pooling for accounting purposes and supplementally to disclose the separate results of the combined entities for periods prior to the combination as required by paragraph (d);
3. Adequately disclose the real impact of an acquisition, disposition or discontinuance of a significant portion of a business as required by paragraph (e);
4. Include the required representation that the information furnished in Form 10-Q reflects "all adjustments which are, in the opinion of management, necessary to a fair statement of the results for the interim period" as set forth in paragraph (h).

Additionally, many public companies have been deficient in their compliance with the following specific items of Part A:

1. Item 4(d) requires the separate disclosure of interest expenses and does not permit the omission of these expenses or the combination of them with other costs and expenses;
2. Item 6 requires separate disclosure and explanation if the provision for taxes on income includes any material provision for deferred income taxes resulting from allocations;
3. Item 9 requires disclosure of the nature of each extraordinary item as well as disclosure of the amount of, and applicable income tax for, each such item used in determining net income (or loss);
4. Items 11 and 12 usually require disclosure of the basis of computation, including the exact number of shares used in computing the earnings (or loss) and dividend per share, both of which figures should be rounded to whole cents.

Finally it must be emphasized that, as indicated in paragraph (g) of General Instruction H, all public companies bear the burden of disclosing any material

information necessary in order to assure that the information furnished in response to particular items is not misleading. Thus, for example, a company must furnish explanatory notes with respect to significant fluctuations in its net sales or income.

**PART B—CAPITALIZATION AND STOCKHOLDERS' EQUITY**

The most frequent omission in Part B is the description of a company's long term debt and of its preferred stock which, by virtue of instruction 1 to Part B, must conform to the description contained in the financial statements of the company's annual report filed with the Commission. There also appears to be some confusion with respect to the entry captioned "Balance at end of interim period," which is intended to relate to the balance of retained earnings (or deficit).

**PART C—SALES OF UNREGISTERED SECURITIES (DEBT OR EQUITY)**

The questions most frequently raised concerning Form 10-Q relate to which sales of unregistered securities must be disclosed in Part C and reported on the EDP Attachment of Form 10-Q. As indicated by Exchange Act Release Nos. 9443 (37 FR 601) and 9502 (37 FR 4331), Part C requires that disclosure of any sale of a "security" as defined in section 2(1) of the Securities Act of 1933 (including the issuance or the guarantee of any evidence of indebtedness, including guarantees of the indebtedness of 50 percent owned persons and other persons in which the registrant has an equity interest), which was not registered under the Securities Act of 1933 in reliance upon the private offering exemption provided by section 4(2) of that Act. Thus, for example, if a public company issues securities in reliance upon the intrastate offering exemption provided by section 3(a)(11) of the Securities Act or if a company exchanges securities with its stockholders in reliance upon the exemption provided by section 3(a)(9) of that Act, the company is not required to complete Part C. If a company has not sold unregistered securities in reliance upon the private offering exemption provided by section 4(2) of the Securities Act, it should simply indicate "None" under the Part C caption.

With respect to the EDP Attachment, comprising Exhibit I to Form 10-Q, generally a company must report sales in amounts over \$100,000 during the fiscal quarter of all equity securities required to be reported in Part C of Form 10-Q and of all debt securities which are required to be reported in Part C of that Form and which have a maturity of more than one year. It should be noted that Instructions D, F and G to the EDP Attachment are not applicable to Part C of Form 10-Q.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

DECEMBER 12, 1973.

[FR Doc.74-507 Filed 1-4-74; 8:45 am]

**Title 18—Conservation of Power and Water Resources**

**CHAPTER I—FEDERAL POWER COMMISSION**

[Docket No. RM74-4; Order No. 499]

**PART 154—RATE SCHEDULES AND TARIFFS**

**PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES**  
Accounting and Rate Treatment of Advances for Gas Exploration Development and Production

DECEMBER 28, 1973.

On October 31, 1973, the Commission issued a notice of proposed rulemaking in Docket No. RM74-4 proposing to determine whether the advance payment program is stimulating activity toward increasing the supply of natural gas sufficiently to justify the extension of rate base treatment of advances made pursuant to contracts executed after December 31, 1973, the termination date set in Order No. 465, issued December 29, 1972, in Docket No. R-411. We also requested comments upon the "1973 Summary of Advance Payment Status Survey" (Summary Report)<sup>1</sup> which was prepared by our staff and attached to the notice. The Summary Report is a compilation of data received by our staff in response to a letter sent on July 30, 1973, to those regulated natural gas companies which have filed advance payment agreements with the Commission.

The object of the notice was to afford all parties the opportunity to comment upon the advisability of (1) continuing the accounting and rate base treatment of advance payments, on a permanent or temporary basis, for gas exploration, development and production beyond the December 31, 1973, termination date, as prescribed in Order No. 465 or with the following possible modifications: (ii) allowing rate base treatment for advances that result in the acquisition of a working interest by a pipeline and/or a pipeline affiliate, and whether to require any benefits derived from such working interest(s) to be charged as a credit to the pipeline's cost-of-service; (iii) treating Alaskan advances the same as advances made within the lower 48 states; and (iv) allowing tracking of advance payments under a formula similar to that permitted for R&D expenditures<sup>2</sup> and/or for purchased gas costs.<sup>3</sup> In addition, the Commission requested comments concerning the impact the advance payment program has had on the financial condition of the pipelines as well as comments concerning any proposed modifications to our existing advance payment program. A total of 39 respondents filed

<sup>1</sup> See Attachment B filed as part of the original document.

<sup>2</sup> Order No. 483 — FPC —, issued April 30, 1973, in Docket No. R-462; rehearing denied — FPC — issued June 28, 1973, in Docket No. R-462.

<sup>3</sup> Order Nos. 452 (47 FPC 1049), 452-A (47 FPC 1510), 452-B — FPC —, issued January 8, 1973, in Docket No. R-406 and Order No. 466 — FPC — issued January 9, 1973, in Docket No. R-448.

comments in response to the renote including 18 pipelines, 13 producers, 2 state commissions, 4 distributors and 3 associations.<sup>4</sup> One party specifically requested a conference but because of the completeness of the responses, no conferences were held. Most of the respondents favored continuation of the advance payment program. Of those favoring continuation, the majority favored a temporary 1 year extension of the program rather than a permanent extension of the program. Those favoring extension of the program cited its success in stimulating exploration for and development of new gas reserves to help alleviate the current shortage of natural gas supply for the interstate market by making additional capital for such activity available to producers.

Our review of the data compiled in the Summary Report indicates that the advance payment program has continued to meet its objectives of bringing additional gas supplies into the interstate market at an acceptable cost to the nation's gas consumers. The total amount of proven reserves<sup>5</sup> resulting from the advance payment program has increased from 9.5 trillion cubic feet (Tcf) in the lower 48 states noted in Order No. 465 to approximately 10.3 Tcf.<sup>6</sup> A more significant increase has occurred in the total of potential reserves<sup>7</sup> discovered within the lower 48 states which has risen from a level of 4.75 Tcf in Order No. 465 to a level of 9.5 Tcf in the present Summary Report.<sup>8</sup> This dramatic increase in potential reserves has occurred, for the most part, as a result of advances made pursuant to contracts subject to Order No. 465. This is borne out further by a comparison of the levels of proven and potential reserves found in the first 7-8 months period under Order No. 441 and a comparable period under Order No. 465.

<sup>4</sup> See Attachment A.

<sup>5</sup> *Proven reserves.* Proven reserves of natural gas are the estimated quantities of natural gas which geological and engineering data demonstrate with reasonable certainty to be recoverable in the future from known natural oil and gas reservoirs under existing economic and operating conditions. Reservoirs are considered proven if economic producibility is supported by either actual production or conclusive formation tests. The area of reservoir considered proved includes: (1) that portion delineated by drilling and defined by gas-oil, gas-water, or oil-water contracts; (2) the adjoining portions not yet drilled but which can be reasonably judged as economically productive on the basis of available geological and engineering data. In the absence of information on fluid contracts, the lowest known structural occurrence of hydrocarbons controls the lower proven limit of the reservoir. Reserve estimates are prepared for total recoverable natural gas, non-associated gas and associated-dissolved gas. Estimates do not include (1) gaseous equivalents of natural gas liquids expected to be recovered from reservoir natural gas as it is produced; or (2) nonhydrocarbon gases.

<sup>6</sup> See Attachment B, Schedules II, II(a), II(b) and II(c).

<sup>7</sup> *Potential reserves.* Potential Reserves include estimates of any recoverable reserves beyond the scope of the proven reserves defined in footnote 5 above.

<sup>8</sup> Attachment B, Schedule II.

For Order No. 441, the level of proven reserves was .8 Tcf<sup>9</sup> while under Order No. 465 it was .5 Tcf.<sup>10</sup> However the level of potential reserves within the lower 48 states increased from .56 Tcf under Order No. 441<sup>11</sup> to 4.97 Tcf under Order No. 465.<sup>12</sup> This increase in the level of potential reserves is due, in part, to the fact that Order No. 465 re-allowed exploratory advances while continuing to permit advances for gas development and production while advances under Order No. 441 were limited to gas development and production alone.

In Order No. 465, (mimeo, p. 6) we found that:

Assuming that the total of pre-441 advances in the lower 48 states (\$491,849,239) are recovered on the average in 5 years, there is a one year lag between the advance and commencement of recoupment and an average cost to the consumer of 13% for return and taxes; we estimate that the added cost to the consumer for the 8.7 Tcf of proven reserves will be approximately 2.5¢ per Mcf over the field price of gas purchased from those reserves.

Our review of the data in the current Summary Report indicates that if (1) the total of the pre-441 advances in the lower 48 states (\$517,966,019) are recovered on the average within 5 years from the date recoupment commences; (2) recoupment of the advance commences within 20 months of inclusion in rate base; and (3) the average cost to the consumer is 13% for return and taxes; the added cost to the consumer will be 3.5¢ per Mcf for the 8.1 Mcf<sup>13</sup> of proven reserves associated with the advances made under Order Nos. 410 and 410-A.

Moreover, if the current dollars advanced and proven reserves found under Order No. 441<sup>14</sup> are added, the added cost to the consumers is 3.6¢ over the field price of gas purchased for 9.756 Tcf of proven reserves based upon (1) an 18 month lag time between the inclusion of the advance in rate base and the commencement of recoupment (2) a 13 percent rate covering return and taxes; (3) a 5 year recoupment period after recoupment commences and (4) a total of \$673,753,644 of money advanced under Order Nos. 410, 410-A and 441.

Our review of this data as well as the comments filed in response to the renote confirms our finding in Order No. 465 and previous orders that the advance payment program has "represented a justifiable experiment in the continuing search for solutions to our nation's critical shortage of natural gas".<sup>15</sup> Moreover, the data and the comments indicate that pipeline advances have continued to accelerate the capital formation which led to the exploration, development and dedication of 10.27 Tcf of proven re-

<sup>9</sup> Order No. 465, Attachment D, Schedule II(b).

<sup>10</sup> Attachment B, Schedule II(b).

<sup>11</sup> See Footnote 9 above.

<sup>12</sup> See Footnote 10 above.

<sup>13</sup> The estimates of proven reserves were estimated downward by the pipeline in the current data.

<sup>14</sup> Attachment B, Schedule II(b).

<sup>15</sup> *Public Service Commission for the State of New York v. F.P.C.*, 467 F.2d 361 (C.A.D.C. 1972).

serves of natural gas as well as 9.57 Tcf of potential reserves of natural gas to the interstate market from onshore as well as offshore areas. In light of these findings, as well as our findings and experience in Docket Nos. R-380 and Docket No. R-411, we shall extend the advance payment program until December 31, 1975. However, we shall direct our staff to continue its ongoing evaluation of data collected to determine the ongoing effectiveness of the program in alleviating this nation's natural gas shortage prior to our review of the program in the latter part of 1975.

The majority of the pipelines responding to the question of whether the advance payment program has had an adverse effect on the financial condition of the pipelines indicated that the program had not had such an impact and, in fact, had been a useful means of securing more reserves of natural gas for their respective systems. They also indicate that rate base treatment of advance payments has offset the expenses associated with the advances. Those pipelines indicating an adverse financial impact spoke mostly of possible future harmful effects with little or no concrete evidence presented concerning present threats to their financial stability. Moreover, our review of the capitalizations and rates of return in pipeline rate cases during the last three years has indicated no serious threat to the financial stability of the pipelines.

The renote solicited comments on the issue of whether or not rate base treatment should be permitted for advances which result in the acquisition of a working interest by a pipeline and/or a pipeline affiliate and whether to require any benefits derived from such working interest(s) to be charged as a credit to the pipeline's cost-of-service. The respondents were roughly equally divided on the issues of permitting pipelines and their affiliates to acquire a working interest as a result of an advance. Those supporting rate base treatment for such advances noted that they encouraged intensified exploration by the pipeline producers, and noted that such treatment would place pipeline producers and pipeline affiliated producers on a parity with independent producers. Those approving rate base treatment for such advances argued, inter alia, that it would result in a lessening of competition in the gas producing industry and would permit a return on consumer-contributed capital.

In Order No. 465 (mimeo, pp. 9-10) we permitted rate base treatment for advances which resulted in the acquisition of working interest by a pipeline affiliate based upon our policy stated in Opinion No. 568, 42 FPC 743, of treating pipeline producers equally with independent producers so as to encourage intensified exploration by such producers. We affirm that finding in this proceeding. Moreover, we note that there is and can be no cost difference between permitting a pipeline to acquire a working interest and permitting its affiliate to acquire a working interest as a result of an advance. We also note that "consumer-contributed capital" is neither

contemplated nor required by this proposal or this order.<sup>36</sup> Accordingly, we shall permit rate base treatment for advances which result in the acquisition of a working interest by a pipeline or a pipeline affiliate. However, advances for lease acquisition shall not receive rate base treatment.

Most of the parties responding to the proposal to credit the benefits of a working interest to a pipeline's cost-of-service opposed the provision. We agree. In order to stimulate and encourage pipeline production, the pipelines should be permitted to retain these benefits. Moreover, we believe this will encourage, rather than discourage, competition in the gas producing industry by treating pipeline producers, pipeline affiliated producers and independent producers on an equal basis.

Most of the respondents commenting upon the proposal to treat Alaskan advances the same as advances made to producers within the lower 48 states support the proposal stating, *inter alia*, that there is no logical reason for treating such advances differently from advances made within the lower 48 states. However, some respondents support longer recoupment periods stating that Alaskan gas will not flow until 1978. Those opposing equal treatment for Alaskan advances argue that such advances are unnecessary and might divert funds which could be used for advances to producers within the lower 48 states.

Our review of the responses to the notice as well as the Summary Report data indicates that we should treat Alaskan advances the same as advances made within the lower 48 states. We further find that it is unnecessary to extend the time periods set forth in the repayment provisions because those provisions provide for requests for extension of each of the repayment time periods on a case by case basis. Moreover, we reject the allegation that permitting rate base treatment for Alaskan advances will hinder exploration and development of gas in the lower 48 states since we believe that the search for natural gas must be intensified within the lower 48 states as well as Alaska. Therefore, we shall provide that advances made to producers in Alaska pursuant to contractual agreements entered into on or after the date of issuance of this order shall be subject to this order. Alaskan advances made pursuant to contractual agreements entered into prior to the date of issuance of this order shall be treated on a case by case basis.

Most of the respondents supported the proposal to establish a provision in this order for tracking of advance payments. However, our review of this proposal indicates that it is unnecessary at this time. No showing has been made that

pipelines have been unsuccessful in recovering their costs through Section 4 rate filings, and/or through temporary advance payment tracking provisions in pipeline rate settlement agreements. Accordingly, we shall not adopt a tracking provision for inclusion in this order.

Some of the respondents to this proceeding urge that we establish a provision which would exclude advances from rate base which were in excess of amounts used by the producer for exploration, development and production. Our review of these comments indicates that we should establish a general policy to deal with this issue. We note that under Order No. 465 amounts advanced were permitted in Account 166 for exploration development and production. Amounts included in Account 166 were permitted as rate base items "where found reasonable and appropriate". We shall so provide in this order. Moreover, as a general policy, we shall not consider amounts advanced to be "reasonable and appropriate" for inclusion in rate base where such amounts are in excess of costs for exploration, development and production incurred by the producer within a reasonable time from the date such amounts advanced are included in the pipeline's rate base.

El Paso requests clarification of Paragraph H, which sets forth the provisions for removing nonrecoverable advances from Account 166, and rate base. Basically, Paragraph H provides that advances not recovered within 5 years of the date recoupment commences, shall be removed from rate base and Account 166 and either charged off below-the-line of-service item. In the orders listed in Account 186, a non-rate base account,<sup>37</sup> and amortized to Account 813 as a cost-of-service item. In the orders listed in footnote 17 we stated that we would permit amortization of Order No. 465 nonrecoverable advances only where the advances were subject to a full repayment guarantee by the producer and the producer was unable to repay the advance in gas or other economic consideration. El Paso requests a liberalization of this provision to permit amortization of nonrecoverable advances to cost-of-service where the producer pledges a specific asset, including proven reserves, and the asset(s) suffer(s) a loss in value from the date of the agreement such that the total advance is not recovered. Our review of El Paso's proposal indicates that it should not be adopted. The pipeline can avoid the risk of nonrecoverable advances by entering into agreements which provide for full repayment of the advance by the producer in gas or other economic consideration. We see no need to place an added risk on the pipeline's customers to remedy the problem which El Paso discusses. Accordingly, our in-

terpretation of Paragraph H shall remain as set forth in Order No. 465 and the orders listed in footnote 17 and we shall not adopt El Paso's proposed revision thereto.

Order Nos. 410, 410-A, 441 and 465 covered only advances made to producers within the lower 48 states. As noted above, this order covers advances made to producers within the lower 48 states as well as in Alaska where such advances are made pursuant to contracts entered into on or after the date of issuance of this order, but not later than December 31, 1975. All advances within the lower 48 states made pursuant to contractual agreements executed prior to the issuance of this order shall be subject to the provisions of the orders issued in Docket No. R-380 and R-411, as appropriate. All Alaskan advances during this period will be treated on a case by case basis.

Consistent with the amendments to § 154.63 of the regulations under the Natural Gas Act adopted herein, the Commission plans to consider those amounts allowed in Account 166 as rate base items where found reasonable and appropriate.

The Commission finds:

(1) The notice and opportunity to participate in this proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments and suggestions in the manner as described above are consistent and in accordance with all procedural requirements therefor as proscribed in section 553 of title 5 of the United States Code.

(2) The amendments of this Commission's Uniform System of Accounts and Regulations Under the Natural Gas Act herein prescribed are necessary and appropriate for the administration of the Natural Gas Act.

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

This Commission acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly by sections 4, 5, 7, 15 and 16, (52 Stat. 822, 823, 824, 825, 829 and 830 (1938); 56 Stat. 83, 84 (1942); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. 717c, 717d, 717f, 717n, and 717o, orders:

This Commission's Uniform System of Accounts for Class A and Class B Natural Gas Companies prescribed by 18 CFR Part 201 is amended as follows:

(1) In the Balance Sheet Accounts section, the test of account "166, Advances for Gas Exploration, Development and Production" and account "167, Other Advances for Gas," is amended to read as follows:

<sup>36</sup> See also: *Order of Clarification And Denial Of Rehearing or Modification*, issued February 27, 1973, in Docket No. R-411 (mimeo p. 2).

<sup>37</sup> See orders issued February 27, 1973, and April 26, 1973, in Docket No. R-411, which denied applications for rehearing of Order No. 465.

**Balance Sheet Accounts**

**ASSETS AND OTHER DEBITS**

**2. CURRENT AND ACCRUED ASSETS**

**166 Advances for gas exploration, development and production.**

A. This account shall include all advances made for gas (whether called "advances," "contributions" or otherwise) to independent producers, affiliated or associated companies, or others operating within the lower 48 states and Alaska; for exploration, development or production (but not to include lease acquisition) of natural gas. Under each agreement with payee, such payments must be made prior to initial gas deliveries, or if the agreement provides for advances on a well by well basis, each incremental payment must be made prior to deliveries from an incremental well, or prior to Federal and/or State authorization, as appropriate. Noncurrent advances not to be repaid within a two-year period shall be reclassified and transferred to account 124, Other Investments, for balance sheet purposes. This transfer is for reporting purposes only and has no effect on accounting or rate making.

B. When a pipeline obtains a working interest as a result of funds advanced to producers, such amounts shall be included in appropriate production accounts for formal contractual agreements executed prior to the date of issuance of Order No. 499. When an associated company obtains a working interest as a result of funds advanced from a pipeline company, the pipeline shall include such amounts in Account 123, Investment in Associated Companies, or Account 146, Accounts receivable from Associated Companies, as appropriate, for formal contractual commitments made during the period on or after November 10, 1971 (effective date of Order 441) but prior to December 29, 1972, the date of issuance of Order No. 465.

C. Outstanding advances shall be fully reduced within 5 years, or as otherwise authorized by the Commission, from the date gas deliveries commence or the date it is determined that recovery will be in other than gas. This account shall be credited with advances not fully recovered within the five-year period, and the unrecovered portion charged directly to Account 426.5, Other Deductions. A sufficient portion of all gas taken should be credited to the related outstanding advance so as to eliminate the advance within the 5-year period or as otherwise authorized by the Commission upon request by the pipeline company. The reduction of the outstanding advance should not be dependent on a buyer purchasing more than 100 percent of the minimum take or pay quantity provided in the contract. In those instances where the five-year recovery period has lapsed, but recovery of the advance continues beyond the five-year period, the unrecovered advances shall be removed from this account and transferred to Account 167, Other Advances for Gas.

D. Where recovery is by gas, the recovered advance shall be credited to this account and charged to the appropriate gas purchase account.

E. When an advance which is or has been included in this account and in rate base results in a source of proven reserves of natural gas, gas deliveries commence but no gas flows to the pipeline company making such advance, the amount of the advance shall be removed from this account (and from rate base) and recorded in Account 167, Other Advances for Gas. Any revenues collected as a result of the advance being included in rate base shall be refunded by the pipeline company to its customers within 12 months after the removal of the advance from this account, unless otherwise directed by the Commission. Where there is partial recovery of the advance by gas, in this situation, the amount of the advance transferred from this account to Account 167 and the amount of revenues refunded shall be appropriately apportioned.

F. However, if 5 years elapses from the time the advance has been included in this account and during such time no gas deliveries have commenced or no determination has been made that the recovery will be in economic consideration other than gas, the pipeline shall at the end of the 5-year period, transfer the advance from this account to Account 167, and cease rate base treatment thereof, unless otherwise directed by the Commission.

G. Whenever as a result of an advance included in this account, a pipeline receives any amount in excess of a full recovery of the advance, e.g. interest income, such amount must be credited to Account 813, Other Gas Supply Expenses, or as otherwise directed by the Commission.

H. If the recipient of an advance is unable to repay it in full, through no fault of the pipeline or contractual provisions, in gas or other assets, the unpaid or nonrecoverable portion must be credited to this account at the time such amount is recognized as nonrecoverable. Nonrecoverable advances significant in amount must be eliminated within 5 years from the date of determination as nonrecoverable by either a charge to account 435, Extraordinary Deductions, or when authorized by the Commission, by a transfer to account 186, Miscellaneous Deferred Debits, and amortization to account 813, Other Gas Supply Expenses. Nonrecoverable advances insignificant in amount should be charged directly to account 813 in the year recognized as nonrecoverable, when authorized by the Commission.

I. No transfers shall be made to or from this account to any other accounts, unless otherwise provided herein, except as specifically authorized by the Commission upon request by the pipeline company.

J. Three copies of any agreement concerning advances will be filed with the Secretary within 30 days of the initial related entry in account 166.

NOTE A: This account may include advances for exploration (including lease acquisition costs) made according to the provisions of Order Nos. 410 and 410-A, for which a contractual commitment was made prior to November 10, 1971, (issue date of Order No. 441). All advances made pursuant to contractual commitments made prior to November 10, 1971, (issue date of Order No. 441) shall be subject to the provisions of Order Nos. 410 and 410-A.

NOTE B: This account shall not include advances for exploration (including lease acquisition costs) in accordance with Order No. 441, for which a contractual commitment was made on or after November 10, 1971 (issue date of Order No. 441), but prior to December 29, 1972. (Issue date of Order No. 465). All advances made pursuant to contractual commitments made on or after November 10, 1971, but prior to December 29, 1972 (issue date of Order No. 465) shall be subject to the provisions of Order No. 441.

NOTE C: This account shall not include advances for lease acquisition costs but may include advances for exploration where such advances are pursuant to contractual commitments made on or after December 29, 1972 (issue date of Order No. 465).

NOTE D: All advances made pursuant to contractual commitments made on or after December 29, 1972 (issue date of Order No. 465) but prior to the date of issuance of Order No. 499, shall be subject to the provisions of Order No. 465.

NOTE E: This account shall not include advances expended for delay rentals, nonproductive well drilling or abandoned leases where such advances are related to lease acquisition, except in accordance with Note A and Note B to this account.

NOTE F: To keep the Commission informed when an advance is nonrecoverable by any means the company must submit the full details including copies of Federal and State plugging and abandonment reports involved as soon as such fact becomes known.

**167 Other advances for gas [amended]**

This account shall include all advances not properly includible in Account 166, exclusive of amounts advanced where a working interest is obtained.

(2) Statement E—Working Capital, § 154.63(f) is amended as follows: Item (b) in the first sentence of the second paragraph of Statement E is revised by changing the date following the words "prior to" from "January 1, 1974," to "January 1, 1976", Schedules E-1 and E-2 are also amended. As amended, this portion of Statement E reads as follows:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

(f) Description of statements. \* \* \*

Statement E—Working Capital. \* \* \*

The components of working capital may include (a) \* \* \* (b) an allowance for the average of 13 monthly balances of materials and supplies, prepayments, the unrecovered portion of advances to suppliers in Account 166 made under contracts executed prior to January 1, 1976, and gas for current delivery from underground storage. \* \* \*

Schedule E-1 setting forth monthly balances for materials and supplies, prepayments, and advances in such detail as to disclose, either by subaccounts regularly maintained on the books or by analysis of the principal items included in the main account, the nature of the charges included therein.

Schedule E-2 setting forth monthly balances of material and supplies, prepayments, and advances on purchased gas for two years

immediately preceding the 12 months of actual experience used in the filing. \* \* \*

(C) This order is effective immediately upon issuance.

(D) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

ATTACHMENT A

RESPONDENTS TO DOCKET NO. RM74-4

**Associations**

- Associated Gas Distributors (51 members)
- Independent Petroleum Association of America
- The American Public Gas Association

**Distributors**

- Interstate Power Company
- Pacific Gas and Electric Company
- Southern California Gas Company
- The Peoples Gas Light and Coke Company
- North Shore Gas Company

**Pipelines**

- Colorado Interstate Corporation
- Columbia Gas Transmission Corporation
- Consolidated Gas Supply Corporation
- El Paso Natural Gas Company
- Iowa-Illinois Gas and Electric Company
- Lone Star Gas Company
- Michigan Wisconsin Pipe Line Company
- National Fuel Gas Companies
- Iroquois Gas Corporation
- Pennsylvania Gas Company
- United Natural Gas Company
- Natural Gas Pipeline Company of America
- Northern Natural Gas Company
- Pacific Gas Transmission Company
- Panhandle Eastern Pipe Line Company
- Trunkline Gas Company
- Southern Natural Gas Company
- Tenneco
- Texas Gas Transmission Corporation
- Transcontinental Gas Pipe Line Corporation
- United Gas Pipe Line Company

**Producers**

- Amoco
- Atlantic Richfield Company
- The California Company, a Division of Chevron Oil Company
- Continental Oil Company
- Exxon
- Gulf Oil Corporation
- Marathon Oil Company
- Mesa Petroleum Co.
- Phillips Petroleum Company
- Shell Oil Company
- Signal Oil and Gas Company
- Stephens & Cass Oil & Gas Producers
- Sun Oil Company
- State Commissions
- Public Service Commission of the State of New York
- Public Service Commission of the State of California

[FR Doc.74-432 Filed 1-4-74;8:45 am]

**Title 29—Labor**

**CHAPTER V—WAGE AND HOUR DIVISION  
DEPARTMENT OF LABOR**

**PART 511—WAGE ORDER PROCEDURE  
FOR PUERTO RICO, THE VIRGIN ISLANDS,  
AND AMERICAN SAMOA**

**Compensation of Committee Members**

Pursuant to authority in section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, as amended; 29 U.S.C. 205) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), I

hereby amend 29 CFR 511.4 to read as set forth below. The purpose of this amendment is to increase the compensation of each member of an industry committee from \$95 to \$100 for each day spent in the work of the committee.

As this amendment concerns only a rule of agency practice, and is not substantive, notice of proposed rule making, opportunity for public participation, and delay in effective date are not required by 5 U.S.C. 533. It does not appear that such participation or delay would serve a useful purpose. Accordingly, this revision shall be effective immediately.

**§ 511.4 Compensation of committee members.**

Each member of an industry committee will be allowed a per diem of \$100 for each day actually spent in the work of the committee, and will, in addition, be reimbursed for necessary transportation and other expense incident to traveling in accordance with Standard Government Travel Regulations then in effect. All travel expenses will be paid on travel vouchers certified by the Administrator or his authorized representative. Any other necessary expenses which are incidental to the work of the committee may be incurred by the committee upon approval of, and shall be paid upon certification of, the Administrator or his authorized representative.

(Sec. 5, 52 Stat. 1062, as amended; 29 U.S.C. 205).

Signed at Washington, D.C., this 27th day of December 1973.

WARREN D. LANDIS,  
Acting Administrator, Wage and Hour Division, United States Department of Labor.

[FR Doc.74-469 Filed 1-4-74;8:45 am]

**Title 32A—National Defense, Appendix  
CHAPTER X—OFFICE OF OIL AND GAS,  
DEPARTMENT OF THE INTERIOR**

[OI Reg. 1, Rev. 5, Amdt. 63]

**OIL REG. 1—OIL IMPORT REGULATION  
Amendment to Reporting Requirements**

Pursuant to section 18 of Oil Import Regulation 1, as amended, persons importing oil into the custom territory are required to file each month "REPORT OF OIL IMPORTS INTO THE UNITED STATES AND PUERTO RICO FOR THE MONTH OF -----, 19--" (Budget Bu-

reau No. 42-R1371) not later than fifteen days after the end of each month.

The complete data available from this report is still required; however, with the implementation of bonding procedures in paragraph (b) of section 3 of Presidential Proclamation 3279, as amended, more immediate information is required to determine the 30 day period for payment of license fees set forth in paragraph (d) of section 32 of Oil Import Regulation 1, as revised and amended. Also, more current statistical information is necessary to maintain an adequate analysis of the import situation in determining national policies dealing with current supply-demand imbalances.

To meet these requirements this Amendment 63 requires that at the time any crude oil, unfinished oil or finished product is entered for consumption or withdrawn from warehouse for consumption, each importer, or his agent, must submit to the customs officer a complete form giving certain information on the cargo to be unladen. In cases where the entry is made against a fee-paid license issued pursuant to a bond a copy of the entry form reflecting the actual outturn must accompany the payment of license fee.

In view of the fact that this information is needed immediately an emergency exists which requires that the procedure of publishing a notice of proposed rule-making be waived and that this Amendment 63 shall become effective January 7, 1974.

Date: January 2, 1974.

STEPHEN A. WAKEFIELD,  
Assistant Secretary  
of the Interior.

Approved:

WILLIAM E. SIMON,  
Deputy Secretary of the Treasury.

The following paragraphs (c) and (d) are added to Section 18 of Oil Import Regulation 1 (Revision 5), as amended:

**Sec. 18 Reports.**

(c) Effective January 7, 1974, each importer, or his agent, must submit to the customs officer at the time any crude oil, unfinished oil or finished product is entered for consumption or withdrawn from warehouse for consumption a completed form in three copies giving the indicated information and in the following format:

DEPARTMENT OF THE INTERIOR  
OFFICE OF OIL AND GAS  
Report of Imports

Company name \_\_\_\_\_  
Name and registry of vessel \_\_\_\_\_  
Port of entry \_\_\_\_\_ Date unloading began \_\_\_\_\_

Product imported	Estimated quantity barrels	Import license number used	Country of origin	To be further processed? Yes, No
Crude <input type="checkbox"/>	_____	_____	_____	_____
Mogas <input type="checkbox"/>	_____	_____	_____	_____
Avgas <input type="checkbox"/>	_____	_____	_____	_____
Distillate <input type="checkbox"/>	_____	_____	_____	_____
Residual <input type="checkbox"/>	_____	_____	_____	_____
Kerojet <input type="checkbox"/>	_____	_____	_____	_____
Nap jet <input type="checkbox"/>	_____	_____	_____	_____
LPG <input type="checkbox"/>	_____	_____	_____	_____
Other <input type="checkbox"/>	_____	_____	_____	_____

This form and any valid oil import license as required pursuant to Presidential Proclamation 3279, as amended, and Oil Import Regulation 1, as revised and amended, must be presented to the customs officer before any petroleum product subject to the provisions of Presidential Proclamation 3279, as amended, may be entered or withdrawn from warehouse for consumption. It is the complete responsibility of the importer to prepare and provide the reporting form with original and two copies and to have obtained any necessary oil import license from the Office of Oil and Gas prior to the time the imported materials are to be entered or withdrawn from warehouse for consumption. Failure to do so will result in delay in the release of the imported merchandise from customs custody.

The customs officer will sign the tripartite form to acknowledge receipt returning one copy to the importer, immediately mailing a copy to the Director, Office of Oil and Gas and retaining one copy.

(d) In those cases where crude oil, unfinished oil, or finished product is entered for consumption or withdrawn from warehouse for consumption pursuant to a fee paid license issued against a bond the importer must upon payment of the license fee against a bond submit a copy of the entry form reflecting the actual amount of crude, unfinished oil or finished product entered as determined by the customs officer.

[FR Doc. 74-536 Filed 1-3-74; 11:06 am]

Title 49—Transportation

CHAPTER VI—URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 601—ORGANIZATION, FUNCTIONS AND PUBLIC INFORMATION

Miscellaneous Amendments

The purpose of the following is to amend 49 CFR Part 601 to reflect changes in the organization and distribution of functions within the Urban Mass Transportation Administration, and to furnish to the public: (1) A description of its central and field organization and the established places at which the employees from whom, and the methods whereby the public may obtain information, make submittals or requests, and obtain decisions; (2) a statement of the general course and method by which its functions are channeled and determined, and a listing of publications setting forth the nature and requirements of all formal and informal procedures available; (3) a listing of publications containing all rules of procedure, forms and instructions used in the administration of the urban mass transportation program; and (4) a listing of publications containing all substantive rules of general applicability adopted as authorized by law, and all statements of general policy and interpretations of general applicability formulated and adopted by the Administra-

tion, together with a listing of places where all of the aforementioned publications may be obtained.

Since these changes are solely matters of departmental management, procedures and practices, notice and public procedure thereon is unnecessary, and they may be made effective in less than thirty days after publication in the FEDERAL REGISTER.

Subpart A—General

- Sec. 601.1 Purpose.
- 601.2 Organization of the Administration.
- 601.3 General responsibilities.
- 601.4 Responsibilities of the Administrator.

Subpart B—Delegations

- 601.10 Delegations of authority.

Subpart C—Public Availability of Information

- 601.20 Sources of information.

AUTHORITY: Sec. 9 of the Department of Transportation Act (49 U.S.C. 1659), Reorganization Plan No. 2 of 1968 (82 Stat. 1369), and Sec. 1.50 of title 49 CFR, unless otherwise noted.

Subpart A—General

§ 601.1 Purpose.

This part describes the organization of the Urban Mass Transportation Administration ("UMTA") an operating administration within the Department of Transportation. This part also describes the general responsibilities and authority of the officials directing the various offices of which UMTA is composed. In addition, this part describes the sources and locations of available UMTA program information.

§ 601.2 Organization.

(a) The headquarters organization of UMTA is composed of nine offices which function under the overall direction of the Urban Mass Transportation Admin-

istrator ("the Administrator") and Deputy Administrator. These offices are:

- (1) Office of Administration.
- (2) Office of Chief Counsel.
- (3) Office of Public Affairs.
- (4) Office of Program Planning.
- (5) Office of Capital Assistance.
- (6) Office of Transit Planning.
- (7) Office of Transit Management.
- (8) Office of Research and Development.
- (9) Office of Civil Rights.

(b) The Office of the Administrator and the Offices of Administration, Chief Counsel, Public Affairs, Program Planning, Capital Assistance, and Transit Planning are located in the Department of Transportation Building, 400 7th Street, SW, Washington, D.C. 20590. The Offices of Research and Development, Civil Rights and Transit Management are located in the Buzzard's Point Building, 2100 2d Street, SW, Washington, D.C. 20590.

(c) (1) In addition to its headquarters organization, UMTA has ten regional offices each headed by an UMTA Representative. These regional offices provide technical guidance and planning assistance to grantees and applicants; make on-site engineering inspections and evaluation analyses; conduct audits of grant projects; monitor ongoing projects; provide continuous liaison with local planning and transportation activities; provide support to the Secretarial Representative in each region; coordinate UMTA activities with those of other operating administrations within DOT; and provide information to the public concerning UMTA activities.

(2) The location, mailing address, telephone number and jurisdiction of each of the ten UMTA regional offices follow:

Region/States	Office/address	Telephone No.
I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.	UMTA Representative, c/o Transportation Systems Center, Technology Bldg., Room 277, 55 Broadway, Cambridge, Mass. 02142.	617-494-2055
II—New York, New Jersey, Puerto Rico, and Virgin Islands.	UMTA Representative, 26 Federal Plaza, Suite 507, New York, N.Y. 10007.	215-597-1084
III—Delaware, Dist. of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.	UMTA Representative, Gateway Bldg., Mezzanine, 3535 Market St., Philadelphia, Pa. 19104.	404-520-3948
IV—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.	UMTA Representative, 1720 Peachtree Rd. NW., Suite 501, Atlanta, Ga. 30309.	404-526-3948
V—Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin.	UMTA Representative, 300 South Wacker Dr., Suite 700, Chicago, Ill. 60606.	312-353-6005
VI—Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.	UMTA Representative, Federal Center, Suite 9E24, 1100 Commerce St., Dallas, Tex. 74202.	214-749-7322
VII—Iowa, Kansas, Missouri, and Nebraska.	UMTA Representative, 601 East 12th St., Suite 633, Kansas City, Mo. 64106.	816-374-5845
VIII—Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.	UMTA Representative, Prudential Plaza, Suite 1822, 1050 17th St., Denver, Colo. 80202.	303-837-3242
IX—Arizona, California, Hawaii, Nevada, and Guam.	UMTA Representative, 450 Golden Gate Ave., Box 36125, San Francisco, Calif. 94102.	415-556-2884
X—Alaska, Idaho, Oregon, and Washington.	UMTA Representative, 909 First Ave., Suite 7004, Seattle, Wash. 98104.	206-442-4210

§ 601.3 General responsibilities.

The general responsibilities of each of the offices which comprise the headquarters organization of UMTA are:

(a) *Office of Administration.* Directed by an Associate Administrator for Administration, this office provides general administrative support services for UMTA, including financial management,

personnel administration, audit, procurement, logistical and management information systems.

(b) *Office of Chief Counsel.* Directed by a Chief Counsel, this office provides legal advice and services to the Administrator and other UMTA officials; coordinates with and provides support to the General Counsel of DOT on matters involving urban mass transportation;

and, provides liaison between UMTA and the Department of Labor regarding the administration of section 13(c) of Urban Mass Transportation Act of 1964, as amended ("the Act").

(c) *Office of Public Affairs.* Directed by a Director of Public Affairs, this office advises and assists the Administrator in the area of public relations and in the dissemination to the public and the news media of information about UMTA programs, projects and activities.

(d) *Office of Program Planning.* Directed by an Associate Administrator for Program Planning, this office advises and assists the Administrator in the development of policies and plans for implementing the functions and programs authorized by the Act. This office also coordinates UMTA activities with those of other agencies.

(e) *Office of Capital Assistance.* Directed by the Associate Administrator for Capital Assistance, this office is responsible for reviewing and processing all applications for urban mass transportation capital grants, capital loans and advance land acquisition loans under section 3 of the Act (49 U.S.C. 1602). This office is also responsible for reviewing and processing applications for Federal assistance to the Washington Metropolitan Area Transit Authority (WMATA) under the Transportation Act of 1972 and the National Capital Area Transit Act of 1972.

(f) *Office of Transit Planning.* Directed by an Associate Administrator for Transit Planning, this office reviews and processes all applications for grants for technical studies, projects under section 9 of the Act (49 U.S.C. 1607(a)), and for projects to demonstrate advanced transportation systems and techniques in an operational environment under section 6(a) of the Act (49 U.S.C. 1605(a)); and for managing the execution of the resulting projects. This office reviews all applications for grants and loans for projects under section 3 of the Act and advises the Administrator whether such projects meet the comprehensive and transportation planning requirements of the Act.

(g) *Office of Transit Management.* Directed by a Director of Transit Management, this office develops methods of modernizing and improving existing transit operations and management systems; assembles, maintains and disseminates results from UMTA projects under sections 6(a) and 9 of the Act (49 U.S.C. 1605(a) and 1607(a)) and reviews, processes and administers managerial training fellowship grants under section 10(b) of the Act (49 U.S.C. 1607(b)).

(h) *Office of Research and Development.* Directed by an Associate Administrator for Research and Development, this office reviews and processes applications and proposals for urban mass transportation research and development projects under section 6(a) of the Act (49 U.S.C. 1605(a)), and for university research and training projects under section 11(c) of the Act (49 U.S.C. 1607(c)); and manages the execution of approved projects in these areas.

(i) *Office of Civil Rights.* Directed by a Director of Civil Rights, this office advises and assists the Administrator and other UMTA officials in implementing compliance with applicable laws and directives pertaining to civil rights and equal employment opportunity, both within UMTA and in the conduct of urban mass transportation projects and programs.

#### § 601.4 Functions of the Administrator.

The Administrator is responsible for the planning, direction and control of the activities of UMTA, and has sole authority to approve urban mass transportation grants, loans, and contracts. The Deputy Administrator is authorized to act for and on behalf of the Administrator during his absence or disability. In the event of the absence or disability of both the Administrator and the Deputy Administrator, the following officials shall, in the order named, assume and perform the duties of the Administrator:

- (a) Chief Counsel.
- (b) Associate Administrator for Program Planning.
- (c) Associate Administrator for Transit Planning.
- (d) Associate Administrator for Capital Assistance.
- (e) Associate Administrator for Research and Development.
- (f) Associate Administrator for Administration.

#### Subpart B—Delegations

##### § 601.10 Delegations of authority.

(a) Pursuant to authority delegated to the Administrator by 49 CFR 1.45(b) and 1.50 of the regulations of the Office of the Secretary of Transportation, the following powers and duties of the Administrator are redelegated to the officials indicated—

(1) The Associate Administrator for Capital Assistance is delegated authority to execute grant contracts, loan agreements, and amendments thereto with respect to approved capital grant, capital loan, and advance land acquisition loan projects under sections 3, 4, 7 and 16 of the Act, (49 U.S.C. 1602, 1603, 1606 and 1612). The Associate Administrator is further authorized, in connection with the administration of those projects, to approve requisitions for funds, third party contracts, and project budget amendments within previously authorized limits.

(2) The Associate Administrator for Program Planning is delegated authority to execute grant contracts and amendments thereto, as well as interagency agreements for approved policy research, planning, and evaluation projects under section 6(a) and 9 of the Act (49 U.S.C. 1605(a) and 1607a). The Associate Administrator is further authorized, in connection with the administration of such contracts, to approve requisitions for funds, third party contracts, and project budget amendments within previously authorized limits.

(3) The Associate Administrator for Research and Development is delegated authority to execute and amend grant

contracts, interagency agreements for approved research and development projects under section 6(a) of the Act (49 U.S.C. 1605(a)), and grant contracts and amendments for university research and training projects under section 11 of the Act (49 U.S.C. 1607c). The Associate Administrator is further authorized, in connection with the administration of those projects to approve requisitions for funds, third party contracts and project budget amendments within previously authorized limits.

(4) The Associate Administrator for Transit Planning is delegated authority to execute and amend grant contracts, inter-agency agreements for approved planning, engineering, architectural, feasibility and operational improvement study projects and demonstrations of advanced transportation systems and techniques in an operational environment under sections 6(a), 9 and 16 of the Act (49 U.S.C. 1605(a), 1607a and 1612). The Associate Administrator is further authorized in connection with the administration of such contracts to approve requisitions for funds, third party contracts and project budget amendments within previously authorized limits.

(5) The Director of Transit Management is delegated authority to execute and amend grant contracts for approved managerial training fellowship projects under section 10 of the Act (49 U.S.C. 1607b). The Director is further authorized, in connection with the administration of such projects to approve requisitions for project funds, third party contracts and project budget amendments within previously authorized limits.

(b) All authority delegated to an official listed in paragraph (a) of this section may be redelegated by that official to one or more employees under his jurisdiction.

#### Subpart C—Public Availability of Information

##### § 601.20 Sources of information.

(a) The Administration has published UMTA Order No. 1000.2 "External Operating Manual" (EOM) dated August 22, 1972. This EOM contains the history, organization, rules of procedure, criteria guidelines, interpretations, statements of policy and rules of general applicability formulated and adopted by the Administration for the guidance of the public. The EOM consists of seven booklets with appendices containing the relevant statutes, regulations, circulars, Office of Management and Budget and specimen forms. The titles of these booklets are:

- (1) Program Information for Capital Grants and Technical Studies.
- (2) Program Information for Capital Loans and Advance Land Acquisition Loans.
- (3) Program Information for Service Development Projects.
- (4) Program Information for University Research and Training Grants.
- (5) Program Information for Managerial Training Grants.
- (6) Guidelines for Project Administration.

Single copies of any of these booklets may be obtained without charge upon written request to the Associate Administrator for Administration, Urban Mass Transportation Administration, Room 9228, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590, or upon written request to any of the UMTA Regional Offices listed in § 601.2.

(b) The Administration, under the supervision of the Associate Administrator for Administration, maintains at Room 9228 a document inspection facility where copies of the following UMTA documents are available for public inspection:

(1) Final opinions and orders made in the adjudication of cases and issued within the Administration; and,

(2) Policy statements and interpretations issued by the Administration; and,

(3) UMTA staff manuals and instructions to staff which affect members of the public; and,

(4) An index to the material described in paragraph (b) (1) through (3) of this section.

(c) Any person desiring to inspect any of these records or obtain a copy thereof must submit his request in writing, specifying the record he wishes to inspect or a copy of which he desires, to the Associate Administrator for Administration, Urban Mass Transportation Administration, Room 9228, Nassif Building, 400 7th Street, SW., Washington, D.C. 20590, accompanied by the appropriate fee for copies prescribed in 49 CFR 7.85.

Issued at Washington, D.C. December 21, 1973.

FRANK C. HERRINGER,  
Urban Mass Transportation  
Administration.

[FR Doc.74-471 Filed 1-4-74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE  
COMMISSION

SUBCHAPTER A—GENERAL RULES AND  
REGULATIONS

PART 1033—CAR SERVICE

[S.O. 1167]

Chicago, Milwaukee, St. Paul and Pacific  
Railroad Co.

JANUARY 2, 1974.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 28th day of December 1973.

It appearing, That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Milw) is unable to operate over its line between Savannah, Illinois, and Ayres, Illinois, because of deterioration of its bridge E-392 across the Plum River; that the Burlington Northern Inc. (BN) has consented to use of its tracks between Savannah and Ayres, for the purpose of bridging the gap in the line of the Milw caused by the unserviceable condition of its bridge E-392; that operation by the Milw over the aforementioned tracks of the BN is necessary in the interest of the public and the commerce of the people; that notice and

public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1167 Service Order 1167.

(a) *Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over tracks of Burlington Northern Inc.* The Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Milw) be, and it is hereby, authorized to operate over tracks of the Burlington Northern Inc. (BN) between Savannah, Illinois, and Ayres, Illinois, a distance of approximately four miles.

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

(c) *Rates applicable.* Inasmuch as this operation by the Milw over tracks of the BN is deemed to be due to carrier's disability, the rates applicable to traffic moved by the Milw over these tracks of the BN shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 11:59 p.m., January 4, 1974.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 15, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[FR Doc.74-519 Filed 1-4-74;8:45 am]

Title 50—Wildlife and Fisheries

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

SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE

PART 20—MIGRATORY BIRD HUNTING

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds; Amendment

There was published in the FEDERAL REGISTER of August 31, 1973 (38 FR

23526), an amendment to § 20.105 of Part 20, Subpart K of Title 50, Code of Federal Regulations, which established the seasons for waterfowl, coots, and gallinules.

In that section, in the Mississippi Flyway, in the counties of Alexander, Jackson, Union and Williamson, in the State of Illinois, the shooting hours for geese in footnote 3 are sunrise until 3 p.m. As a result of the Emergency Daylight Saving Time Energy Conservation Act of 1973 (Pub. L. 93-182), and Executive Order 11751, signed December 15, 1973 (38 FR 34725), concerning the establishment of daylight savings time as standard time for the United States, effective January 6, 1974, and until further notice, the State of Illinois will lose an hour shooting time each remaining day of the goose season under current Federal regulations. Illinois State regulations already provide for 3 p.m. c.s.t. In order to eliminate the conflict between Federal and State regulations and to assure the public the full number of shooting hours originally intended, the State of Illinois has requested that the shooting hours in footnote 3 to be amended to read 4 p.m. c.d.s.t.

Because of the need for immediate publication of the amended shooting hours, it is hereby found that public participation is impractical, unnecessary, and contrary to the public interest.

Accordingly, footnote 3 to § 20.105(e) is amended to read as follows:

<sup>3</sup> Shooting hours for geese are sunrise until 4 p.m. c.d.s.t.

Effective date: January 7, 1974.

AUTHORITY: 40 Stat. 744; 16 U.S.C. 703 et seq.

Dated: January 2, 1974.

LYNN A. GREENWALT,  
Director of Bureau of  
Sport Fisheries and Wildlife.

[FR Doc.74-512 Filed 1-4-74;8:45 am]

PART 33—SPORT FISHING

Bear River Migratory Bird Refuge, Utah

The following special regulation is issued and is effective January 7, 1974.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

Sport fishing on the Bear River Migratory Bird Refuge, Utah, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 10 acres, are delineated on maps available at refuge headquarters, Brigham City, Utah, and from the Regional Director, Post Office Box 25486, Denver Federal Center, Denver, Colorado 80225. Sport fishing extends from January 1 through December 31, 1974, inclusive, in

accordance with all applicable State regulations subject to the following special conditions:

(1) The use of boats is prohibited below the river control gates at refuge headquarters.

(2) Fishermen are required to register at the refuge office upon entering the refuge.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in 50 CFR, Part 33, and are effective through December 31, 1974.

LLOYD F. GUNTHER,  
Refuge Manager, Bear River  
Migratory Bird Refuge, Brigham City, Utah.

DECEMBER 21, 1973.

[FR Doc.74-466 Filed 1-4-74;8:45 am]

#### Title 5—Administrative Personnel

### CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

#### Department of State

Section 213.3304 is amended to show that one position of Special Assistant to the Executive Assistant to the Secretary is excepted under Schedule C.

Effective January 7, 1974, § 213.3304 (a) (14) is added as set out below.

#### § 213.3304 Department of State.

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

(14) One Special Assistant to the Executive Assistant to the Secretary.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant  
to the Commissioners.

[FR Doc.74-455 Filed 1-4-74;8:45 am]

#### Title 7—Agriculture

### CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

#### PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

#### Fees and Charges for Federal Rice Inspection Services

#### CORRECTION

In the correction on page 34642 of the issue of December 17, 1973, the page number in the second line of the text should read "32782" instead of "32781."

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

[Navel Orange Reg. 305, Amdt. 1]

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

#### Limitation of Handling

This regulation increases the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period December 28, 1973-January 3, 1974. The quantity that may be shipped is increased due to improved market conditions for Navel oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907.

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

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Navel Orange Regulation 305 (38 FR 35477). The marketing picture now indicates that there is a greater demand for Navel oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Navel oranges to fill the current market demand thereby making a greater quantity of Navel oranges available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

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

is insufficient, and this amendment relieves restriction on the handling of Navel oranges grown in Arizona and designated part of California.

(b) Order, as amended. The provisions in paragraph (b) (1) (i) of § 907.605 (Navel Orange Regulation 305 (38 FR 35477)) are hereby amended to read as follows:

(i) District 1: 825,000 cartons.

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

Dated: January 2, 1974.

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

[FR Doc.74-522 Filed 1-4-74;8:45 am]

#### Title 9—Animals and Animal Products

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

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

#### PART 73—SCABIES IN CATTLE

#### Area Quarantined

This amendment quarantines a portion of Lea County in New Mexico because of the existence of cattle scabies. The restrictions pertaining to the interstate movement of cattle from quarantined areas as contained in 9 CFR Part 73, as amended, will apply to the area quarantined.

Accordingly, Part 73, Title 9, Code of Federal Regulations, as amended, restricting the interstate movement of cattle because of scabies is hereby amended as follows:

In § 73.1a, new paragraph (c) relating to the State of New Mexico is added to read:

#### § 73.1a Notice of quarantine.

(c) Notice is hereby given that cattle in certain portions of the State of New Mexico are affected with scabies, a contagious, infectious, and communicable disease, and, therefore, the following area in such State is hereby quarantined because of said disease:

That portion of Lea County bounded by a line beginning at the junction of an unnamed graveled township road (one mile south of Hillburn City) and State Highway 18; thence, following State Highway 18 in a southerly direction for approximately 6 miles to State Highway 337; thence, following State Highway 337 in a northeasterly direction for approximately 7 miles to State Highway 133; thence, following State Highway 133 in a southerly direction for approximately 7 miles to State Highway 83; thence, following State Highway 83 in a westerly

direction for approximately 9 miles to State Highway 18; thence, following State Highway 18 in a generally south-easterly direction for approximately 7 miles to an unnamed graveled township road; thence, following the unnamed graveled township road in a westerly direction for approximately 5 miles to State Highway 483; thence, following State Highway 483 in a northerly direction for approximately 15 miles to an unnamed graveled township road; thence, following the unnamed graveled township road in an easterly direction for approximately 2 miles to its junction with State Highway 18.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f; 37 FR 28464, 28477; 38 FR 19141.)

**Effective date.** The foregoing amendment shall become effective on January 2, 1974.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of cattle scabies and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

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

Done at Washington, D.C., this 2nd day of January 1974.

J. M. HEJL,

Acting Deputy Administrator,  
Veterinary Services, Animal  
Plant Health Inspection  
Service.

[FR Doc.74-526 Filed 1-4-74;8:45 am]

Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

Participation in Accounting Service Center

On pages 27846-27847 of the FEDERAL REGISTER of October 9, 1973, there was published a proposed amendment to 12 CFR 701.27.

After consideration of all such relevant matter as was presented by interested persons, the amendment as so proposed is hereby adopted, subject to the following change.

1. In § 701.27(b) (3) insert after the word "provided" and before the word "reports" the following: "by the accounting service center."

**Effective date.** This amendment is effective January 28, 1974.

HERMAN NICKERSON, JR.,  
Administrator.

DECEMBER 28, 1973.

§ 701.27 Participation in Accounting Service Center.

(a) A Federal credit union may participate with one or more other credit unions (either Federal or State chartered) in the establishment or maintenance of an accounting service center, the functions, facilities, and operations of which are limited to providing data processing services only for such participating credit unions. As used in this section the term "data processing services" means the maintenance of bookkeeping, accounting, or other records related to the purposes and functions of a credit union, primarily by mechanical or electronic methods, and the furnishing of reports and information derived from such records. Participation in the accounting service center may be by means of a partnership or other noncorporate arrangement between or among the participating credit unions or by participation in an accounting service center corporation organized for the sole purpose of providing data processing services to the participating credit unions, through ownership of a proportionate amount of the capital stock of such a corporation, provided that the remaining capital stock of such corporation is available for ownership only by the participating credit unions. A Federal credit union's proportionate ownership of the accounting service center shall be in similar proportion to the total ownership of the center as the total facilities and services used by the Federal credit union bears as a percentage to the total facilities and services provided by the accounting service center to all the participating credit unions, but the cost of such ownership shall not exceed 2 percent of its members' shareholdings. Ownership by the participating credit unions will be reviewed not less frequently than every 2 years and adjusted among them as necessary to bring such ownership into conformity with the percentage of the total facilities and services of the accounting service center used by each of them.

(b) A Federal credit union may not participate in the establishment or maintenance of an accounting service center unless the arrangement provides, (1) that the operating costs of the accounting service center shall be charged to each of the participating credit unions in such proportion to the total operating costs as the total facilities and services used by each bears as a percentage to the total facilities and services used by all of them; (2) that each participating credit union will have in its records current information disclosing, (i) the name of each participant, (ii) the proportion and amount of ownership of each in the accounting service center, (iii) the pro-

portion of the facilities and services used by each, (iv) the current total operating costs of the accounting service center, and (v) the proportion and the amount of the total operating costs charged to each of the participating credit unions; (3) that each participating credit union shall, at least annually, be provided by the accounting service center reports disclosing the financial affairs of the service center, including financial position and results of operations. Each such financial statement shall include an attached statement certifying to the participating credit union that the scope of the activities of the service center was confined to paragraph (a) of this section; (4) that the accounting service center shall establish and maintain the records of participating Federal credit unions in accordance with the requirements of § 701.14; and (5) that the records of participating Federal credit unions in possession of the accounting service center shall be available immediately for examination by the Administration. No official or employee of a participating Federal credit union may receive any salary or compensation from the accounting service center other than the reimbursement of necessary expenses incurred in connection with service center activities.

(c) Each Federal credit union participating in an accounting service center shall notify the Regional Director in writing of the arrangement at least 30 days prior to the date on which such participation shall commence. Such notice shall disclose the name and address of the accounting service center, the name of its managing officer, and shall provide information on the records to be maintained and the method to be used for that purpose. A Federal credit union shall notify the Regional Director in writing at least 30 days prior to discontinuing its participation in an accounting service center.

[FR Doc.74-355 Filed 1-4-74;8:45 am]

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 709—VOLUNTARY PARTIAL LIQUIDATION FOR DIVISION OF ASSETS AND LIABILITIES

New Federal Credit Union Charter Procedures

On pages 22982-22983 of the August 28, 1973 edition of the FEDERAL REGISTER, there was published a notice of the proposed revision of Part 709 (12 CFR Part 709).

After consideration of all such relevant matter as was presented by interested persons, the regulation as so proposed is hereby adopted, subject to the following changes:

1. In § 709.2(a), insert after the word "of" and before the word "members" the following: "at least three."

2. In the title of § 709.6, delete the word "and" after the word "Investiga-

tion" and before the word "Charter" and insert in lieu thereof the word "for."

3. In § 709.8, change and transpose paragraph (b) (1) to (b) (2), and paragraph (b) (2) to (b) (1).

*Effective date.* This regulation is effective January 28, 1974.

HERMAN NICKERSON, Jr.,  
Administrator.

DECEMBER 28, 1973.

Sec.	Scope.
709.0	When permissible.
709.1	Approval by board and appointment of committee.
709.2	Preparation of plan.
709.3	Notice of option to transfer.
709.4	Submittal of plan to Administration.
709.5	Investigation and charter and insurance application.
709.6	Approval of plan by Administrator.
709.7	Approval of plan by members of the existing Federal credit union.
709.8	Issuance of charter to the new Federal credit union and completion of division.
709.9	

*AUTHORITY:* Sec. 120, 73 Stat. 635, 12 U.S.C. 1766.

#### § 709.0 Scope.

This part prescribes the procedures that will enable members of a Federal credit union who are a separately identifiable group to undertake an equitable division of their assets, liabilities and capital and charter a new Federal credit union.

#### § 709.1 When permissible.

A Federal credit union may undertake an equitable division of its assets, liabilities and capital when:

(a) A group of persons within the field of membership of the Federal credit union constitutes a separately identifiable group which is eligible for a Federal credit union charter;

(b) A sufficient number of those in the separately identifiable group have authorized transfer of their share and loan accounts to justify the division; and

(c) The other requirements of the regulations in this part are met.

#### § 709.2 Approval by board and appointment of committee.

Upon the board of directors approval of a proposition for the Federal credit union to divide its assets, liabilities and capital between itself and a Federal credit union to be organized to serve persons in a separately identifiable group with the existing Federal credit union's field of membership, the board shall:

(a) Appoint a committee of at least three members of the said group to assist in the preparation and execution of a plan for division and to subscribe to an Organization Certificate for the proposed new Federal credit union; and

(b) Promptly notify the Regional Director of these actions.

#### § 709.3 Preparation of plan.

The board of directors shall prepare a plan for division which shall provide that:

(a) The members within the separately identifiable group shall have the option

to be exercised in writing by a specified date, of (1) authorizing the transfer of their accounts to the new Federal credit union upon approval of its charter by the Administrator, or (2) maintaining their accounts in the existing Federal credit union, provided, however, the Bylaws of the existing Federal credit union would permit such retention.

(b) The remaining assets, liabilities and capital will be equitably divided; and

(c) The records will be closed and the division effected by a specified date, subsequent to but no later than six months after the date set for members to exercise their options as specified in § 709.3(a).

#### § 709.4 Notice of options.

The board of directors shall give written notice of the options set forth in § 709.3(a) to each person who would be eligible for membership in the proposed new credit union. The written notice shall contain a summary of the plan and a form for confirmation of account balances and authorization for transfer of accounts. If authorization is given to transfer an account, it shall be valid for six months from the date fixed for the exercise of the option.

#### § 709.5 Submittal of plan to Administration.

If a number of members, sufficient to make the division reasonable and feasible, have authorized the transfer of their accounts by the date fixed for exercising the option to transfer, the board of directors shall submit the following information to the Regional Director:

(a) A copy of the Plan for Division of Assets, Liabilities and Capital;

(b) A current financial and statistical report;

(c) A Certification of Acceptance of Option to Transfer Shares and Loans; summarizing the results of the Notice of Option to Transfer; and

(d) A schedule of the share and loan balances of all members who authorized the transfer of their accounts.

#### § 709.6 Investigation for charter and insurance application.

(a) An examiner will make the necessary investigation. If requirements are met and the plan appears acceptable, the examiner will assist in holding the charter-organization meeting and completing the required forms.

(b) The Regional Director will review the proposal and forward it, with his recommendation, to the Administrator for action.

#### § 709.7 Approval of plan by Administrator.

If the Administrator finds that the plan for division complies with this and other parts of these regulations, he will approve the plan and authorize the board of directors of the existing Federal credit union to present the proposal to the members for approval at an annual or special meeting as provided in § 709.8.

#### § 709.8 Approval of plan by members of the existing Federal credit union.

(a) If the Administrator approves the plan for division, it may be submitted to the members at an annual meeting, if one is to be held at a time which will assure the consummation of the plan within six months after the expiration of the option to transfer, or at a special meeting to be called as provided in the bylaws and held within the six-month period.

(b) The notice of the meeting shall:

(1) Be given to each member of the credit union;

(2) State that one of the purposes of the meeting is to vote on the proposed plan;

(3) Advise the members of the reasons for the proposal, the fact that the Administrator has given his approval, the number of eligible members who have authorized the transfer of their accounts, and the membership vote required for approval; and

(4) Be accompanied by a copy of the Plan for Division of Assets, Liabilities and Capital.

(c) A majority of the members present and voting at the meeting must approve the plan in order for the board of directors to proceed with the division.

(d) The board of directors will promptly certify the results of the membership vote to the Regional Director.

#### § 709.9 Issuance of charter to the new Federal credit union and completion of division.

(a) If the plan was approved by the members of the existing Federal credit union as provided in § 709.8, the Administrator will issue the charter and insurance certificate to the new Federal credit union.

(b) The division will be completed as of the date specified in the plan. Upon completion of the division, the new Federal credit union will be vested with all assets received and will be responsible for all liabilities and capital assumed.

(c) The boards of directors for both Federal credit unions will promptly certify the completion of the division to the Regional Director. Financial and statistical reports for both Federal credit unions, before and after the division, will accompany the certification.

[FR Doc.74-468 Filed 1-4-74;8:45 am]

### Title 14—Aeronautics and Space CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-AL-25]

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

##### Alteration of Colored Federal Airways; Redesignation of Low Altitude Reporting Points

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redescribe Colored Federal Air-

way and redesignate low altitude reporting points.

This action is based on the conversion of the Nome, Alaska, low frequency range to a nondirectional radio beacon and the need to eliminate the duplication of navaid location names at Nome, Alaska, in compliance with current criteria. The VORTAC will retain the name "Nome VORTAC" with the identification "OME." The nondirectional radio beacon is renamed "Fort Davis" with a new identifier "FDV."

On March 1, 1971, the Federal Aviation Administration issued a Notice under Aeronautical Study No. 71-AL-18NR, proposing to convert all four-course radio ranges in Alaska to nondirectional radio beacons. No objections were received.

Therefore, the Nome low frequency range will be permanently converted to a nondirectional radio beacon with a new name and identifier effective February 28, 1974.

Since this amendment changes only the type of navigational aid on which a portion of the low frequency airway system is described and makes no change to the current airspace configuration, notice and public procedure hereon are unnecessary. However, in order to allow sufficient time to make appropriate editorial changes to aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., February 28, 1974, as hereinafter set forth:

1. Section 71.103 (39 FR 305) is amended as follows:

In G-7 "Nome, Alaska, RR" is deleted and "Fort Davis, Alaska, RBN" is substituted therefor.

2. Section 71.105 (39 FR 305) is amended as follows:

In A-1 "Nome, Alaska RR." is deleted and "Fort Davis, Alaska, RBN" is substituted therefor.

3. Section 71.109 (39 FR 306) is amended as follows:

In B-27 "Nome, Alaska, RR;" is deleted and "Fort Davis, Alaska, RBN;" is substituted therefor.

4. Section 71.211 (39 FR 632) is amended as follows:

In Alaskan low altitude reporting points, "Nome, Alaska, RR" is deleted and "Fort Davis, Alaska, RBN" is added.

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

Issued in Anchorage, Alaska, on December 18, 1973.

QUENTIN S. TAYLOR,  
Acting Director, Alaskan Region.

[FR Doc.74-445 Filed 1-4-74;8:45 am]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 13413; Amdt. 95-241]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is

to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. The altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Part 95 of The Federal Aviation Regulations is amended, effective January 31, 1974 as follows:

1. By amending Subpart C as follows:  
§ 95.1001 Direct Routes—U.S. [Amended]

Section 95.1001 is amended by adding:

From; to; and MEA

Crestview, Fla., VORTAC; La Grange, Ga., VORTAC, COP 93 CEW 18,000, MAA-45000. Tazewell INT, Ga.; Durand INT, Ga.; 3,400. Saufley, Fla., VOR; Montgomery, Ala., VOR; \*5,000. \*2,500—MOCA.

PANAMA ROUTES

V-1 is amended to read:

Morales INT, C.Z.; France Fid., C.Z. VOR; \*8,000. \*1,300—MOCA.

§ 95.5500 High altitude RNAV routes [Amended]

Section 95.5500 is amended as follows:

From/to; total distance; changeover point distance from geographic location; track angle; MEA and MAA

J938R is amended to read in part:

Reno, Nev., W/P, Napa, Calif., W/D; 151; 50; Reno; 220/040 to COP, 218/038 to Napa; 20,000; 45,000.

Napa, Calif., W/P, Palls, Calif. W/P; 64; 219/039 to Palls; 18,000; 45,000.

Palls, Calif., W/P, Leafs, Calif., W/P; 112; 259/079 to Leafs; 18,000; 45,000.

RNAV WAYPOINT NAME CHANGES

"Chapin, Ill." to "Chaps"; "Scales Mound, Ill." to "Scale"; "Marine, Ill." to "Marin"; "Jerseyville, Ill." to "Jerry"; "Morrison, Ill." to "Morri"; "Anna, Ill." to "Annam"; "Cantrall, Ill." to "Canta"; "Woodstock, Ill." to "Stock"; "Mounds, Ill." to "Moods"; "Papi, Ill." to "Poppy"; "Prairie, Ill." to "Prays"; "Warren, Ill." to "Wrens".

"Calument, Ky." to "Calpe"; "Woodbine, Ky." to "Woodi"; "Shutout, Ky." to "Shuto"; "Sadler, Ky." to "Sader"; "Minerva, Ky." to "Miner"; "Canter, Ky." to "Canto".

"Mellott, Ind." to "Melot"; "San Pierre, Ind." to "Perry"; "Sunman, Ind." to "Suman"; "Foresman, Ind." to "Fores"; "Gosport, Ind." to "Gospo"; "Borden, Ind." to "Borde"; "Mayhue, Ind." to "Mayhu"; "Tippecanoe, Ind." to "Tippy"; "Leopold, Ind." to "Lepol"; "Judyville, Ind." to "Judys"; "Osgood, Ind." to "Ogden".

"Wolverine, Mich." to "Wolvi"; "Carsonville, Mich." to "Carte"; "Nirvana, Mich." to "Nirva"; "Kinderhook, Mich." to "Kinds"; "Sanilac, Mich." to "Sanil"; "Holt, Mich." to "Holts"; "Vermontville, Mich." to "Vermi".

"Thackery, Ohio" to "Thack"; "Shilot, Ohio" to "Shilo"; "Marble, Ohio" to "March"; "Balsam, Ohio" to "Balsa"; "Henrietta, Ohio" to "Henri"; "Spot, Ohio" to "Spots"; "Conifer, Ohio" to "Conic"; "Burt, Ohio" to "Burts"; "Cameron, Ohio" to "Cameo"; "Rittman, Ohio" to "Ritzs".

"Fancy Gap, Va." to "Fancy"; "Copper Valley, Va." to "Coppa"; "Rescue, Va." to "Resco".

"Kimball, W. Va." to "Kimbo"; "Rensford, W. Va." to "Renfo"; "Princess, W. Va." to "Prins"; "Warwood, W. Va." to "Watts".

"Riddle, Pa." to "Rides"; "Horn, Pa." to "Horns"; "Ormsby, Pa." to "Ormsby"; "Furnace, Pa." to "Furna"; "Avis, Pa." to "Avast"; "Maiden, Pa." to "Maids"; "Ulster, Pa." to "Ulema"; "Schooner, Pa." to "Schoo"; "Bucktown, Pa." to "Bucks"; "Newton, Pa." to "Nesto".

"Cherry Plain, N.Y." to "Cheri"; "Sardine, N.Y." to "Sardi"; "Gowanda, N.Y." to "Gower"; "Water Mill, N.Y." to "Water"; "Loon Lake, N.Y." to "Loons"; "Blakely, N.Y." to "Blake"; "Hamlet, N.Y." to "Hamet"; "Spad, N.Y." to "Spads"; "Belle Terre, N.Y." to "Belle"; "Empire, N.Y." to "Empty"; "Frontier, N.Y." to "Fawns".

"Davey, Maine" to "Daves"; "Merri-mack, Maine" to "Merry".

"Boundary, Md." to "Bound"; "Marbury, Md." to "Marby".

"Mary Ann, Mass." to "Marys"; "Whaler, Mass." to "Whale"; "Summer, Mass." to "Sumta".

"Tugboat, N.J." to "Tugbo"; "Pennwell, N.J." to "Penns".

"Holland, Vt." to "Holly".

"Eloy, Ariz." to "Elope"; "Willcox, Ariz." to "Wycox"; "Ventana, Ariz." to "Venta".

"Kings, Ga." to "Kicks".

"Dibble, Okla." to "Dibbs"; "Stigler, Okla." to "Stick".

"Magnolia, Tex." to "Magno".

"Peoria, Ill." to "Peony".

"Denmark, Wisc." to "Denny".

§ 95.6002 VOR Federal Airway 2 [amended]

Section 95.6002 is amended to read in part:

From; to; and MEA

Muskegon, Mich., VOR; Saranac INT, MICH.; \*2,600. \*2,200—MOCA.

§ 95.6011 VOR Federal Airway 11 [amended]

Section 95.6011 is amended to delete:

Indianapolis, Ind., VOR, via E. alter; Pendleton INT, Ind., via E. alter; 2,900. Pendleton INT, Ind., via E. alter; Marion, Ind., VOR, via E. alter; \*2,600. \*2,400—MOCA.

§ 95.6013 VOR Federal Airway 13 [amended]

Section 95.6013 is amended to read in part:

DeQueen INT, Ark.; Rich Mountain, Okla., VOR; \*4,400. \*3,700—MOCA.

Rich Mountain, Okla., VOR; \*Hackett INT, Ark.; \*\*4,600. \*4,200—MRA. \*\*3,900—MOCA.

Hackett INT, Ark.; Ft. Smith, Ark., VOR; 2,000.

Rich Mountain, Okla., VOR, via W. alter.; \*Spiro INT, Okla., via W. alter.; \*\*4,400. \*3,500—MCA Spiro INT, southbound. \*\*3,700—MOCA.

Spiro INT, Okla., via W. alter.; Int. 359 M rad Rich Mountain VOR and 312 M rad Ft. Smith VOR, via W. alter.; \*3,000. \*2,500—MOCA.

Int. 359 M rad Rich Mountain VOR and 312 M rad Ft. Smith VOR, via W. alter.; Fayetteville, Ark., VOR, via W. alter.; \*3,700. \*3,000—MOCA.

**§ 95.6017 VOR Federal Airway 17 [Amended]**

Section 95.6017 is amended to read in part:

Oklahoma City, Okla., VOR; Calumet INT, Okla.; 3,000.

**§ 95.6022 VOR Federal Airway 22 [Amended]**

Section 95.6022 is amended to read:

Kansas City, Kans., VOR; Ottumwa, Iowa, VOR; \*5,000. \*2,400—MOCA.

**§ 95.6032 VOR Federal Airway 32 [Amended]**

Section 95.6032 is amended to read in part:

\*Elko, Nev., VOR; Spruce Mountain INT, Nev.; 13,000. \*10,800—MCA Elko VOR, eastbound.

Spruce Mountain INT, Nev.; Bonneville, Utah, VOR, eastbound, 11,000; westbound, 13,000.

**§ 95.6047 VOR Federal Airway 47 [Amended]**

Section 95.6047 is amended to read in part:

Rosewood, Ohio, VOR via W. alter.; Bremen INT, Ohio, via W. alter.; \*2,800. \*2,400—MOCA.

**§ 95.6128 VOR Federal Airway 128 [amended]**

Section 95.6128 is amended to delete:

Cincinnati, Ohio, VOR via S. alter.; Felicity INT, Ky., via S. alter.; \*2,500. \*2,000—MOCA.

Felicity INT, Ky., via S. alter.; York, Ky., VOR via S. alter.; 3,000.

**§ 95.6141 VOR Federal Airway 141 [amended]**

Section 95.6141 is amended to read in part:

Gunstock INT, N.H., via E. alter.; Lebanon, N.H., VOR via E. alter.; 6,000.

**§ 95.6162 VOR Federal Airway 162 [amended]**

Section 95.6162 is amended to read in part:

Big Flat INT, Pa.; Harrisburg, Pa., VOR; \*4,000. \*3,100—MOCA.

**§ 95.6206 VOR Federal Airway 206 [amended]**

Section 95.6206 is amended by adding:

Kirksville, Mo., VOR; Ottumwa, Iowa, VOR; 3,000.

**§ 95.6207 VOR Federal Airway 207 [amended]**

Section 95.6207 is amended by adding:

Denver, Colo., VOR via W. alter.; Gill, Colo., VOR via W. alter.; 7,000.

**§ 95.6232 VOR Federal Airway 232 [amended]**

Section 95.6232 is amended to read in part:

Sandusky, Ohio, VOR; Crib INT, Ohio; \*3,000. \*2,100—MOCA.

Crib INT, Ohio, Mentor INT, Ohio; \*3,000. \*2,300—MOCA.

**§ 95.6269 VOR Federal Airway 269 [amended]**

Section 95.6269 is amended to read in part:

Ely, Nev., VOR; Spruce Mountain INT, Nev.; \*13,000. \*12,200—MOCA.

**§ 95.6277 VOR Federal Airway 277 [amended]**

Section 95.6277 is amended to read in part:

Rosewood, Ohio, VOR; \*Neptune INT, Ohio; \*\*2,800. \*3,000—MRA. \*\*2,400—MOCA.

Neptune INT, Ohio; Ft. Wayne, Ind., VOR; \*2,800. \*2,400—MOCA.

**§ 95.6285 VOR Federal Airway 285 [amended]**

Section 95.6285 is amended by adding:

Indianapolis, Ind., VOR via E. alter.; Westfield INT, Ind., via E. alter.; 2,900.

Westfield INT, Ind., via E. alter.; Kokomo, Ind., VOR via E. alter.; \*2,600. \*2,200—MOCA.

**§ 95.6285 VOR Federal airway 285 [amended]**

Section 95.6285 is amended to read in part:

Grand Rapids, Mich., VOR; Walker INT, Mich.; \*2,600. \*2,200—MOCA.

Walker INT, Mich.; Comstock INT, Mich.; \*2,700. \*2,100—MOCA.

**§ 95.6315 VOR Federal Airway 315 [amended]**

Section 95.6315 is amended to read:

Paris, Tex., VOR; Rich Mountain, Okla., VOR; \*4,000. \*3,900—MOCA.

**§ 95.6436 VOR Federal Airway 436 [amended]**

Section 95.6436 is amended to read in part:

Black Hill INT, Alaska; Tanner INT, Alaska; \*#14,000. \*2,000—MOCA. #MEA is established with a gap in navigation signal coverage.

Tanner INT, Alaska; King Salmon, Alaska, VOR; \*#3,000. \*1,300—MOCA. #MEA is established with a gap in navigation signal coverage.

King Salmon, Alaska, VOR; Big Mountain INT, Alaska; \*5,000. \*4,500—MOCA.

**§ 95.6508 VOR Federal Airway 508 [amended]**

Section 95.6508 is amended to read in part:

\*Seward INT, Alaska; \*\*Skilak INT, Alaska; \*\*\*9,000. \*9,500—MRA. \*\*5,800—MCA Skilak INT, eastbound. \*\*\*7,500—MOCA.

Skilak INT, Alaska; Kenal, Alaska, VOR; \*1,900. \*1,500—MOCA.

**§ 95.7004 [Amended]**

Section 95.7004 *Jet Route No. 4* is amended to delete:

*From; to; MEA and MAA*

Los Angeles, Calif., VORTAC; Twentynine Palms, Calif., VORTAC; 18,000; 45,000.

**§ 95.7104 [Amended]**

Section 95.7104 *Jet Route No. 104* is amended to delete:

Los Angeles, Calif., VORTAC; Twentynine Palms, Calif., VORTAC; 18,000; 45,000.

**§ 95.7141 [Amended]**

Section 95.7141 *Jet Route No. 141* is amended to read:

Rubin, Fla., RBN; Carolina Beach N.C., LF/RBN; 18,000; 45,000.

Carolina Beach, N.C., LF/RBN; Wilmington, N.C., VORTAC; 18,000; 45,000.

**§ 95.7180 [Amended]**

Section 95.7180 *Jet Route No. 180* is amended to read:

Humble, Tex., VORTAC; Daisetta, Tex., VORTAC; 18,000; 45,000.

Daisetta, Tex., VORTAC; Little Rock, Ark., VORTAC; 18,000; 45,000.

2. By amending Subpart D as follows:

**§ 95.8003 VOR Federal airway changeover points [amended]**

Section 95.8003 is amended as follows:

*From; to; changeover point distance from*

V-436 is amended to delete:

Kenal, Alaska, VOR; Anchorage, Alaska, VOR; 10; Kenal.

V-456 is amended to delete:

Kenal, Alaska, VOR; Anchorage, Alaska, VOR; 33; Anchorage.

**§ 95.8005 Jet routes changeover points [amended]**

J-70 is amended by adding:

Dickinson, N.D., VORTAC; Aberdeen, S.D., VORTAC; 60; Dickinson.

J-141 is amended by adding:

Rubin, Fla., RBN; Carolina Beach, N.C., RBN; 159; Rubin.

(Sec. 307, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510))

Issued in Washington, D.C. on December 27, 1973.

JAMES M. VINES,

Chief,

Aircraft Programs Division.

[FR Doc.74-329 Filed 1-4-74; 8:45 am]

[Docket No. 13411; Amdt. No. 897]

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

**Miscellaneous Amendments**

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139,

8260-3, 8260-4, or 8260-5 and made a part of the public rulemaking dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

§ 97.23 [Amended]

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective February 14, 1974:

- Anderson, Ind.—Anderson Municipal Arpt., VOR-A, Amdt. 2.
- Charleston, S.C.—Charleston AFB/MUNI, VOR Rwy 3, Amdt. 5.
- Charleston, S.C.—Charleston AFB/MUNI, VOR Rwy 15, Amdt. 7.
- Charleston, S.C.—Charleston AFB/MUNI, VOR Rwy 21, Amdt. 5.

Charleston, S.C.—Charleston AFB/MUNI, VOR Rwy 33, Amdt. 5.

Gainesville, Fla.—Gainesville Municipal Arpt., VOR-A, Amdt. 5.

\* \* \* effective January 17, 1974:

Saranac Lake, N.Y.—Adirondack Arpt., VOR Rwy 5/9, Amdt. 6.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, VOR Rwy 13, Amdt. 12, canceled.

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, VOR/DME Rwy 35, Amdt. 3, canceled.

\* \* \* effective December 26, 1973:

Santee, S.C.—Wings & Wheels Arpt., VOR-A, Orig., canceled.

§ 97.25 [Amended]

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective February 14, 1974:

Charleston, S.C.—Charleston AFB/MUNI, LOC (BC) Rwy 33, Amdt. 4.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, LOC (BC) Rwy 31, Amdt. 16, canceled.

§ 97.27 [Amended]

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective February 14, 1974:

Anderson, Ind.—Anderson Municipal Arpt., NDB Rwy 12, Amdt. 6.

Charleston, S.C.—Charleston AFB/MUNI, NDB Rwy 15, Amdt. 13.

Gainesville, Fla.—Gainesville Municipal Arpt., NDB Rwy 28, Amdt. 3.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, NDB Rwy 13, Amdt. 17, canceled.

§ 97.29 [Amended]

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective February 14, 1974:

Charleston, S.C.—Charleston AFB/MUNI, ILS Rwy 15, Amdt. 14.

Gainesville, Fla.—Gainesville Municipal Arpt., ILS Rwy 28, Amdt. 1.

\* \* \* effective January 17, 1974:

Saranac Lake, N.Y.—Adirondack Arpt., ILS Rwy 23, Orig.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, ILS Rwy 13, Amdt. 17, canceled.

§ 97.31 [Amended]

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective February 14, 1974:

Charleston, S.C.—Charleston AFB/MUNI, RADAR-1, Amdt. 7.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, RADAR-1, Amdt. 8, canceled.

§ 97.33 [Amended]

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective February 14, 1974:

Gainesville, Fla.—Gainesville Municipal Arpt., RNAV Rwy 28, Amdt. 2.

\* \* \* effective January 13, 1974:

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, RNAV Rwy 31, Amdt. 1, canceled.

Ft. Worth, Tex.—Greater Southwest Int'l. Dallas/Ft. Worth Field, RNAV Rwy 35, Amdt. 1, canceled.

\* \* \* effective December 23, 1973:

Miami, Fla.—Miami Int'l. Arpt., RNAV Rwy 9L, Amdt. 4.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; (49 U.S.C. 1438, 1354, 1421, 1510), Sec. 6(c) Department of Transportation Act, (49 U.S.C. 1655(c); 5 U.S.C. 552(a)(1)))

Issued in Washington, D.C., on December 27, 1973.

JAMES M. VINES,  
Chief, Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

[FR Doc.74-328 Filed 1-4-74; 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 Indian Affairs

[ 25 CFR Part 221 ]

#### FORT HALL IRRIGATION PROJECT

##### Operation and Maintenance Charges

These proposed regulations are being considered for issuance under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in section 15(a) of Secretarial Order 2508 (10 BIAM 2.1) and re-delegated by the Commissioner to the Area Director in 10 BIAM 3.

Notice is hereby given that it is proposed to modify 25 CFR 221.32 by changing the basic rates for annual operation and maintenance assessments on the Fort Hall Project for calendar year 1974 and subsequent years.

The purpose of this modification is to adjust the assessment rates to more accurately and equitably reflect the actual operation and maintenance costs based on the previous year's operating experience and the anticipated program of work.

The public is welcome to participate in the rule making process of the Department of the Interior. Accordingly, interested persons may submit written comments, views or arguments with respect to the proposed rates to the Area Director, Portland Area Office, Bureau of Indian Affairs, Post Office Box 3785, Portland, Oregon 97208 on or before February 6, 1974.

Section 221.32 and the cross reference following that section of 25 CFR Chapter I is revised to read as follows:

#### § 221.32 Basic and other water charges.

(a) In compliance with the provisions of the Acts of March 1, 1907 (34 Stat. 1024), and August 31, 1954 (68 Stat. 1026), the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership and Indian-owned lands leased to a non-Indian or a nonmember of the Shoshone-Bannock Tribe of the Fort Hall Indian Reservation, Idaho, to which water can be delivered for irrigation are hereby fixed for the calendar year 1974 and subsequent years until further notice as follows:

	<i>Per acre</i>
(1) Fort Hall Project: Basic rate.....	\$10.00
(2) Michaud Division, Fort Hall Project:	
Basic rate.....	13.50
Additional rate for sprinkler irrigation when pressure is supplied by the project.....	3.00
(3) Minor Units, Fort Hall Reservation: Basic rate.....	8.00

(b) In addition to the foregoing charges, there shall be collected a minimum charge of \$5 for the first acre or

fraction thereof on each tract of land for which operation and maintenance bills are prepared. The minimum bill issued for any area will, therefore, be the basic rate per acre plus \$5.

CROSS REFERENCE: For method of assessment of operation and maintenance charges, see § 197.17 of this chapter.

FRANCIS E. BRISCOE,  
Acting Area Director.

[FR Doc.74-467 Filed 1-4-74;8:45 am]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[ 7 CFR Part 1049 ]

#### MILK IN THE INDIANA MARKETING AREA

##### Notice of Proposed Suspension of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Indiana marketing area is being considered.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, not later than January 14, 1974. All documents filed should be in quadruplicate.

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)).

The provisions proposed to be suspended are all of § 1049.50(b) except the following:

(b) The Class II price shall be the basic formula price computed pursuant to § 1049.51.

The proposed suspension, requested by cooperatives representing about 80 percent of producers for the market, would result in establishing the Minnesota-Wisconsin manufacturing milk price as the Class II price in all months. The Class II price is now the lesser of such price or a butter-powder (nonfat dry milk) formula price.

Until recent months the butter-powder price and the Minnesota-Wisconsin price have varied relatively little from month to month, and insignificantly on an average annual basis. Currently, however, because of a declining market price for butter and a strong market for cheese, a substantial difference between these two prices has developed. This was reflected in the

October and November Class II prices, resulting from the butter-powder formula, which were 47 cents and 78 cents, respectively, below the Minnesota-Wisconsin price. Comparable large differences between the two prices are expected to continue for a sustained period.

The cooperatives claim that the present Class II price (i.e., the butter-powder price), because it is unrepresentative of the value of milk for Class II purposes, is hampering the maintenance of adequate supplies of milk for the market. They urge that the butter-powder formula as an alternative Class II price be suspended January 1, 1974, thus to put in effect the Minnesota-Wisconsin price as the Class II price as proposed by the revised recommended decision on classification and pricing issued August 27, 1973 (38 FR 28756).

Signed at Washington, D.C., on December 28, 1973.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc.74-523 Filed 1-4-74;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[ 21 CFR Part 1000 ]

#### CONTROL OF ELECTRONIC PRODUCT RADIATION

##### Assembly and Reassembly of Diagnostic X-ray Systems

###### CORRECTION

In FR Doc. 73-25530, appearing at page 33313 in the issue for Monday, December 3, 1973, on page 33314, in column 3, first paragraph, sixth line from the bottom, the number "100.16" should read "1000.16".

### Social Security Administration

[ 20 CFR Part 416 ]

[Reg. No. 16]

#### SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

##### Subpart B—Eligibility

###### EVIDENCE OF CITIZENSHIP AND ALIEN RESIDENCE

Notice is hereby given, pursuant to the Administrative Procedure Act (5 U.S.C. 553) that the amendment of the regulations set forth in tentative form below is proposed by the Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations prescribe evidentiary requirements for the estab-

ishment of an applicant's status as a citizen or national of the United States, or in the case of an alien lawful admission for permanent residence in the United States, or that an alien has been residing permanently under color of law in the United States. These proposed regulations implement section 1614 of the Social Security Act prescribing citizenship and alien residence requirements for eligibility for supplemental security income.

The rules set forth in the proposed regulations will be applied by the Social Security Administration in order to administer the Supplemental Security Income program during the period from January 1, 1974, when the new program becomes effective, until final regulations are adopted.

Prior to the final adoption of the proposed amendment of the regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before February 6, 1974.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

The proposed regulations are to be issued under the authority of sections 1102, 1614, and 1631; 49 Stat. 647, as amended, 86 Stat. 1471 and 1475; 42 U.S.C. 1302, 1381-1385.

(Catalog of Federal Domestic Assistance Program No. 13.897, Supplemental Security Income Program.)

Dated: December 20, 1973.

Approved: December 27, 1973.

J. B. CARDWELL,

Commissioner of Social Security.

CASPAR W. WEINBERGER,

Secretary of Health, Education, and Welfare.

Part 416 of 20 CFR Ch. III is amended by adding §§ 416.203-416.205 to read as follows:

§ 416.203 Evidence of United States citizenship or nationality.

(a) *Type of evidence to be submitted.* Evidence as to an applicant's status as a citizen or national of the United States for the purpose of establishing eligibility for supplemental security income benefits, shall be of the following character:

(1) A certified copy of a public record of birth or a religious record of birth or baptism evidencing birth in the United States, as defined in paragraph (c) of this section, or

(2) A certificate of citizenship, or

(3) A certificate of naturalization, or  
(4) A United States Passport, or  
(5) An Identification Card for Use of Resident Citizen in the United States (I & NS Form I-179 or I & NS Form I-197).

(b) *Evidence not available.* If the evidence described in paragraph (a) of this section is not available, the applicant shall state the reason therefor and submit other evidence of probative value as to the date and place of his birth in the United States, or as to his citizenship, or as to the citizenship of, and the relationship of the applicant to, any person from whom derivative citizenship is claimed.

(c) *United States defined.* For purposes of this section, the term "United States" means the Continental United States, Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, and Swain's Island.

§ 416.204 Evidence of permanent residence in the United States under color of law.

(a) *Type of evidence to be submitted.* Evidence that an applicant has been residing permanently under color of law in the United States, as defined in § 416.120 for the purposes of establishing eligibility for supplemental security income payments, shall be of the following character:

(1) INS Form I-94 (Arrival-Departure Record) endorsed "REFUGEE—CONDITIONAL ENTRY," or

(2) INS Form I-94 endorsed to show bearer has been paroled for an indefinite period pursuant to section 212(d)(5) of the Immigration and Nationality Act, or

(3) Documentation in the form of correspondence from the Immigration and Naturalization Service stating the applicant has been granted indefinite voluntary departure or an indefinite stay of deportation.

(b) *Evidence not available.* If the evidence described in paragraph (a) of this section is not available, the applicant shall state the reason therefor and submit other evidence of probative value.

§ 416.205 Evidence of lawful admission for permanent residence in the United States.

(a) *Type of evidence to be submitted.* Evidence as to an applicant's lawful admission for permanent residence in the United States, as defined in § 416.120(c), for the purpose of establishing eligibility for supplemental security income benefits, shall be of the following character:

(1) Alien Registration Receipt Card (INS Form I-151), or

(2) A reentry permit.

(b) *Evidence not available.* If the evidence described in paragraph (a) of this section is not available, the applicant shall state the reason therefor and submit other evidence of probative value.

[FR Doc.74-470 Filed 1-4-74; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[ 29 CFR Part 1910 ]

STANDARD FOR OCCUPATIONAL EXPOSURE TO CHROMIC ACID

Advance Notice of Proposed Rulemaking

The National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health, Education, and Welfare has submitted to the Secretary of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, criteria for a recommended standard on the occupational exposure to chromic acid. The Office of Standards, Occupational Safety and Health Administration, U.S. Department of Labor is studying the criteria and would appreciate public participation on the issues of whether a new standard for chromic acid should be issued on the basis of the criteria or any other information, and, if so, what should be the contents of a proposed standard for chromic acid. The issues are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views and arguments concerning a standard on occupational exposure to chromic acid. Comments are specifically requested concerning: (1) Whether a new standard on occupational exposure to chromic acid should be issued;

(2) Each section of the standard recommended by NIOSH;

(3) Suitable alternatives to the recommendations of NIOSH;

(4) Work injury and illness experience with chromic acid;

(5) Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;

(6) Supported data on any possible environmental impact of the recommended standard, and specifically (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and

(7) Any other related issues.

Communications should be submitted to the Office of Standards, Occupational Safety and Health Administration, U.S. Department of Labor, Room 504 Railway Labor Building, 400 First Street, NW., Washington, D.C. 20210, before March 4, 1974. The communications will be available for public inspection and copying at the Office of Standards.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to chromic acid will be available for inspection and copy-

ing, upon request, at the Office of Standards in Washington, D.C. and at any of the following regional or area offices:

## REGIONAL OFFICES

U.S. Department of Labor  
Occupational Safety and Health Administration  
Fourth Floor  
18 Oliver Street  
Boston, Massachusetts 02110

U.S. Department of Labor  
Occupational Safety and Health Administration  
Gateway Building  
3535 Market Street, Room 15220  
Philadelphia, Pennsylvania 19104

U.S. Department of Labor  
Occupational Safety and Health Administration  
300 South Wacker Drive  
Room 1201  
Chicago, Illinois 60606

U.S. Department of Labor  
Occupational Safety and Health Administration  
823 Walnut Street  
Waltower Building—Room 300  
Kansas City, Missouri 64106

U.S. Department of Labor  
Occupational Safety and Health Administration  
9497 Federal Building  
450 Golden Gate Avenue  
Box 36017  
San Francisco, California 94102

U.S. Department of Labor  
Occupational Safety and Health Administration  
1515 Broadway  
1 Astor Plaza  
New York, New York 10036

U.S. Department of Labor  
Occupational Safety and Health Administration  
1375 Peachtree Street, NE,  
Suite 587  
Atlanta, Georgia 30309

U.S. Department of Labor  
Occupational Safety and Health Administration  
7th Floor—Texaco Building  
1512 Commerce Street  
Dallas, Texas 75201

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Building—Room 15010  
P.O. Box 3588, 1961 Stout Street  
Denver, Colorado 80202

U.S. Department of Labor  
Occupational Safety and Health Administration  
506 Second Avenue  
1808 Smith Tower Building  
Seattle, Washington 98104

## AREA OFFICES

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 203—Midtown Plaza  
700 East Water Street  
Syracuse, New York 13210

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Office Building  
970 Broad Street—Room 1435C  
Newark, New Jersey 07102

U.S. Department of Labor  
Occupational Safety and Health Administration  
370 Old Country Road  
Garden City, Long Island, New York 11530

U.S. Department of Labor  
Occupational Safety and Health Administration  
Condinium San Alberto Building  
Santurce, Puerto Rico 00907

U.S. Department of Labor  
Occupational Safety and Health Administration  
William J. Green, Jr. Federal Bldg.  
600 Arch Street  
Philadelphia, Pennsylvania 19106

U.S. Department of Labor  
Occupational Safety and Health Administration  
Charleston National Plaza  
Suite 1726  
700 Virginia Street  
Charleston, West Virginia 25301

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Building—Room 8081  
400 N. 8th Street, P.O. Box 10186  
Richmond, Virginia 23240

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Building—Room 1110A  
31 Hopkins Plaza  
Baltimore, Maryland 21201

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 802—Jonnet Building  
4099 William Penn Highway  
Monroeville, Pennsylvania 15146

U.S. Department of Labor  
Occupational Safety and Health Administration  
1371 Peachtree Street, N.E.  
Room 723  
Atlanta, Georgia 30309

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 204—Bridge Building  
Fort Lauderdale, Florida 33308

U.S. Department of Labor  
Occupational Safety and Health Administration  
2809 Art Museum Drive, Suite 4  
Jacksonville, Florida 32207

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 561—600 Federal Building  
Louisville, Kentucky 40202

U.S. Department of Labor  
Occupational Safety and Health Administration  
Commerce Building—Room 801  
118 North Royal Street  
Mobile, Alabama 36602

U.S. Department of Labor  
Occupational Safety and Health Administration  
1361 East Morehead Street  
Charlotte, North Carolina 28204

U.S. Department of Labor  
Occupational Safety and Health Administration  
1600 Hayes Street—Suite 302  
Nashville, Tennessee 37203

U.S. Department of Labor  
Occupational Safety and Health Administration  
Todd Mall, 2047 Canyon Road  
Birmingham, Alabama 35216

U.S. Department of Labor  
Occupational Safety and Health Administration  
300 South Wacker Drive  
Chicago, Illinois 60606

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 224—Bryson Building  
700 Bryden Road  
Columbus, Ohio 43215

U.S. Department of Labor  
Occupational Safety and Health Administration  
Clark Building—Room 400  
633 West Wisconsin Avenue  
Milwaukee, Wisconsin 53203

U.S. Department of Labor  
Occupational Safety and Health Administration  
U.S. Post Office and Courthouse  
Room 423  
46 East Ohio Street  
Indianapolis, Indiana 46204

U.S. Department of Labor  
Occupational Safety and Health Administration  
847 Federal Office Building  
1240 East Ninth Street  
Cleveland, Ohio 44199

U.S. Department of Labor  
Occupational Safety and Health Administration  
307 Central National Bank Building  
Houston, Texas 77002

U.S. Department of Labor  
Occupational Safety and Health Administration  
Michigan Theatre Building, Room 626  
220 Bagley Avenue  
Detroit, Michigan 48226

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 5522 Federal Office Building  
550 Main Street  
Cincinnati, Ohio 45202

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 734 Federal Office Building  
234 N. Summit Street  
Toledo, Ohio 43604

U.S. Department of Labor  
Occupational Safety and Health Administration  
Adolphus Tower—Suite 1820  
1412 Main Street  
Dallas, Texas 75202

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 421 Federal Building  
1205 Texas Avenue  
Lubbock, Texas 79401

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 512—Petroleum Building  
420 South Boulder  
Tulsa, Oklahoma 74103

U.S. Department of Labor  
Occupational Safety and Health Administration  
Squire Plaza Building  
8527 W. Colfax Avenue  
Lakewood, Colorado 80215

U.S. Department of Labor  
Occupational Safety and Health Administration  
546 Carondelet Street—4th Floor  
New Orleans, Louisiana 70130

U.S. Department of Labor  
Occupational Safety and Health Administration  
1627 Main Street  
Room 1100  
Kansas City, Missouri 64108

U.S. Department of Labor  
Occupational Safety and Health Administration  
210 North 12th Boulevard  
Room 554  
St. Louis, Missouri 63101

U.S. Department of Labor  
Occupational Safety and Health Administration  
City National Bank Building  
Room 803  
Harney and 16th Streets  
Omaha, Nebraska 68101

U.S. Department of Labor  
Occupational Safety and Health Administration  
333 Queen Street—Suite 505  
Honolulu, Hawaii 05913

U.S. Department of Labor  
Occupational Safety and Health Administration  
Hartwell Building, Room 514  
19 Pine Avenue  
Long Beach, California 90802

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Building, Room 227  
605 West 4th Avenue  
Anchorage, Alaska 99501

U.S. Department of Labor  
Occupational Safety and Health Administration  
Suite 309  
Executive Building  
455 East 4th South  
Salt Lake City, Utah 84111

U.S. Department of Labor  
Occupational Safety and Health Administration  
Suite 525—Petroleum Building  
2812 1st Avenue North  
Billings, Montana 59101

U.S. Department of Labor  
Occupational Safety and Health Administration  
100 McAllister Street, Room 1706  
San Francisco, California 94102

U.S. Department of Labor  
Occupational Safety and Health Administration  
Suite 318—Amerco Towers  
2721 North Central Avenue  
Phoenix, Arizona 85004

U.S. Department of Labor  
Occupational Safety and Health Administration  
1203 South Carson Street  
Carson City, Nevada 89701

U.S. Department of Labor  
Occupational Safety and Health Administration  
121-107th Street, NE.  
Bellevue, Washington 98004

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 526 Pittock Block  
921 SW. Washington Street  
Portland, Oregon 97205

NATIONAL OFFICE

U.S. Department of Labor  
Occupational Safety and Health Administration  
Office of Standards  
Room 507—Railway Labor Building  
400 First Street, NW.  
Washington, D.C. 20210

and they will be available for inspection at the national and regional offices of the U.S. Department of Health, Education,

and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
Room 10-A-22  
5600 Fishers Lane  
Rockville, Maryland 20852

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
1100 Commerce Street, Room 8-C-53  
Dallas, Texas 75202

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
401 North Broad Street  
Philadelphia, Pennsylvania 19108

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
9017 Federal Building  
19th and Stout Streets  
Denver, Colorado 80202

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
50 Seventh Street, N.E.  
Atlanta, Georgia 30323

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
John F. Kennedy Federal Building  
Government Center  
Boston, Massachusetts 02203

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
26 Federal Plaza  
New York, New York 10007

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
601 East 12th Street  
Kansas City, Missouri 64106

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
254 Federal Office Building  
50 Fulton Street  
San Francisco, California 94102

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
300 South Wacker Drive  
Chicago, Illinois 60607

U.S. Department of HEW  
National Institute for Occupational Safety & Health  
Arcade Building—1321 Second Street  
Seattle, Washington 98101

Finally, copies of the NIOSH document may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The stock number is GPO-1733-00020.

This advance notice of proposed rulemaking is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 27th day of December, 1973.

JOHN H. STENDER,  
Assistant Secretary of Labor.  
[FR Doc.74-330 Filed 1-4-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 73-34; Notice 1]

SCHOOL BUS BODY INTEGRITY  
Notice of Proposed Rulemaking

This notice proposes a motor vehicle safety standard that will require the sheet metal panels and other structural parts of school bus bodies to be more strongly joined, thereby providing greater safety for school children in crashes.

In several bus accident investigations since 1967, the National Transportation Safety Board (NTSB) has pointed to the failure of sparsely riveted bodies as a factor contributing to deaths and injuries in school bus accidents. The NTSB studies suggest that failure of the bus joints contributes to disintegration of the bus body and occupant ejection, and that the edges of the opened joints cause lacerative injuries.

Upon reviewing the available accident information the recommendations of the NTSB, and the current construction practices in the school bus industry, this agency has tentatively concluded that practicable methods exist to increase the strength of school bus bodies and that the adoption of these methods will save lives and mitigate injuries. The standard hereby proposed will require each joint to have at least 60 percent of the strength of the weakest joined part. The requirement derives from section 5.6 of the Vehicle Equipment Safety Commission's Regulation VESC-6, "Minimum requirements for school bus design and equipment," whose adoption has been urged both by the NTSB and by several consumer interest groups, headed by B.U.S.W.R.E.C., who have jointly filed a petition for rulemaking on this subject.

The basic intent of the 60 percent strength requirement is that each joint must be capable of providing a relatively high proportion of the strength of the joined materials. For example, if the sheet metal panels forming the sides of the bus are capable of sustaining a tensile force of 40,000 pounds per square inch of cross sectional area, the joints that connect the panels must be capable of sustaining a force of 24,000 pounds per square inch of cross sectional area. This relative level of strength is well within the capacity of conventional joining methods, and the means of strengthening a deficient joint to reach this level are usually straightforward; if a riveted joint is too weak, the manufacturer may simply install more rivets, at closer intervals.

In order to bring the basic VESC-6 requirement into a form that satisfies the legal and operational requirements of the motor vehicle safety standards, the agency has included a test procedure to make possible an objective determination

of a joint's strength. Under this procedure, a testing agency would cut a joint or joint segment at random from the bus together with specified portions of the joined parts, and subject the resulting test specimen to a tensile test in a tension testing machine. If the specimen withstands the required force before it breaks, that particular portion of the joint satisfies the requirement.

Although the procedure could theoretically produce an indeterminate number of tests, in practice a manufacturer would choose to test those portions of the joint where the rivets or other bonding agents are most widely separated. This approach of having the manufacturer determine his own "worst case" conforms to NHTSA practice in many other motor vehicle safety standards. Moreover, the uniform pattern of most joints would make repetitious testing unnecessary. The agency therefore anticipates that the procedure will permit the overall strength of a bus's joints to be determined. Without resorting to an unduly burdensome amount of testing.

As proposed, the strength requirements apply to all but a few specifically excepted joints in the bus.

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. 20509. 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. 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 NHTSA 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: February 15, 1974.

Proposed effective date: January 1, 1976.

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

Issued on December 21, 1973.

ELWOOD T. DRIVER,  
Acting Associate Administrator,  
Motor Vehicle Programs.

STANDARD NO. 2

SCHOOL BUS BODY INTEGRITY

**S1. Scope.** This standard establishes requirements for the strength of joints in school bus bodies.

**S2. Purpose.** The purpose of this standard is to reduce deaths and injuries resulting from the structural collapse of schoolbus bodies during crashes.

**S3. Application.** This standard applies to schoolbuses.

**S4. Definitions.** "Bus body" means the portion of a bus that encloses the bus's occupant space, exclusive of the bumpers, the chassis frame, and any structure forward of the forwardmost point of the windshield mounting.

"Joint" means the area of contact or close proximity between two or more adjacent panels or other uniformly-composed parts, excluding spaces designed for ventilation or another functional purpose, and excluding areas of contact designed to fold or slide during normal use.

**S5. Requirement.** When tested in accordance with the procedure of S6, each joint in a bus body shall be capable of holding the joined parts together when subjected to a force of 60 percent of the relative tensile strength of the weakest joined part determined pursuant to S6.2.

**S6. Procedure.**

**S6.1 Preparation of the test specimen.**

**S6.1.1** If a joint is 8 inches long or longer, measured along its centerline, select at random any 8-inch segment of the joint and cut a test specimen from the bus body so that the specimen's longitudinal centerline is perpendicular to the joint at the midpoint of the joint segment and the specimen's dimensions are as specified in Figure 1 to the extent permitted by the size of the joined parts.

**S6.1.2** If a joint is less than 8 inches long, measured along its centerline, cut the joint from the bus body together with enough of the adjacent structure to permit it to be held in the tension testing machine specified in S6.3.

**S6.2 Determination of minimum allowable strength.** For purposes of determining the minimum allowable joint strength, determine the relative tensile strengths of the joined parts as follows:

(a) If the mechanical properties of a material are specified by the Society of Automotive Engineers, the relative tensile strength for such a material is the minimum tensile strength specified for that material in the 1973 edition of the SAE Handbook, published by the Society of Automotive Engineers, Two Pennsylvania Plaza, New York, New York.

(b) If the mechanical properties of a material are not specified by the Society of Automotive Engineers, determine its relative tensile strength by cutting a specimen from the bus body outside the area of the joint, with the dimensions shown in Figure 1, and by testing it in accordance with S6.3 and S6.4.

**S6.3 Strength test.**

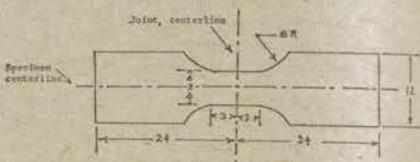
**S6.3.1** Grip the joint specimen on opposite sides of the joint in a tension testing machine calibrated in accordance with Method E 4, Verification of Testing Machines, of the American Society for Testing and Materials (1972 edition).

**S6.3.2** Adjust the testing machine grips so that the joint, under load, will

be in stress approximately perpendicular to the centerline of the joint.

**S6.3.3** Apply a tensile force to the specimen at a uniform rate of 10,000 pounds per square inch of joint cross sectional area per minute until the specimen breaks.

FIGURE 1



All dimensions in inches.

[FR Doc.74-163 Filed 1-4-74;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 81, 83, 87, 89, 91, 93, 97]

[FCC 73-1363; Docket No. 19909, RM 2164]

### ALASKA COMMON EMERGENCY FREQUENCY

#### Notice of Proposed Rule Making

In the matter of amendment of Parts 81, 83, 87, 89, 91, 93 and 97 of the Commission's rules to provide a common emergency frequency for use by single sideband high frequency stations licensed under these parts in the State of Alaska; amendment of Part 2 to provide for such operations in the Table of Frequency Allocations.

1. Notice of proposed rule making is hereby given in the above entitled matter.

2. The State of Alaska, Department of Public Works, Division of Communications, has petitioned the Commission to amend Parts 81, 83, 87, 89, 91, 93 and 95 so as to provide for the use of the frequency 4383.8 kHz (carrier frequency) as a common emergency frequency by stations licensed for single sideband operation in these services in the State of Alaska. The petition further requested that the frequency 4383.8 kHz be deleted from §§ 81.307 and 81.304(a) which list frequencies available for radiotelephony use by public coast stations. In response to a request for a clarification, the Commission has been advised informally that the petitioner specifically desires the following:

1. Delete the frequency 4383.8 kHz in §§ 81.307 and 81.304(a) for normal use by public coast stations in Alaska only, and

2. Permit the emergency use of the frequency 4383.8 kHz by all Alaska stations licensed under Parts 81 (including public coast stations), 83, 87, 89, 91, 93 and 95.

The petitioner was of the opinion that regular use of the frequency by public coast stations in Alaska would preclude its effective emergency use, as proposed.

3. The petition presented a justification for a common emergency frequency which may be summarized as follows:

a. There are within the great land mass of Alaska many remote villages and camps which are totally dependent upon radio as the sole means of communication. The increased activity during recent years in these remote areas has emphasized the urgent lack of adequate communication in the state outside of a few major centers of population. With the exception of one or two radio schedules per working day, many construction camps, field crews and even sizable villages have no contact whatsoever with the outside world. After office hours or on Sundays and holidays, it is virtually impossible for the residents of these remote areas to summon medical aid, call for emergency transportation, or even talk with a medical officer for suggestions in treating emergencies.

b. There are many radio stations in Alaska licensed to individuals, companies and governmental agencies, but communication among them is difficult because of the lack of a frequency common to all. In the event of an emergency, the operator will make an effort to obtain assistance by making a general call, however, he has no assurance that anyone will be monitoring the particular frequency he is using for transmission. A common frequency similar to the distress, safety and calling frequencies in the maritime services would eliminate this problem. A common frequency for the protection of life and property is justified in Alaska due to the vast distances and hazardous terrain.

c. The State of Alaska intends to ensure effective participation by State radio stations and anticipates similar participation by a large number of other stations on a voluntary basis.

4. The petition requests that the following radio services be permitted to participate in emergency operations on the common frequency:

- Part 81—Stations on Land in the Maritime Services and Alaska Public Fixed Stations
- Part 83—Stations on Shipboard in the Maritime Services
- Part 87—Aviation Services
- Part 89—Public Safety Radio Services
- Part 91—Industrial Radio Services
- Part 93—Land Transportation Radio Services
- Part 95—Citizens Radio Service.

This would provide for participation by a large variety and number of state and local government stations, as well as private stations, licensed under these parts of our rules. In addition, the petition envisages further participation by federal government stations also sharing the frequency, a subject which will be discussed later in detail.

5. In support of the petition, letters from the following were included with the petition:

- Col. M. E. Dankworth, Director  
Division of State Troopers  
State of Alaska
- Commissioner E. W. Chapple, Jr.  
Department of Public Safety  
State of Alaska
- Sgt. John G. Reed  
Juneau, Alaska Police Department  
(Representing all Juneau Search and Rescue Agencies)

Robert J. Bacolas  
Chief of Police and Director of Civil Defense  
Juneau, Alaska

Department of Transportation  
United States Coast Guard  
Commander 17th Coast Guard District  
APO Seattle, Washington

Donald Lowell, Director  
Department of Military Affairs  
Alaska Disaster Office,  
State of Alaska  
Anchorage, Alaska

Col. Calvin C. Warren, USAF  
Assistant Chief of Staff, J6  
Headquarters, Alaskan Command  
APO Seattle, Washington

John F. Lee, M.D.  
Medical Director  
Director, Alaska Area Native Health Service  
Department of H.E.W.  
Anchorage, Alaska

Louis A. Ciotti  
Deputy Director for Management Operations  
Office of the Secretary  
United States Department of the Interior  
Washington, D.C.

6. The petition requests the emergency use of the frequency 4383.8 kHz, by stations in the radio services designated in paragraph 2 above, for single sideband operation (emission 2.8A3J) with 150 watts peak envelope power (PEP) on a 24 hour basis throughout the State of Alaska. The petitioner states that of the thousands of high frequency (HF) transmitters licensed in Alaska, practically all are licensed for that power—which is needed to cover the great distances between some of the stations. Further, the petitioner expresses the belief that such common emergency use of 4383.8 kHz on land is as adequately justified as the maritime use of the frequency 2182 kHz, which has been available for years as a distress and calling frequency.

7. The Commission finds sufficient merit in the Alaska petition to warrant the issuance of this notice of proposed rulemaking. However, we are cognizant of the need for much care in the development of proposed rules. Any emergency radiocommunication system must function well and reliably if it is to serve the public interest. Therefore, as indicated in the following paragraphs, much careful consideration has been given with the view toward avoiding or minimizing the potential faults in such a system and to make clear its possible limitations, based on information now available. It is probable that the limited capabilities of the proposed system would leave many emergency requirements unsatisfied. However, it could bring about some improvement in the emergency use of the sparse radio facilities which presently exist in many areas of Alaska. As a general observation, it appears that the use of relatively inexpensive VHF fixed networks covering large portions of Alaska would offer the most practical near-future solution to the problem of poor communications in the more remote areas. The use of microwave relay links for higher traffic density circuits will no doubt expand and the use of communication satellites will probably greatly assist in interconnecting larger towns and cities in the not too distant future and in supplementing terrestrial circuits. However, there are in-

dications that the use of even the most austere earth stations in villages and smaller towns may not prove practical within perhaps the next decade because of the lack of adequate funds and electric power.

8. Because frequencies below 25 MHz are shared by Government and non-Government radio services, the petition was placed on the agenda of the Interdepartment Radio Advisory Committee (IRAC) for comments. The IRAC membership consists of representatives of those agencies of the Federal Government which are major users of the radio spectrum. Among other matters, it considers non-Government proposals having an impact on existing operations in bands shared by Government and non-Government radio services. Its recommendations are used by the Office of Telecommunications Policy (OTP) in the formulation of Executive Branch policies on telecommunication matters. The petition was placed on the IRAC agenda for its comments, on the basis that if the frequency were found to be acceptable, the assignments would be made on a non-interference basis and subject to accepting all interference from stations operating in accordance with the Table of Frequency Allocations. It was also pointed out that Appendix 25 of the ITU Radio Regulations allotted the use of the proposed frequency by France and 17 of its former territories (none near Alaska) and not by the United States. However, the frequency is now widely used in the U.S. area by the U.S. Coast Guard and also, in Alaska, by non-Government Public Coast and Ship stations. The above stipulation regarding interference referred to any international interference which might develop. If serious interference of this nature did occur, the emergency system would have to be changed to a different frequency or be abandoned. Both Coast Guard and the FCC have monitored the proposed frequency to attempt to identify and evaluate any potential interference problems and found none. Existing U.S. operations have not caused any known interference to those of other countries and their registration for 24 hour operation has received favorable findings by the International Frequency Registration Board of the International Telecommunication Union (ITU). The frequency 4383.8 kHz is authorized for use by Public Coast Stations in Alaska. However, its use is limited to 6 a.m. to 9 p.m. l.s.t. There are now around 1000 such authorizations which permit the use of 4383.8 kHz, as one of a family of frequencies. Under the proposal, the power would be limited to 150 watts (Peak Envelope Power), which would minimize the possibility of causing harmful interference in very distant areas. At the same time, such power should provide usable signals up to a distance of perhaps 50 miles during the day and 500 miles at night, although such distances would be subject to wide variations. Although general concern was expressed by the IRAC over the feasibility of using the frequency effectively for emergency communication in Alaska, the IRAC approved the initial

tion of rule making by the FCC and indicated that some Federal Government stations would wish to participate in the emergency network and that Federal agencies would cooperate toward making the frequency useful. However, they intend to continue their use of their own assignments on a day-to-day basis. It was indicated that the Coast Guard might establish other coast stations on this frequency in Alaska to improve the coverage of the network.

9. Careful consideration has been given to the question of which non-Government services should be permitted to use the frequency under the proposed plan and it has been concluded that such use should be primarily limited, at least initially, to those services now permitted under our existing rules to operate in the high frequency (HF) region of the spectrum with single sideband equipment which meets our required technical standards. Stations in other services, namely, Parts 93 and 95, would have to purchase additional equipment in order to operate on the proposed common emergency frequency. This equipment would become unusable by these licensees if the proposed system did not prove workable. High frequency single sideband equipment capable of meeting the rather stringent technical standards in rules listed above currently sells for around \$500.00 or more. Also, it is believed that the question of whether the system proves workable would depend largely upon the degree of cooperation and discipline on the part of all of the participants, both Government and non-Government. Because of the past history of operating rule violations in the Citizens Radio Service, their inclusion could jeopardize the success of the emergency network. However, Citizen Radio licensees would continue to have the capability of using their existing equipment to provide very useful local communication during emergency conditions. Because of the proficiency of the Amateur Radio Service in effectively employing their high frequency equipment to provide valuable emergency communications over the years, it is proposed to permit this Service to participate in the use of the common emergency frequency in Alaska. Amateurs would be permitted to operate on this frequency subject to the existing general technical requirements now in the rules governing that Service. This could permit the use of much existing equipment used by Amateurs with minimal or no modifications. Comments are specifically invited concerning the extent and nature of the modifications which would be required for compatible operation in the emergency network. Comments are also requested on the question of whether higher powered Amateur stations should be required to reduce power to 150 watts (P.E.P.) when operating on the frequency during test transmissions or actual emergency conditions. The State of Alaska representatives have informally urged that the Land Transportation Radio Services not be ex-

cluded, although the present rules, Part 93, do not now provide for high frequency operation. Accordingly, that service is being included in this proposal, with the understanding that the high frequency, single sideband technical standards now in Part 89 or Part 91 would be made applicable to such equipment authorized under Part 93 if this part of our proposal is later adopted. Transmitting equipment used for this purpose by Part 93 licensees would be required to be type accepted under Part 89 or Part 91.

10. As pointed out previously, the petition requested that the frequency 4383.8 kHz be deleted from Part 81 of our Rules as being available for normal use by non-Government public coast stations, presumably in Alaska, only. The petitioner has informally expressed the belief that the existing normal use of the frequency by such stations would preclude its effective emergency use. On the other hand, however, if normal use of the frequency is very light, as indicated by FCC and Coast Guard monitoring, its emergency use would not be hampered. In fact, it might increase the possibility that an emergency call would be heard. It is noted that Federal Agency use of the frequency for their normal operations is expected to continue in the event non-Government emergency use of the frequency is adopted as a result of this proceeding. This type of normal, active use would assist in keeping the frequency free of interference from other stations when needed for emergency use, at which time it would be expected that normal operations, both Government and non-Government, would temporarily cease. Accordingly, comments are invited on the question of whether normal non-Government public coast station use of the frequency should be limited or precluded.

11. Although the State of Alaska has proposed the use of a common frequency for emergency communication, the petition does not define the term "emergency communication" or describe the types of communication which should be permitted or excluded on the frequency. Generally, the term is considered to include communication directly related to the safety of life and property. However, it is believed that a more specific definition may be necessary and comments on this matter are being requested. In addition, long experience has shown that the effective shared use of radio by a number of stations on one frequency for a common purpose, generally referred to as a "network", requires some degree of operational control in order to avoid chaotic radio interference and to ensure the efficient flow of traffic, recognizing that priorities are normally required during emergency conditions. In usual practice, a group of stations comprising a radio network covering a given area has one station designated as a "net control station" which determines, among other things, the order in which the member stations may transmit traffic. The matter of control could present serious problems

in this instance, especially because of the many different entities which would participate in the use of the frequency. It appears that this matter requires further attention, at least in the more populated areas where a sizable number of stations could have emergency traffic at the same time. Also, specific plans for the further relaying of such traffic to its proper destination would be essential. Accordingly, comments on the problems raised in this paragraph will be considered particularly important. It is noted that the Alaska petition states that if the proposed common emergency frequency is established it would undertake immediate steps to ensure twenty-four hour monitoring of such frequency at State stations, including those operated by the State Troopers, and would seek to expand this coverage through the assistance of "other Alaska stations". The petitioner anticipates that the frequency would be monitored by a large number of stations on a voluntary basis. In addition to monitoring, specific provisions would be required for the periodic testing of participating stations in order to ensure the reliability of equipment and circuits. This could well be a subject for further study as operational experience is gained.

12. There is some question concerning whether the use of the single frequency would provide effective communication over the distances required on a sufficiently reliable basis. Radio propagation conditions in the high frequency region of the spectrum are subject to wide variations which change with time. Day and night conditions are very different and there are seasonal and yearly variations, also, due to many factors such as sun spot activity. Radio propagation variations in the more northern latitudes are known to be very severe. Therefore, it must be recognized that there would be instances where a participating station will be unable to communicate with another, even one quite near. Under other radio propagation conditions, the frequency could prove very usable. The petition contained little information on this subject and comments are invited concerning the effect of high frequency radio propagation characteristics in the Alaska region on the proposed emergency use of the frequency.

13. State of Alaska representatives have informally asked that the Commission immediately make the requested frequency available for operational use, subject to the outcome of this proceeding. However, the Commission believes that such action would be inappropriate at this time for the following reasons:

(a) There is no current major emergency situation in Alaska which would justify a waiver of the rules to permit immediate activation of the frequency for emergency communications.

(b) Comments are needed to determine the types of emergency traffic which could reasonably be permitted on the frequency.

(c) The potential impact on existing public coast station use of the frequency

cannot be accurately evaluated on the basis of information now available.

(d) The IRAC has approved only the initiation of a rule making proceeding and expressed general concern over the feasibility of the system, as presented.

(e) No procedure for providing effective control over the use of the frequency has been proposed.

(f) There is no similar precedent for the establishment of an emergency network of this type involving a wide variety of radio services.

However, the Commission will accept applications for operations on 4383.8 kHz in the Experimental Radio Services (Other than Broadcast) under Part 5 of our rules for the purpose of conducting operational tests and obtaining additional technical data relevant to the type of emergency operations proposed herein.

Further, as outlined herein, there is a need for additional information essential to the development of any specific rule amendments which may be adopted for the various radio services involved. As set forth below a specific rule amendment to Part 2 is proposed providing for a new footnote US212 to the Table of Frequency Allocations. In recognition of the emergency nature of the Alaska petition, the Commission intends to expedite action in this proceeding to the extent practicable.

14. The proposed amendments to the rules are issued pursuant to the authority contained in sections 4(i) and 303(c), (h) and (r) of the Communications Act of 1934, as amended.

15. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before February 4, 1974, and reply comments on or before February 22, 1974. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission will also take into account other relevant information before it, in addition to the specific comments invited by this notice.

16. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission. Responses will be available for public inspection during business hours in the Commission's Public Reference Room in its headquarters in Washington, D.C.

Adopted: December 27, 1973.

Released: January 4, 1974.

FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] VINCENT J. MULLINS,  
Secretary.

A. Part 2, of 47 CFR Ch. I is amended by adding a new footnote US212 in § 2.106 as follows:

<sup>1</sup> Commissioner Reid absent.

§ 2.106 Table of frequency allocations.

Federal Communications Commission				
Band (kHz)	Service	Class of station	Frequency (kHz)	Nature of services of stations
7	8	9	10	11
4361-4438 (US212)	Maritime Mobile	Coast		Coast (teleph. ny).

U.S. FOOTNOTES

US212 The use of 4383.8 kHz may be authorized to stations in the amateur, fixed and mobile services in the State of Alaska for emergency communications.

[FR Doc.74-321 Filed 1-4-74;8:45 am]

[ 47 CFR Part 73 ]

[Docket No. 19879; RM-2020, RM-2113, RM-2064, RM-2226]

CERTAIN FM BROADCAST STATIONS IN ARKANSAS

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations. (Little Rock, Benton, Batesville, and Mountain View, Arkansas)

1. On November 21, 1973, the Commission adopted a Notice of Proposed Rule Making in the above entitled proceeding. Publication was given in the FEDERAL REGISTER on November 29, 1973, 38 FR 32946. The dates for filing comments and reply comments are presently January 5, and January 15, 1974, respectively.

2. On December 26, 1973, counsel for Joe Biard, petitioner in RM-2113 (Batesville, Arkansas) filed a request for an extension of time in which to file comments and reply comments to January 18, 1974, and February 8, 1974, respectively. Counsel states that the requested extension is needed in order to permit necessary consultation between petitioner and both his legal and engineering counsel and the preparation of comments and reply comments which will be of assistance to the Commission in their decision. Counsel further states that these consultations have been delayed due to the recent illness of both the consulting engineer and the petitioner's attorney.

3. It appears that the requested extension is warranted. Accordingly, it is ordered, That the date for filing comments and reply comments are extended to and including January 18, 1974, and February 8, 1974, respectively.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) and 303(r) of the Communications Act

of 1934, as amended, and § 0.281(b)(6) of the Commission's rules.

Adopted: December 27, 1973.

Released: December 28, 1973.

FEDERAL COMMUNICATIONS COMMISSION,

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

[FR Doc.74-435 Filed 1-4-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[ 17 CFR Part 230 ]

[Release No. 33-5444]

EXEMPTION FOR CERTAIN WRITINGS AND ENDORSEMENTS OF PUT OR CALL OPTIONS

Revision of Proposed Rule

The Securities and Exchange Commission today published for comment a revised version of proposed Rule 238 (17 CFR 230.238) under the Securities Act of 1933 (the Act). The original version was published in Securities Act Release No. 5366 (February 8, 1973, 38 FR 4993). The purpose of the proposed rule is to provide an exemption from registration under section 3(b) of the Act for certain securities created through the writing or endorsement of put or call options. In pertinent part, section 3(b) provides that the Commission may:

add any class of securities to the securities exempted as provided in this section, if it finds that the enforcement of this title with respect to such securities is not necessary in the public interest and for the protection of investors by reason of the small amount involved or the limited character of the public offering; but no issue of securities shall be exempted under this subsection where the aggregate amount at which such issue is offered to the public exceeds \$500,000.

The Commission's action in connection with proposed Rule 238 is taken in conjunction with the publication for public comment of revised proposed Rule 9b-2 (17 CFR 240.9b-2) under the Securities Exchange Act of 1934 (the Exchange Act). Securities Exchange Act Release No. 10550 (December 13, 1973) (38 FR 35334). That rule specifies standards of suitability to be applied to customers who deal in options; it requires disclosure to customers by brokers and dealers of the nature of options and the risks associated therewith; and it requires endorsers of

options to report their transactions and maintain a certain minimum level of net capital.

The Commission announced on November 14, 1973 that it has under study and is requesting written and oral public comments on various questions that have arisen in connection with the interest expressed by several exchanges in using their facilities for option trading. (Securities Exchange Act Release No. 10490, November 14, 1973) (38 FR 32020). Certain of the basic areas of inquiry specified in the Commission's Release about option trading in general have relevance to proposed Rule 238. The Commission intends to consider the public comments received in response to Release No. 10490 in connection with any final action it may take with respect to proposed Rule 238.

As revised herein, the proposed rule may afford an exemption for options in which the writer does not have a long position at the time the option is written or does not continue during the term of the option to have a long position in the underlying security—i.e., in which the option is an "uncovered option." The matter of uncovered options is one of the subjects to be considered in the public proceedings called for in Securities Exchange Act Release No. 10490 and information about uncovered options arising from those proceedings may result in modification of proposed Rule 238. Notwithstanding this proceeding, public comment is specifically invited in the context of this release on the question of whether proposed Rule 238 should afford an exemption for uncovered options.

The Commission recognizes that put and call options have been written and traded for many years without registration under the Act and that the Commission has not promulgated a special form for such registration nor generally taken action to enforce the registration provisions of the Act. In view of the above, and due to the increased investor interest in options generally, the Commission has undertaken this action.

The principal changes in proposed Rule 238 from the version published in Release No. 33-5366 involve certain requirements as to the nature of the issuer of the underlying security, requirements relative to the markets and prices of such security and a provision that the proposed rule will not be available for limited price options.

Proposed Rule 238 does not purport to be an exclusive rule. If available, other statutory exemptions from registration may be relied on for the writing and endorsement of put and call options.

#### PROVISIONS AND CONDITIONS OF THE PROPOSED RULE

Proposed Rule 238 exempts from registration options, and endorsements thereof, which provide that the holder thereof may purchase a security from (call) or sell a security to (put) the writer of the option, provided all the conditions of the rule are met. If the writer and endorser are different persons each should assure that all the conditions of the rule are met, both with respect to the writing of the

option and the endorsement. While the proposed rule would afford an exemption from the registration requirements of the Act, it affords no exemption from the antifraud provisions thereof.

The provisions and conditions of the revised proposed rule are as follows:

*Definition of the term "option"—limited price options excluded.* A new definition of the term "option" is included in the revised proposed rule and that definition applies only for purposes of the rule. The new definition defines the term as including any put, call, straddle or other option or privilege of buying or selling a specified number of securities at a specified price from or to another person without being bound to do so, on or prior to a specified date. The definition also states that the term shall not include any option or privilege which by its terms may terminate prior to such specified date upon the occurrence of a specified event.

The Commission notes that a number of the public comments on proposed Rule 238 discussed the appropriateness of the proposed rule's providing an exemption for limited price options or expiration price options. The rule as originally proposed for comment would have been available for sales of such securities. In brief, such options involve a feature by which the option terminates prior to the stated term in the event the market price of the underlying security reaches a specified level. The Commission has revised the proposed rule by including a provision in the definition of the term "option" which, in effect, eliminates the proposed exemption for these options, because, with the limited information available to it, the Commission at this time does not have a basis for making the findings requisite to the promulgation of an exemptive rule under section 3(b) for such securities. The Commission particularly invites comments on this point.

*Nature of the issuer of the underlying security.* With respect to requirements pertaining to the issuer of the underlying security, proposed Rule 238, as revised, would exempt options on any security the issuer of which: (1) Is subject to the reporting requirements of section 13 or 15(d) of the Exchange Act; (2) has filed an annual report under such Act; (3) has filed the most recent annual report required to be filed under such Act; and (4) has filed any other reports or documents required to be filed since the end of the last fiscal year pursuant to sections 13, 14 or 15(d). The above requirements need not be met if the issuer of the underlying security is an insurance company subject to certain state-administered reporting requirements as specified in section 12g(2)(G) of the Exchange Act. Since banks subject to section 12(i) of the Exchange Act do report pursuant to section 13, securities issued by them might be the subject of a Rule 238 option if the other conditions of the proposed rule are met. Proposed Rule 238 would not exempt any option written upon an option registered on the Chicago Board Options Ex-

change since those listed options have been exempted by Commission order from (i.e. are not "subject to") the reporting provisions of section 13 and 15 (d) of the Securities Exchange Act. Securities Exchange Act Release No. 10483 (November 7, 1973).

The proposed rule as previously published would have exempted only options on securities registered or deemed registered on a national securities exchange or listed on the OTC Margin Stocks list.

*Nature of the underlying security.* In addition to the above requirements relative to the issuer of the underlying security, the proposed rule requires that at the time the option is written and endorsed the underlying security must be either (a) registered or deemed registered pursuant to section 12(f) (6) of the Exchange Act on a national securities exchange or (b) quoted by at least five market makers on the automated quotation system of a national securities association registered under section 15A of the Exchange Act. These requirements apply at the time the option is written and endorsed.

An additional requirement regarding the underlying security is that such security must have a price of \$5 or more per share or unit, as determined by reference to: (1) The closing price on the principal national securities exchange on which the security is registered, on the last preceding day on which a sale occurred on such exchange, or (2) if the security is not so registered, the closing representative bid on the preceding business day on the automated quotation system of a national securities association registered under section 15A of the Exchange Act.

*Calculation of the \$500,000 limitation.* The rule requires aggregation of certain put or call options to determine whether the \$500,000 limitation of section 3(b) is satisfied. However, there are separate criteria for writers and endorsers. With respect to the writer, the gross proceeds received by him from the sale of the option and all related options (as defined in the rule) written by such writer, shall not exceed \$500,000. With respect to the endorser, the gross proceeds received by all writers from the sale of the option and all related options (as defined in the rule) that are endorsed by the same endorser, shall not exceed \$500,000. An option is deemed related to another option: (a) If both such options are puts for the same security, or both such options are calls for the same security; and (b) if both such options expire in the same calendar month. For purposes of the rule a call shall not be deemed to be related to a put, whether or not they are sold separately or as a component of combinations of puts and calls such as spreads or straddles.

To elaborate upon the requirements discussed in the preceding paragraph, it may be noted that to determine which options would be "related" and thus aggregated, three elements initially must be present: (1) The option being written or endorsed, and other options to be aggregated, must all be either puts or calls;

(2) such options must pertain to the purchase or sale of the same security; and (3) such options must expire in the same calendar month. It should be noted that gross proceeds of all options meeting the above criteria and written by the same writer shall be aggregated to determine whether the \$500,000 limitation is met. Also, gross proceeds received by all writers from the sale of options meeting the above criteria and endorsed by the same endorser shall be aggregated to determine whether such limitation is met. Accordingly, an endorser would be responsible for assuring that it will not endorse related options, written by one or more writers, in which such writers' gross proceeds exceed the \$500,000 limit. Also a writer would be responsible for assuring that his gross proceeds on related options written by him, regardless of the identity of his endorsers, do not exceed the \$500,000 limit.

Further, as previously published, the proposed rule did not specify what options would be included and excluded in calculating the \$500,000 limitation. Accordingly, the rule has been revised to include related options sold pursuant to any other exemption or in violation of section 5(a) of the Act and to exclude options registered under the Act.

**Nature of the writer.** The writer of an option for which proposed Rule 238 may be available shall not be: (1) The issuer of the security underlying the option; nor (2) a person that, directly or indirectly, controls, is controlled by, or is under common control with the issuer of such security; nor (3) an underwriter, as that term is defined in Section 2(11) of the Act with respect to such security.

The same three concepts discussed in the preceding paragraph were set forth in the proposed rule as previously published.

**Nature of the endorser.** The option must be endorsed by a broker or dealer registered as such under section 15 of the Exchange Act. Further, an option shall not be deemed to be endorsed unless such broker or dealer agrees that it will carry out all of the obligations of the writer of the option in accordance with the terms and conditions thereof in the event the option is exercised in accordance with such terms and conditions and the writer fails to perform such obligations.

The provision concerning endorsements specified in the revised rule differs from that in the previously proposed rule in that a phrase has been added to make clear that the endorser's obligations to perform arise only upon the writer's failure to perform.

The text of the revised proposed rule 238 is as follows:

**§ 230.238 Exemption from registration for certain options and endorsements.**

(a) **Definition.** For purposes of this rule only, the term "option" includes any

put, call, straddle or other option or privilege of buying or selling a specified number of securities at a specified price from or to another person, without being bound to do so, on or prior to a specified date, but such term shall not include any option or privilege which by its terms, may terminate prior to such specified date upon the occurrence of a specified event.

(b) **Securities exempted.** Subject to the terms of this rule, options as defined herein, and endorsements thereof, shall be exempt from registration under the Act, provided all of the following conditions are met:

(1) **Nature of the issuer of the underlying security.** The issuer of the security which may be purchased or sold upon exercise of the option, at the time the option is written and endorsed:

(i) Is subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934;

(ii) Has filed an annual report pursuant to such requirements;

(iii) Has filed the most recent annual report required to be filed pursuant to such requirements; and

(iv) Has filed any other reports or documents required to be filed since the end of its last fiscal year pursuant to Sections 13, 14 or 15(d) of such Act;

*Provided however,* the above requirements in this paragraph (b) (1) need not be met if the issuer of the underlying security is an insurance company subject to section 12(g) (2) (G) of such Act.

(2) **Nature of the underlying security.** The security which may be purchased or sold upon exercise of the option, at the time the option is written and endorsed:

(i) Is either registered or deemed registered pursuant to section 12(f) (6) of the Securities Exchange Act of 1934 on a national securities exchange; or is quoted by at least five market makers on the automated quotation system of a national securities association registered under section 15A of the Securities Exchange Act of 1934; and

(ii) Had a closing price of \$5 or more on the last preceding day on which a sale occurred on the principal national securities exchange on which such security is registered; or, if the security is not so registered, had a closing representative bid of \$5 or more on the preceding business day on an automated quotation system of a national securities association registered under section 15A of the Securities Exchange Act of 1934;

(3) **Calculation of the \$500,000 limitation.** (i) Neither the gross proceeds received by the writer from the sale of the option being sold and of all related options written by such writer, nor the gross proceeds received by all writers from the sale of the option being sold and

of all related options that are endorsed by the same endorser, exceeds \$500,000. An option shall be deemed to be related to the option being sold if such other option: (i) is a put, if the option being sold is a put, or is a call, if the option being sold is a call, for the purchase or sale of the same security; and (ii) has an expiration date in the same calendar month as the expiration date of the option being sold.

(ii) Gross proceeds on related options sold in reliance upon any exemption other than this rule, or sold in violation of section 5(a) of the Act, shall be included in computing the \$500,000 limitation.

(iii) Gross proceeds on related options registered under the Act shall not be included in computing the \$500,000 limitation.

(4) **Nature of the writer.** The writer of the option is not:

(i) The issuer of the security which may be purchased or sold upon exercise of the option; nor,

(ii) A person that, directly or indirectly, controls, is controlled by, or is under common control with the issuer of the security which may be purchased or sold upon exercise of the option; nor,

(iii) An underwriter, as that term is defined in section 2(11) of the Act, with respect to the security which may be purchased or sold upon exercise of the option.

(5) **Nature of the endorser.** The option is endorsed by a broker or dealer who is registered as such under Section 15 of the Securities Exchange Act of 1934. An option shall not be deemed to be endorsed unless thereby such broker or dealer agrees that it will carry out all of the obligations of the writer of the option in accordance with the terms and conditions thereof in the event the option is exercised in accordance with such terms and conditions and the writer fails to perform such obligations.

(Secs. 3(b), 19(a), 48 Stat. 75, 85, sec. 209, 48 Stat. 908, 59 Stat. 167, 84 Stat. 1480, 15 U.S.C. 77c(b), 77s(a)).

The foregoing action is taken pursuant to the Securities Act of 1933, particularly sections 3(b) and 19(a) thereof.

All interested persons are invited to submit their views on the proposed rule, in writing, to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, to be received on or before February 1, 1974. All such communications will be available for public inspection and should refer to File No. S7-477.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

DECEMBER 13, 1973.

[FR Doc.74-505 Filed 1-4-74; 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.

[Public Notice CM-99]

## DEPARTMENT OF STATE

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

#### Notice of Meeting

The Department of State announces that Study Group CMTT of the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on January 15, 1974, at 10:30 a.m. in Room 7132 of the COMSAT Building, 950 L'Enfant Plaza, S.W., Washington, D.C.

Study Group CMTT deals with technical standards for telecommunication systems to permit the transmission of sound and television broadcasting programs over long distances. The purpose of the meeting on January 15 will be to review U.S. contributions to the international meeting of Study Group CMTT in 1974.

Members of the general public who desire to attend the meeting on January 15 will be admitted up to the limits of the capacity of the meeting room.

Dated: December 27, 1973.

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

[FR Doc.74-472 Filed 1-4-74;8:45 am]

## DEPARTMENT OF DEFENSE

### Department of the Navy

### CHIEF OF NAVAL PERSONNEL CIVILIAN ADVISORY BOARD

#### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463 (1972) 1, notice is hereby given that the Chief of Naval Personnel Civilian Advisory Board will hold an open meeting from 8:30 a.m. to 4:30 p.m. on January 11, 1974, in Room 2602, Navy Annex, Arlington, Virginia.

The purpose of this meeting is to inform the Board members of current Navy programs and to seek their advice regarding them.

Dated: December 28, 1973.

H. B. ROBERTSON, JR.,  
Rear Admiral, JAGC, U.S. Navy,  
Acting Judge Advocate General.

[FR Doc.74-478 Filed 1-4-74;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

### COOPERATIVE DOUGLAS FIR TUSSOCK MOTH PEST MANAGEMENT PLAN

#### Draft Environmental Statement; Notice of Availability

CROSS REFERENCE: For a document prepared jointly by the Forest Service, Bureau of Land Management, and Bureau of Indian Affairs concerning a draft environmental statement for the 1974 Cooperative Douglas Fir Tussock Moth Pest Management Plan, see FR Doc. 74-360, *infra*.

### Bureau of Land Management

### IDAHO FALLS DISTRICT ADVISORY BOARD

#### Notice of Meeting

Notice is hereby given that the Bureau of Land Management Idaho Falls District Advisory Board will meet at 10 a.m. on January 15, 1974 in the conference room of the Bureau of Land Management Building, Idaho Falls District, 940 Lincoln Road, in the city of Idaho Falls, State of Idaho. The agenda for the meeting will include the hearing of protests on Advisory Board recommendations and late grazing applications.

The meeting will be open to the public. Those wishing to make an oral statement should inform the Advisory Board Chairman prior to the meeting. Any interested person may file a written statement with the Board for its consideration. The Advisory Board Chairman is Tom Stroschein, c/o District Manager, Bureau of Land Management, 940 Lincoln Road, Idaho Falls, Idaho 83401.

REX D. COLTON,  
Acting State Director.

[FR Doc.74-450 Filed 1-4-74;8:45 am]

### BURNS DISTRICT GRAZING ADVISORY BOARD

#### Notice of Meeting

The Burns District Grazing Advisory Board, Oregon 2, will meet at 9:00 A.M. on January 11, 1974, at the Bureau of Land Management District Office, 74 South Alvord, Burns, Oregon. The purpose of the meeting will be to hear protests on grazing applications and closure of areas to domestic horse use, as well as discussions on any other topics of interest.

The meeting will be open to the public. Time will be available for a limited number of brief statements by members of

the public. Those wishing to make an oral statement should inform the Advisory Board Chairman prior to the meeting of the Board. Any interested person may file a written statement with the Board for its consideration. The Advisory Board Chairman is Mr. James Sitz. Mr. Sitz may be contacted by writing a letter in care of the Bureau of Land Management, 74 South Alvord, Burns, Oregon 97720. Telephone number 503-573-2071.

Dated: December 20, 1973.

ROBERT DALE,  
Acting District Manager.

[FR Doc.74-453 Filed 1-4-74;8:45 am]

### SHOSHONE DISTRICT ADVISORY BOARD

#### Notice of Meeting

Notice is hereby given that the Bureau of Land Management Shoshone District Advisory Board will meet on January 24, 1974 at the District Office, 122 Cherry Street, Shoshone, Idaho, at 9:30 a.m.

The purpose of the meeting will be to protest Advisory Board recommendations and the agenda will include a discussion of the BLM planning system as it concerns the Canyon, Magic and Sun Valley Planning Units; a discussion on well maintenance; and a discussion of the five year goals for Idaho (1803).

The meeting will be open to the public. Any interested person wishing to meet with the Advisory Board should inform the Advisory Board Chairman, Allen Bauscher, Fairfield, Idaho 83327, prior to the meeting. Written statements may also be filed for consideration with Mr. Bauscher.

REX D. COLTON,  
Acting State Director.

[FR Doc.74-451 Filed 1-4-74;8:45 am]

### UTAH STATE ADVISORY BOARD MEETING

#### Notice of Meeting

Notice is hereby given that the Bureau of Land Management Utah State Advisory Board will meet February 5, 1974, at 9:00 a.m. in the Ramada Inn, 1000 South State Street, Salt Lake City, Utah.

The agenda for the meeting will include organization of the board, the role of advisory boards under the new Advisory Board Act, recreation uses of national resource lands in Utah, new categories for oil and gas leasing, National Environmental Policy Act's impact on BLM, land use planning in Utah, energy

crisis effects on BLM and antiquities on national resource lands.

The meeting will be open to the public. Persons desiring to make an oral statement at the meeting should so inform the chairman of the board, c/o BLM State Director, prior to the meeting. In addition, written statements may be filed for the board's consideration.

Additional information concerning the meeting may be obtained from the BLM Utah State Director, P.O. Box 11505, Salt Lake City, Utah 84111 (room 8239 of the Salt Lake Federal Building).

PAUL L. HOWARD,  
State Director.

[FR Doc.74-452 Filed 1-4-74; 8:45 am]

#### WORLAND DISTRICT ADVISORY BOARD

##### Notice of Meeting

DECEMBER 20, 1973.

Notice is hereby given that the Worland District Advisory Board will hold a protest meeting on January 30, 1974, at the Worland District Office, Bureau of Land Management, Worland, Wyoming. The agenda for the meeting will include hearing of protests and any other business to come before the Board.

The meeting will be open to the public as space is available. Time will be available for a limited number of brief statements by members of the public. Those wishing to make an oral statement should inform the Advisory Board Chairman prior to the meeting of the Board. Any interested person may file a written statement with the Board for its consideration.

Written statements and requests to appear before the Board should be submitted to John Rankine, Chairman, c/o District Manager, Bureau of Land Management, Worland, Wyoming 82401.

RICHARD E. CLEVELAND,  
District Manager.

[FR Doc.74-449 Filed 1-4-74; 8:45 am]

#### COOPERATIVE DOUGLAS FIR TUSSOCK MOTH PEST MANAGEMENT PLAN

##### Draft Environmental Statement; Notice of Availability

CROSS REFERENCE: For a document prepared jointly by the Forest Service, Bureau of Land Management, and Bureau of Indian Affairs concerning a draft environmental statement for the 1974 Cooperative Douglas Fir Tussock Moth Pest Management Plan, see FR Doc. 74-360, *infra*.

National Park Service

#### BADLANDS NATIONAL MONUMENT

##### Notice of Intention To Extend Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service,

proposes to extend the concession contract with Oglala Sioux Cedar Pass Concession Enterprise, authorizing it to provide concession facilities and services for the public at Badlands National Monument for a period of one year from January 1, 1974, through December 31, 1974.

The foregoing concessioner has performed its obligations under the expiring contract to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted by February 6, 1974.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: December 20, 1973.

RUSSELL E. DICKENSON,  
Director, National Park Service.

[FR Doc.74-354 Filed 1-4-74; 8:45 am]

#### National Park Service

#### WESTERN REGIONAL ADVISORY COMMITTEE

##### Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Western Regional Advisory Committee will be held from 8:30 a.m. to 4:30 p.m., January 18-19, 1974. The meeting will be held in the Marine Room of the Travelodge-at-the-Wharf, 250 Beach Street, San Francisco, California.

The purpose of the Western Regional Advisory Committee is to provide for a free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or counsel from members of the public in problems pertinent to the Western Region of the National Park Service.

The members of the Committee are as follows:

Mr. Ben Avery, Phoenix, Arizona  
Mr. Jack H. Walston, Los Angeles, California  
Mr. James R. Hooper, Crescent City, California  
Mr. Lewis S. Eaton, Fresno, California  
Mr. Todd Watkins, Bishop, California  
Mr. Ed Fike, Las Vegas, Nevada  
Mr. David W. Ballie, Jr., Lihue, Kauai, Hawaii

The matters to be considered at this meeting are:

1. Status Report on Wilderness Programs Study and Implementation, Western Region.
2. Status Report and Discussion of Special Planning alternatives relating to Lassen Volcanic, Yosemite, Grand Canyon, and Sequoia-Kings Canyon National Parks.
3. Energy Conservation Planning.

The meeting will be open to the public. Any member of the public may file with the Committee a written statement concerning the matters to be considered.

Persons wishing further information concerning the meeting, or who wish to submit written statements, may contact Regional Director Howard Chapman, Western Regional Office, 450 Golden Gate Avenue, San Francisco, California 94102, telephone 415-556-1486. Minutes of the meeting will be available for public inspection three weeks after the meeting at the Western Regional Office of the National Park Service.

Dated: December 26, 1973.

ROBERT M. LANDAU,  
Liaison Officer, Advisory Com-  
missions, National Park Serv-  
ice.

[FR Doc.74-528 Filed 1-4-74; 8:45 am]

#### Office of the Secretary

[INT DES 73-117]

#### DINOSAUR NATIONAL MONUMENT, UTAH AND COLORADO; PROPOSED WILDERNESS

##### Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a draft environmental statement for Proposed Wilderness Classification for Dinosaur National Monument, Utah-COLORADO, and invites written comment within sixty (60) days of this notice. Written comment should be addressed to the Director, Midwest Region and the Superintendent, Dinosaur National Monument at the addresses given below.

The environmental statement considers the establishment of wilderness comprising 45,100 acres in Dinosaur National Monument. In addition to this acreage, 130,300 acres of potential wilderness additions are recommended for inclusion as wilderness when they qualify for consideration.

Copies are available from or for inspection at the following locations:

Midwest Regional Office  
National Park Service  
1709 Jackson Street  
Omaha, Nebraska 68102

State Director  
655 Parfet Street  
P.O. Box 26248  
Lakewood, Colorado 80215

Superintendent  
Dinosaur National Monument  
P.O. Box 101  
Dinosaur, Colorado 81610

Dated: December 28, 1973.

WILLIAM A. VOGELY,  
Acting Deputy Assistant Secretary  
of the Interior.

[FR Doc.74-454 Filed 1-4-74; 8:45 am]

#### Office of the Secretary

EDWARD R. COWLES

##### Notice of Appointment

OCTOBER 4, 1973.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Depart-

ment of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Edward R. Cowles.  
Name of employing agency: Dept. of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Deputy Director, Area 1.

The name of the appointee's private employer or employers: Central Maine Power Company.

The statement of financial interests for the above appointee is enclosed.

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

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 4, 1973, as Deputy Director, Area 1, Defense Electric Power Administration, an officer or director: None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

International Business Machines.  
Xerox Corp.  
Coastal States Gas Producing Corp.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment: Fast Buck Associates (Investment Club).

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment: None.

Dated: October 23, 1973.

EDWARD R. COWLES.

[FR Doc.74-457 Filed 1-4-74;8:45 am]

WILLIAM A. DAVIS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 30, 1973.

Dated: October 30, 1973.

WILLIAM A. DAVIS.

[FR Doc.74-458 Filed 1-4-74;8:45 am]

EDWARD GLASS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Pro-

duction Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 31, 1973.

Dated: October 31, 1973.

EDWARD GLASS.

[FR Doc.74-459 Filed 1-4-74;8:45 am]

DONALD B. GREGG

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 14, 1973.

Dated: November 12, 1973.

DONALD B. GREGG.

[FR Doc.74-460 Filed 1-4-74;8:45 am]

ERNEST H. HILL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of November 8, 1973.

Dated: November 8, 1973.

ERNEST H. HILL.

[FR Doc.74-461 Filed 1-4-74;8:45 am]

FREDERICK W. HOEY

Notice of Appointment

OCTOBER 4, 1973.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Frederick W. Hoey.  
Name of employing agency: Department of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Deputy Director, Area 1.

The name of the appointee's private employer or employers: Boston Edison Company.

The statement of "financial interests" for the above appointee is enclosed.

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

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 4, 1973, as Deputy Director, Area 1, Defense Electric Power Administration, an officer or director: None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

American Tel. and Tel.  
Boston Edison Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment: None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment: None.

Dated: November 4, 1973.

FREDERICK W. HOEY.

[FR Doc.74-456 Filed 1-4-74;8:45 am]

EVAN W. JAMES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) Purchased additional shares of:

Crown Zellerbach common stock  
Wisconsin Public Service Corporation common stock

Purchased shares of Potomac Electric Power Co. common stock.

- (3) No change.
- (4) No change.

This statement is made as of October 30, 1973.

Dated: October 30, 1973.

EVAN W. JAMES.

[FR Doc.74-462 Filed 1-4-74;8:45 am]

MAXWELL S. MCKNIGHT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past six months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of October 31, 1973.

Dated November 8, 1973.

MAXWELL S. MCKNIGHT.

[FR Doc.74-463 Filed 1-4-74;8:45 am]

**NICHOLAS A. RICCI**

**Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 30, 1973.

Dated: October 30, 1973.

NICHOLAS A. RICCI.

[FR Doc.74-464 Filed 1-4-74;8:45 am]

**JOHN ROLFING**

**Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 31, 1973.

Dated: October 31, 1973.

JOHN ROLFING, JR.

[FR Doc.74-465 Filed 1-4-74;8:45 am]

[INT DES 73-116]

**PROPOSED AGASSIZ WILDERNESS AREA, MINNESOTA**

**Notice of Availability of Draft Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a draft environmental statement for the Proposed Agassiz Wilderness Area, Minnesota, and invites written comments by February 21, 1973.

The proposal recommends about 4,000 acres of the Agassiz National Wildlife

Refuge, Becker County, Minnesota, be designated as wilderness within the National Wilderness Preservation System. A public hearing on the proposal will be held in Middle River, Minnesota.

Copies of the draft statement are available for inspection at the following locations:

Bureau of Sport Fisheries and Wildlife  
Federal Building, Fort Snelling  
Twin Cities, Minnesota 55111  
Headquarters  
Agassiz National Wildlife Refuge  
Middle River, Minnesota 56737  
Bureau of Sport Fisheries and Wildlife  
Office of Environmental Quality  
Department of the Interior  
18th and "C" Streets, NW., Room 2246  
Washington, D.C. 20240

Single copies may be obtained by writing the Chief, Office of Environmental Quality, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240. Comments concerning the proposed action should also be addressed to the Chief, Office of Environmental Quality. Please refer to the statement number above.

Dated: December 27, 1973.

WILLIAM A. VOGELY,  
Acting Deputy Assistant Secretary,  
Program Development  
and Budget.

[FR Doc.74-473 Filed 1-4-74;8:45 am]

**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**PERISHABLE AGRICULTURAL COMMODITIES ACT—INDUSTRY ADVISORY COMMITTEE**

**Notice of Open Meeting**

Pursuant to the Federal Advisory Committee Act, section 10(a)(2), dated October 6, 1972, notice is hereby given of a meeting of the Perishable Agricultural Commodities Act—Industry Advisory Committee on Saturday, February 2, 1974, at 9:00 a.m. in Room H of the New Orleans Marriott Hotel, New Orleans, Louisiana.

The purpose of the meeting is to discuss policies and procedures relating to the administration of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a *et seq.*). The meeting will be open to the public. A press briefing will be held by the Committee Chairman at 4:00 p.m. in Room H.

The names of committee members, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Committee Chairman Floyd F. Hedlund, Director, Fruit and Vegetable Division, Agricultural Marketing Service, Room 2077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250; telephone 202-447-4722.

Dated: December 28, 1973.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc.74-524 Filed 1-4-74;8:45 am]

**GRAIN STANDARDS**

**New York and Pennsylvania Inspection Points**

*Statement of considerations.* The International Commercial Exchange, Inc., New York, New York, has requested that its designation under section 7(f) of the U.S. Grain Standards Act (7 U.S.C. 79 (f)) to operate as an official inspection agency at Albany, N.Y.; New York, N.Y.; Ogdensburg, N.Y.; and Erie, Pa., be transferred because International Commercial Exchange is going out of business and is dissolving and liquidating.

Albany Port District Commission, Albany, N.Y., has applied for designation (in accordance with § 26.96 of the regulations (7 CFR 26.96) under the U.S. Grain Standards Act) to operate as an official inspection agency at Albany, N.Y. This application does not preclude other interested persons from making similar applications.

Other interested persons are hereby given opportunity to make application for designation to operate as an official inspection agency at Albany, N.Y.; New York, N.Y.; Ogdensburg, N.Y.; and Erie, Pa., pursuant to the requirements set forth in § 26.96 of the regulations (7 CFR 26.96) under the U.S. Grain Standards Act.

*NOTE:* Section 7(f) of the Act (7 U.S.C. 79(f)) generally provides that not more than one inspection agency shall be operative at any one time for any one city, town, or other area.

Any interested persons who wish to submit views and comments are requested to include the name of the person or agency which they recommend to be designated to operate as an official inspection agency at Albany, N.Y.; New York, N.Y.; Ogdensburg, N.Y.; and Erie, Pa.

All such views and comments should be submitted in writing to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250. All materials submitted should be in duplicate and mailed to the Hearing Clerk not later than February 6, 1974. All materials submitted 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)). Consideration will be given to the views and comments so filed with the Hearing Clerk and to all other information available to the U.S. Department of Agriculture before final determination is made with respect to this matter.

Done in Washington, D.C., on January 2, 1974.

E. L. PETERSON,  
Administrator,  
Agricultural Marketing Service.

[FR Doc.74-521 Filed 1-4-74;8:45 am]

**Forest Service**

[Region 6]

**MALHEUR NATIONAL FOREST GRAZING  
ADVISORY BOARD****Notice of Meeting**

The Malheur National Forest Grazing Advisory Board will meet at 1:30 P.M. on January 25, 1974, at the Malheur National Forest Supervisor's Office, 139 N. E. Dayton Street, John Day, Oregon, 97845.

The meeting is the annual meeting of the board at which a wide variety of topics may be discussed pertaining to livestock grazing on the Malheur National Forest.

The meeting will be open to the public. Persons who wish to attend should notify Mr. Billy Drinkwater, Prairie City, Oregon, 97869, Telephone 503-923-5415. Written statements may be filed with the committee before or after the meeting.

The committee has established no specific rules for public participation. The public may speak up at any time unless the President of the Board announces otherwise after the meeting convenes.

A. WESTMORELAND,  
*Acting Forest Supervisor.*

DECEMBER 21, 1973.

[FR Doc.74-477 Filed 1-4-74;8:45 am]

**COOPERATIVE DOUGLAS-FIR TUSSOCK  
MOTH PEST MANAGEMENT PLAN****Notice of Availability of Draft  
Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, Bureau of Land Management and Bureau of Indian Affairs, Department of the Interior; in cooperation with the Oregon State Department of Forestry, the Washington State Department of Natural Resources and the Idaho State Department of Public Lands has prepared a draft environmental statement for the 1974 Cooperative Douglas Fir Tussock Moth Pest Management Plan, USDA-USDI-FS-DES (ADM)-74-59.

The environmental statement concerns the anticipated chemical treatment of an estimated 650,000 acres of Federal, Indian, and State and private lands in Oregon, Washington, and Idaho for control of the Douglas fir tussock moth, DDT, the only proven effective insecticide for tussock moth control, may have to be applied at a recommended dosage rate of 0.75 pound in 1 gallon of fuel oil per acre. Treatment, if needed, will have to be made in late May, June, and early July 1974. The necessity for treatment and the precise acres needing treatment are dependent on overwintering natural virus and parasite levels.

This draft environmental statement was filed with CEQ on December 28, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3231  
12th St. & Independence Ave., SW.  
Washington, D.C. 20250

USDA, Forest Service  
Pacific Northwest Region  
319 S.W. Pine Street  
Portland, Oregon 97208

Okanogan National Forest  
219 2nd Ave., S.  
Okanogan, Washington 98840

Walla-Walla National Forest  
Federal Building  
Baker, Oregon 97814

Wenatchee National Forest  
3 S. Wenatchee Ave.  
Wenatchee, Washington 98801

Umatilla National Forest  
2517 S.W. Halley Ave.  
Pendleton, Oregon 97801

USDA, Forest Service  
North Region  
Federal Building  
Missoula, Montana 59801  
Clearwater National Forest  
Orofino, Idaho 83544

Colville National Forest  
Colville, Washington 99114

Idaho Panhandle National Forest  
218 N. 23rd  
Coeur d'Alene, Idaho 83814

Nezperce National Forest  
319 E. Main Street  
Grangeville, Idaho 83530

USDA, Forest Service  
Intermountain Region  
324 25th Street  
Ogden, Utah 84401

Sawtooth National Forest  
Intermountain Region  
1825 Addison Ave., E.  
Twin Falls, Idaho 83301

Bureau of Land Management  
Federal Building, Room 398  
550 W. Fort Street  
Boise, Idaho 93702

Bureau of Land Management  
Oregon State Office  
729 N.E. Oregon  
Portland, Oregon 97232

Bureau of Indian Affairs  
1425 N.E. Irving  
Portland, Oregon 97232

A limited number of single copies are available upon request to:

T. A. Schlapfer, Regional Forester  
Pacific Northwest Region, Region 6  
319 S.W. Pine Street  
P.O. Box 3623  
Portland, Oregon 97208

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and en-

force environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Theodore A. Schlapfer, Regional Forester, Region 6, P.O. Box 3623, Portland, Oregon 97208. Comments must be received by February 19, 1974 in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,  
*Deputy Chief, Forest Service.*

DECEMBER 28, 1973.

[FR Doc.74-360 Filed 1-4-74;8:45 am]

**PROPOSED GUIDELINES FOR PREPARA-  
TION OF ENVIRONMENTAL STATEMENTS****Extension of Comment Period**

Pursuant to the Guidelines of the Council on Environmental Quality, as published in the FEDERAL REGISTER on August 1, 1973 (38 FR 20549) appearing as 40 CFR Part 1500, the Forest Service published on November 19, 1973 (38 FR 31922) revised guidelines for preparation of environmental statements required by section 102(2)(C) of the National Environmental Policy Act of 1969 dated January 1, 1970 (P.L. 91-190, 83 Stat. 853, USC (2)(C)). Comments on the proposed guidelines were requested in writing before January 1, 1974. The Forest Service has received several requests for extension of the comment period. In order to provide equal treatment to all interested parties, the public comment period is extended to January 15, 1974.

PHILIP L. THORNTON,  
*Deputy Chief, Forest Service.*

DECEMBER 28, 1973.

[FR Doc.74-361 Filed 1-4-74;8:45 am]

**KETCHIKAN PULP COMPANY TIMBER  
SALE, 1974-1979 OPERATING PERIOD****Notice of Availability of Draft  
Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Ketchikan Pulp Company Timber Sales, 1974 to 1979 Operating Period, USDA-FS-DES (Adm) 74-56.

The environmental statement deals with the timber harvest plan for the 1974-1979 operating period of the Ketchikan Pulp Company long-term timber sale. Timber, fish, wildlife, water, and outdoor recreation are all important resources of the area. The primary action proposed is timber harvest by clearcutting and associated activities.

Timber harvest in the sale area would convert old growth stands to young fast growing trees. Naturalness and aesthetic qualities of the area would de-

crease. Wildlife habitat would be modified by clearcutting and roads. Wilderness character would be lost in areas where timber harvest and related activities are planned.

This draft environmental statement was filed with CEQ on December 19, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3230  
12th St. & Independence Ave., SW  
Washington, D.C. 20250

USDA, Forest Service  
Alaska Region  
Federal Office Building  
Juneau, Alaska 99801

Area Manager, Ketchikan Area  
Tongass National Forest  
Federal Building, Room 313  
Ketchikan, Alaska 99901

Area Manager, Chatham Area  
Tongass National Forest  
Federal Building  
Sitka, Alaska 99835

Area Manager, Stikine Area  
Tongass National Forest  
Federal Building  
Petersburg, Alaska 99833

A limited number of single copies are available upon request to Richard M. Wilson, Area Manager, Tongass National Forest, Ketchikan Area, Box 2278, Ketchikan, Alaska 99901.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and request for additional information should be addressed to Richard M. Wilson, Area Manager, Tongass National Forest, Ketchikan Area, Box 2278, Ketchikan, Alaska 99901. Comments must be received by February 19, 1974 in order to be considered in the preparation of the final environmental statement.

PHILIP L. THORNTON,  
Deputy Chief, Forest Service.

DECEMBER 28, 1973.

[FR Doc.74-359 Filed 1-4-74; 8:45 am]

#### LOWER WOLF PLANNING UNIT; MULTIPLE USE PLAN

##### Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft en-

vironmental statement for Multiple Use Plan Lower Wolf Planning Unit, Forest Service Report No. USDA-FS-DES (Adm) 74-57.

The environmental statement concerns a proposed implementation of a revised multiple use plan for the Lower Wolf Planning Unit, Fisher River Ranger District, Kootenai National Forest, and located in Lincoln County, Montana. The proposal affects approximately 49,000 acres of National Forest lands which have been stratified into five management situations or units with similar resource implications.

This draft environmental statement was filed with CEQ on December 20, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3231  
12th St. and Independence Ave., S.W.  
Washington, DC 20250

USDA, Forest Service  
Northern Region  
Federal Building  
Missoula, MT 59801

USDA, Forest Service  
Kootenai National Forest  
418 Mineral Avenue  
Libby, MT 59923

A limited number of single copies are available upon request to Acting Forest Supervisor Robert W. Damon, Kootenai National Forest, Box AS, Libby, MT 59923.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Acting Forest Supervisor Robert W. Damon, Kootenai National Forest, Box AS, Libby, MT 59923. Comments must be received by February 20, 1974 in order to be considered in the preparation of the final environmental statement.

DECEMBER 28, 1973.

PHILIP L. THORNTON,  
Deputy Chief, Forest Service.

[FR Doc.74-358 Filed 1-4-74; 8:45 am]

#### Office of the Secretary NATIONAL ADVISORY COMMITTEE ON SAFETY IN AGRICULTURE

##### Notice of Determination

Notice is hereby given that the Secretary of Agriculture will again appoint an

Advisory Committee on agricultural safety for the purpose of advising the Secretary and other officials on safety problems and programs in agriculture and on the need for Departmental involvement to help solve the agricultural safety problems. The Secretary has determined that to again establish this committee is in the public interest in connection with the duties imposed on the Department.

The Chairman of this committee will be the Under Secretary, U.S. Department of Agriculture.

This Committee will report its recommendations directly to the Secretary. The Committee will meet at the call of the Chairman and will terminate two years from the date of its establishment.

This notice is given in compliance with Public Law 92-463. Views and comments of interested persons must be received by Robert Gilden, Room 5529, Extension Service, USDA, Washington, D.C. 20250 no later than February 7, 1974.

All written submissions made pursuant to this notice will be made available for public inspection at the office of Mr. Gilden during regular business hours (7 CFR 1.27(b)).

Dated: January 2, 1974.

JEROME A. MILES,  
Acting Assistant Secretary  
for Administration.

[FR Doc.74-525 Filed 1-4-74; 8:45 am]

#### Soil Conservation Service CROSS CREEK WATERSHED PROJECT, PENNSYLVANIA

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Cross Creek Watershed Project, Washington County, Pennsylvania, USDA-SCS-ES-WS-(ADM)-73-48(F).

The environmental statement concerns a plan for watershed protection, flood prevention, water supply and recreation. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by three floodwater retarding structures and one multiple purpose reservoir with storage capacity for municipal water supply and recreation.

The final environmental statement was transmitted to CEQ on December 28, 1973.

Single copy requests are available during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agricultural Building, Room 5227, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

Soil Conservation Service, USDA, Federal Building and Court House, Box 985 Federal Square Station, Harrisburg, Pennsylvania 17108.

Cross Creek Watershed Project, Pennsylvania, Notice of Availability of Final Environmental Statement.

Copies are available for purchase from the National Technical Information

Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please order by name and number of statement. The estimated cost is \$9.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 28, 1973.

WILLIAM B. DAVEY,  
*Deputy Administrator for Water Resources, Soil Conservation Service.*

[FR Doc.74-357 Filed 1-4-74;8:45 am]

#### PERILLA MOUNTAIN WATERSHED PROJECT, ARIZONA

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Perilla Mountain Watershed Project, Cochise County, Arizona, USDA-SCS-ES-WS-(ADM)-71-58(F).

The environmental statement concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by two floodwater retarding structures, two floodways, and one diversion.

The final environmental statement was transmitted to CEQ on December 28, 1973.

Single copy requests are available during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

Soil Conservation Service, USDA, 230 N. 1st Avenue, 8029 Federal Building, Phoenix, Arizona 85025.

Copies are available for purchase from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please order by name and number of statement. The estimated cost is \$4.00.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 28, 1973.

WILLIAM B. DAVEY,  
*Deputy Administrator for Water Resources, Soil Conservation Service.*

[FR Doc.74-356 Filed 1-4-74;8:45 am]

#### NORTH FORK NOLIN RIVER WATERSHED, KENTUCKY

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the

North Fork Nolin River Watershed Project, Larue County, Kentucky, USDA-SCS-ES-WS-(ADM)-73-40(F).

The environmental statement concerns a plan for watershed protection, flood prevention, municipal and industrial water, and recreational water. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by (1) two single-purpose floodwater-retarding structures, (2) one multiple-purpose structure for flood prevention and municipal and industrial water, and (3) one multiple-purpose structure for flood prevention and recreational water.

The final environmental statement was transmitted to CEQ on December 27, 1973.

A limited supply is available at the following locations to fill single copy requests:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW., Washington, D.C. 20250.

Soil Conservation Service, USDA, 333 Waller Avenue, Room 300, Lexington, Kentucky 40504.

North Fork Nolin River Watershed Project, Kentucky, Notice of Availability of Final Environmental Statement.

Copies are available for purchase from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please order by name and number of statement. The estimated cost is \$4.50.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 27, 1973.

EUGENE C. BUIE,  
*Acting Deputy Administrator for Water Resources, Soil Conservation Service.*

[FR Doc.74-365 Filed 1-4-74;8:45 am]

#### UPPER MULBERRY RIVER WATERSHED PROJECT, GEORGIA

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Upper Mulberry River Watershed Project, Barrow, Gwinnett, Hall and Jackson Counties, Georgia, USDA-SCS-ES-WS-(ADM)-72-29(F).

The environmental statement concerns a plan for watershed protection, flood prevention, municipal and industrial water supply. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by (1) two multiple-purpose structures for flood prevention and municipal and industrial water supply, (2) 7 single-purpose floodwater retarding structures, (3) 1.7 miles of selective debris removal from stream channels, (4) 16.2 miles of stream bank protection, and (5) 241 acres of roadbank stabilization.

The final environmental statement was transmitted to CEQ on December 27, 1973.

A limited supply is available at the following locations to fill single copy requests:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

Soil Conservation Service, USDA, 468 North Milledge Avenue, Athens, Georgia 30601.

Upper Mulberry River Watershed Project, Georgia, Notice of Availability of Final Environmental Statement.

Copies are available for purchase from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please order by name and number of statement. The estimated cost is \$4.30.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 27, 1973.

EUGENE C. BUIE,  
*Acting Deputy Administrator for Water Resources, Soil Conservation Service.*

[FR Doc.74-364 Filed 1-4-74;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[DESI 6002; Docket No. FDC-D-309; NDA 9-594 etc.]

### CERTAIN ANTI-INFECTIVE DRUGS

#### Notice of Withdrawal of Approval of New Drug Applications

##### Correction

In FR Doc. 73-25696, appearing on page 33510 in the issue for Wednesday, December 5, 1973, in line 4 of column 3, the words "or before" should be deleted.

### ADVISORY COMMITTEES

#### Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announces the renewal by the Secretary, Department of Health, Education, and Welfare, of the National Advisory Drug Committee for an additional period of two years beyond December 29, 1973, and the Panel on Review of Antacids for an additional period of one year beyond January 4, 1974.

Authority for these committees will expire December 29, 1975, and January 4, 1975, unless the Secretary formally determines that continuance is in the public interest.

Dated: December 27, 1973.

A. M. SCHMIDT,  
*Commissioner of Food and Drugs.*

[FR Doc.74-352 Filed 1-4-74;8:45 am]

National Institutes of Health  
DIVISION OF RESEARCH GRANTS

Notice of Meetings

Pursuant to Public Law 92-463, notice is hereby given of meetings of the following study sections and the individuals from whom summaries of meetings and rosters of committee members may be obtained.

The Chief, Grants Inquiries Office of the Division of Research Grants, Mr. Richard Turlington, will furnish summaries of the closed meetings and rosters of committee members. Substantive information may be obtained from each Executive Secretary whose name, room number and telephone extension are

listed below his Study Section. Mr. Turlington and the Executive Secretaries are all located in the Westwood Building, National Institutes of Health, Bethesda, Maryland 20014. Mr. Turlington's room number is 448, telephone area code 301-496-7441.

These meetings will be open to the public to discuss administrative details relating to Study Section business for approximately one hour at the beginning of the first session of the first meeting and closed thereafter in accordance with the provisions set forth in section 552(b) (4) of Title 5 U.S. Code and section 10(d) of P.L. 92-463 in order to review, discuss and evaluate and/or rank grant applications. Attendance by the public will be limited to space available.

Study section	Time	Location
Allergy and Immunology, Dr. Mischa E. Friedman, Room 320, Telephone 496-7380.	10-12	8:45 Holiday Inn, Franklin Room, Chevy Chase, Md.
Applied Physiology and Biomechanics, Mrs. Ileen E. Stewart, Room 318, Telephone 496-7381.	24-25	9:00 Bldg. 31, C-Wing, Room 9, Bethesda, Md.
Bacteriology and Mycology, Dr. Milton Gordon, Room A-27, Telephone 496-7340.	10-12	8:30 Holiday Inn, Lobby Room, Chevy Chase, Md.
Biochemistry, Dr. William R. Sansone, Room 350, Telephone 496-7516.	25-27	9:00 Bldg. 31, Room 3, Bethesda, Md.
Biophysics and Biophysical Chemistry A, Dr. Irvin Fuhr, Room 237, Telephone 496-7060.	20-21	9:00 Shoreham Hotel, Board Room, Washington, D.C.
Biophysics and Biophysical Chemistry B, Dr. John B. Wolf, Room 238, Telephone 496-7070.	11-12	8:30 Bldg. 31, C-Wing, Room 7, Bethesda, Md.
Cancer Research, Dr. Wendell H. Kyle, Room 330, Telephone 496-7301.	17-19	8:30 Holiday Inn, Adams Room, Chevy Chase, Md.
Cell Biology, Dr. Evelyn A. Horenstein, Room 238, Telephone 496-7020.	17-19	8:30 Holiday Inn, Montgomery Room, Bethesda, Md.
Communicative Sciences, Mr. Frederick J. Gutter, Room 321, Telephone 496-7550.	10-12	9:00 Holiday Inn, Hancock Room, Chevy Chase, Md.
Computer and Biomathematical Sciences, Dr. Bernice S. Lipkin, Room 310, Telephone 496-7588.	9-11	2:00 Bldg. 31, Room 3, Bethesda, Md.
Dental, Dr. Ethel B. Jackson, Room 234, Telephone 496-7318.	16-18	9:00 Bldg. 31, C-Wing, Room 6, Bethesda, Md.
Developmental Behavioral Sciences, Dr. Bertie H. R. Woolf, Room 235, Telephone 496-7471.	15-17	9:00 Bldg. 31, Room 2, Bethesda, Md.
Endocrinology, Mr. Morris M. Craft, Room 333, Telephone 496-7346.	24-26	8:30 Bldg. 31, Room 2, Bethesda, Md.
Epidemiology and Disease Control, Mr. Glenn G. Lamson, Jr., Room 236, Telephone 496-7471.	7-9	9:00 Sheraton Inn, Counsel Room, Silver Spring, Md.
Experimental Psychology, Dr. A. Keith Murray, Room 220, Telephone 496-7004.	16-18	8:30 Bldg. 31, C-Wing, Room 7, Bethesda, Md.
Experimental Therapeutics, Dr. Anne R. Boukce, Room 319, Telephone 496-7389.	9-11	9:30 Shoreham-Americana, Executive Room, Washington, D.C.
General Medicine A, Dr. Harold M. Davidson, Room 354, Telephone 496-7797.	10-12	8:30 Shoreham Hotel, Caucus Room, Washington, D.C.
General Medicine B, Dr. William F. Davis, Jr., Room 322, Telephone 496-7730.	18-19	9:00 Bldg. 31, C-Wing, Room 10, Bethesda, Md.
Genetics, Dr. Katharine S. Wilson, Room 349, Telephone 496-7271.	10-12	2:00 Embassy Row Hotel, LeDirectoire Room, Washington, D.C.
Hematology, Dr. Joseph E. Hayes, Jr., Room 355, Telephone 496-7508.	17-19	9:00 Shoreham Hotel, Club Room A, Washington, D.C.
Human Embryology and Development, Dr. Samuel Moss, Room 221, Telephone 496-7597.	16-18	9:00 Holiday Inn, Hancock Room, Chevy Chase, Md.
Immunology, Dr. James H. Turner, Room A-25, Telephone 496-7280.	10-12	9:00 Bldg. 31, C-Wing, Room 9, Bethesda, Md.
Maternal and Child Health, Dr. Asher A. Hyatt, Room 222, Telephone 496-7288.	24-26	9:00 Bldg. 31, Room 4, Bethesda, Md.
Medical Chemistry, B, Mr. Richard P. Bratzel, Room 222, Telephone 496-7288.	12-13	9:00 Linden Hill Terrace Room, Bethesda, Md.
	10-12	9:00 Bldg. 31, C-Wing, Room 8, Bethesda, Md.

Study section	Time	Location
Metabolism, Dr. Robert M. Leonard, Room 218, Telephone 496-7091.	10-12	8:30 Sheraton Inn, Fiesta East Room, Silver Spring, Md.
Microbial Chemistry, Dr. Gustava Silber, Room 337, Telephone 496-7130.	17-19	8:30 Bldg. 31, C-Wing, Room 9, Bethesda, Md.
Molecular Biology, Dr. Donald T. Disque, Room 223, Telephone 496-7830.	17-19	8:30 Bldg. 31, Room 2, Bethesda, Md.
Neurology A, Dr. William E. Morris, Room 226, Telephone 496-7095.	10-12	9:00 Bldg. 31, C-Wing, Room 10, Bethesda, Md.
Neurology B, Dr. Willard L. McFarland, Room 2A-10, Telephone 496-7422.	10-12	8:30 Shoreham-Americana, Board Room, Washington, D.C.
Nutrition, Dr. John R. Schubert, Room 204, Telephone 496-7178.	17-19	8:30 Bldg. 31, Room 4, Bethesda, Md.
Pathology A, Dr. William E. Svehucuk, Room 337, Telephone 496-7385.	9-11	9:00 Sheraton Inn, Board Room, Silver Spring, Md.
Pathology B, Dr. James K. MacNamee, Room 352, Telephone 496-7244.	10-12	8:30 Bldg. 31, Room 5, Bethesda, Md.
Pharmacology, Dr. Lawrence M. Petrucci, Room 334, Telephone 496-7408.	24-26	9:00 Bldg. 31, C-Wing, Room 10, Bethesda, Md.
Physiological Chemistry, Dr. Robert L. Ingram, Room 338, Telephone 496-7337.	10-12	9:00 Holiday Inn, Adams Room, Chevy Chase, Md.
Physiology, Dr. Clara E. Hamilton, Room 219, Telephone 496-7289.	10-12	2:00 Bldg. 31, Room 4, Bethesda, Md.
Population Research, Miss Carol A. Campbell, Room 210, Telephone 496-7140.	18-19	9:00 Shoreham Hotel, Club Room B, Washington, D.C.
Radiation, Dr. Robert L. Straube, Room 248, Telephone 496-7510.	23-25	9:00 Bldg. 31, C-Wing, Room 8, Bethesda, Md.
Reproductive Biology, Dr. Robert T. Hill, Room 206, Telephone 496-7318.	14-16	9:00 Holiday Inn, Woodmont East Room, Bethesda, Md.
Surgery A, Dr. Raymond J. Helvig, Room 336, Telephone 496-7771.	11-12	8:30 Shoreham-Americana, Club Room A, Washington, D.C.
Surgery B, Dr. Joe W. Atkinson, Room 348, Telephone 496-7506.	11-12	8:30 Shoreham-Americana, Club Room B, Washington, D.C.
Toxicology, Dr. Rob S. McCutcheon, Room 226, Telephone 496-7570.	17-19	8:30 Bldg. 31, C-Wing, Room 8, Bethesda, Md.
Tropical Medicine and Parasitology, Dr. George W. Lattin-moser, Room 319, Telephone 496-7494.	17-19	9:00 Shoreham-Americana, Board Room, Washington, D.C.
Virology, Dr. Claire H. Winestock, Room 340, Telephone 496-7128.	10-12	9:00 Bldg. 31, C-Wing, Room 6, Bethesda, Md.
Visual Sciences A, Dr. Orvil E. A. Bolduan, Room 2A-05, Telephone 496-7140.	30-Feb. 1	9:00 Bldg. 31, C-Wing, Room 7, Bethesda, Md.
Visual Sciences B, Dr. Marie A. Jakus, Room 353, Telephone 496-7251.	16-18	9:00 Holiday Inn, Pennsylvania Room, Bethesda, Md.

(Catalog of Federal Domestic Assistance Program Nos. 13.010, 13.011, 13.104, 13.105, 13.106, 13.200, 13.201, 13.202, 13.203, 13.204, 13.205, 13.206, 13.207, 13.208, 13.210, 13.211, 13.212, 13.213, 13.214, 13.215, 13.216, 13.217, 13.218, 13.220, 13.223, 13.224, 13.225, 13.226, 13.227, 13.228, 13.229, 13.230, 13.231, 13.232, 13.233, 13.234, 13.235, 13.237, 13.238, 13.239, 13.240, 13.241, 13.242, 13.243, 13.244, 13.246, 13.247, 13.248, 13.249, 13.250, 13.251, 13.252, 13.253, 13.254, 13.300, 13.302, 13.303, 13.304, 13.305, 13.306, 13.307, 13.308, 13.311, 13.312, 13.313, 13.315, 13.316, 13.318, 13.319, 13.320, 13.321, 13.322, 13.323, 13.324, 13.326, 13.327, 13.329, 13.330, 13.332, 13.333, 13.334, 13.336, 13.337, 13.338, 13.339, 13.340, 13.341, 13.342, 13.344, 13.345, 13.348, 13.350, 13.352, 13.353, 13.354, 13.355, 13.357, 13.358, 13.359, 13.360, 13.361, 13.362, 13.363, 13.364, 13.366, 13.367, 13.368, 13.369, 13.370, 13.372, 13.373, 13.374, National Institutes of Health, DHEW)

DIVISION OF RESEARCH RESOURCES  
Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the General Research Support Program Advisory Committee, Division of Research Resources, January 31-February 1, 1974. National Institutes of Health, Building 31, Conference Room 8, at 8:30 a.m. This meeting will be open to the public from 8:30 a.m. to 10:30 a.m., January 31, for a report by the Division Director and to discuss present and future direction of the Minority Schools Biomedical Support Program. The meeting will be closed from 10:30 a.m. to 5:00 p.m., January 31 and from 8:30 a.m. to adjournment, February 1, to review, discuss, and evaluate and/or rank grant applications in accordance with provisions set forth in section 552(b) 4 of title 5 U.S. Code for grants and section 10(d) of P.L. 92-463. Attendance by the public is limited to space available.

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(FR Doc. 74-391 Filed 1-4-74; 8:45 am)

The Information Officer who will furnish summaries of the meeting and roster of the Committee members is Mr. James Augustine, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 496-5545.

The Executive Secretary from whom substantive information may be obtained is Dr. Ciriaco Gonzales, Building 31, Room 4B04, Bethesda, Maryland 20014, 496-6743.

(Catalog of Federal Domestic Assistance Program No. 13.375, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-384 Filed 1-4-74;8:45 am]

#### DIVISION OF RESEARCH RESOURCES

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the General Clinical Research Centers Committee, Division of Research Resources, January 28-29, 1974, commencing at 9:00 a.m. on January 28, at Braniff Place, 1500 Canal Street, New Orleans, Louisiana. This meeting will be open to the public from 9:00 a.m. to 9:30 a.m., January 28 for general announcements. The meeting will be closed to the public from 9:30 a.m. to 5:00 p.m., January 28 and from 9:00 a.m. to adjournment, January 29, to review, discuss, and evaluate and/or rank grant applications in accordance with provisions set forth in section 552(b) 4 of title 5 U.S. Code for grants and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

The Information Officer who will furnish summaries of the meeting and rosters of the Committee members is Mr. James Augustine, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 496-5545.

The Executive Secretary from whom substantive information may be obtained is Dr. William DeCesare, Building 31, Room 4B13, Bethesda, Maryland 20014, 496-6595.

(Catalog of Federal Domestic Assistance Program No. 13.333, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-385 Filed 1-4-74;8:45 am]

#### NATIONAL CANCER INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Biometry and Epidemiology Contract Review Committee, National Cancer Institute, January 8, 1974, 9:30 a.m., National Institutes of Health, Landow Building, Conference Room C414. This meeting will be open to the public from 9:30 a.m., to 10:15 a.m., January 8, 1974, to discuss

program plans for the Biometry and Epidemiology Branches, and closed to the public from 10:15 a.m., to 5:00 p.m., January 8, 1974, to review contracts in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014, (301-496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Mr. Harvey Geller, Executive Secretary, Landow Building, Room C519, National Institutes of Health, Bethesda, Maryland 20014, (301-496-6014) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-376 Filed 1-4-74;8:45 a.m.]

#### NATIONAL CANCER INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Bladder-Prostate Cancer Advisory Committee, National Cancer Institute, January 27-28, 1974. On January 27 the meeting will be held at the Linden Hill Hotel, Conference Room 111, 8:30 p.m. to 10:00 p.m. and January 28 at the National Institutes of Health, Building 31, Conference Room 9, from 9:00 a.m. until adjournment. The meeting will be open to the public January 28 from 9:00 a.m. to 1:30 p.m. to review the progress of the National Bladder Cancer Project and plans for the future. Attendance by the public will be limited to space available. The meeting will be closed to the public from 8:30 p.m. to 10:00 p.m. January 27 and from 1:30 p.m. until adjournment January 28 for the purpose of grant review in the field of bladder cancer in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301-496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Samuel Price, Acting Executive Secretary, Westwood Building, Room 853, National Institutes of Health, Bethesda, Maryland 20014 (301-496-7194) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.391, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-386 Filed 1-4-74;8:45 am]

#### NATIONAL CANCER INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Breast Cancer Experimental Biology Committee, National Cancer Institute, January 17, 18, 19, 1974, 9:00 a.m., National Institutes of Health, Building 1, Wilson Hall. This meeting will be closed to the public for discussion and review of contracts in the field of experimental biology in accordance with the provisions set forth in section 552(b) 4 of title 5 U.S. Code and 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the closed meeting and roster of committee members.

Dr. D. Jane Taylor, Executive Secretary, Landow Building, Room A-404, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6718) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-373 Filed 1-4-74;8:45 am]

#### NATIONAL CANCER INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Breast Cancer Treatment Committee, National Cancer Institute, January 4, 1974, 8:30 a.m., National Institutes of Health, Landow Building, Room C-418. This meeting will be open to the public from 8:30 a.m. to 11:00 a.m. to discuss general programs and specifications for requests for proposals concerning breast cancer treatment. Attendance by the public will be limited to space available. The meeting will be closed to the public from 11:00 a.m. to 5:00 p.m., January 4, 1974, to review contract proposals in the field of Treatment of Breast Cancer, in accordance with the provisions set forth in section 552(b) 4 of title 5 U.S. Code and 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Mary E. Sears, M.D., Executive Secretary, Landow Building, Room A-416, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6773) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-371 Filed 1-4-74;8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cancer Clinical Investigation Review Committee, National Cancer Institute, January 21-23, 1974, National Institutes of Health, Building 31, Conference Room 6. This meeting will be open to the public from 8:30 a.m. to 5:00 p.m., January 21, to discuss the operating procedures of the Cancer Clinical Investigation Review Committee, and closed to the public from 8:30 a.m., January 22, until adjournment January 23 for the review of research grant applications in the field of clinical trials in cancer in accordance with the provisions set forth in section 552(b)4 of Title 5, U.S. Code, and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. John E. Lane, Executive Secretary, Westwood Building, Room 10A11, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7903) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.314, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,

Deputy Director,

National Institutes of Health.

[FR Doc.74-390 Filed 1-4-74; 8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the Cancer Control Advisory Committee, National Cancer Institute, January 25, 1974, at 9:00 a.m., National Institutes of Health, Building 31, Conference Room 5. This meeting will be open to the public from 9:00 a.m. to 3:00 p.m., January 25, 1974, for the Committee to review results of three planning conferences for cancer control and to advise the staff on the development of a long-range plan for the Cancer Control Program. The meeting will be closed to the public from 3:00 p.m. until adjournment, January 25, 1974, to review approximately 15 ongoing contracts in the field of cancer control in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and a roster of committee members.

Dr. Robert L. Woolridge, Executive Secretary, Building 31, Room 10A19, Na-

tional Institutes of Health, Bethesda, Maryland 20014 (301/496-1946) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,

Deputy Director,

National Institutes of Health.

[FR Doc.74-372 Filed 1-4-74; 8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cancer Control Education Review Committee, National Cancer Institute, January 23, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 4. This meeting will be open to the public from 8:30 a.m. to 10:00 a.m., January 23, 1974, to orient the new committee members to the policies and objectives of the Cancer Control Program and particularly the Education and Training Branch and closed to the public from 10:00 a.m. to 5:00 p.m., January 23, 1974, to review applications for contracts in accordance with the provisions set forth in section 552(b)4 of Title 5, U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014, (301/496-1911) will furnish summaries of the open/closed meeting and a roster of committee members.

Margaret H. Edwards, M.D., Executive Secretary, Building 31, Room 10A19, National Institutes of Health, Bethesda, Maryland 20014, (301/496-1946) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,

Deputy Director,

National Institutes of Health.

[FR Doc.74-370 Filed 1-4-74; 8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunobiology, Monday, January 28, 1974, from 1:00 p.m. to 4:00 p.m., National Institutes of Health, Building 10, Room 4B-17, Bethesda, Maryland. The meeting will be closed to the public to discuss and review contract proposals submitted in response to a recent request for proposals in the field of immunobiology, in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code, and section 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the closed meeting and roster of committee members.

Barbara H. Sanford, Executive Secretary, Building 10, Room 4B-17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1791) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,

Deputy Director,

National Institutes of Health.

[FR Doc.74-379 Filed 1-4-74; 8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunodiagnosis, Tuesday, Wednesday and Thursday, January 22, from 8:00 p.m. to 11:00 p.m., and January 23 & 24, 1974, from 9:00 a.m. to 5:00 p.m., National Institutes of Health, Landow Building, Room C418, Bethesda, Maryland. The meeting will be closed to the public to discuss and review contract proposals submitted in response to recent requests for proposals in the field of cancer immunodiagnosis, in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code, and section 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the closed meeting and roster of committee members.

Barbara H. Sanford, Ph.D., Executive Secretary, Building 10, Room 4B-17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1791) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,

Deputy Director,

National Institutes of Health.

[FR Doc.74-378 Filed 1-4-74; 8:45 am]

## NATIONAL CANCER INSTITUTE

## Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunotherapy, Thursday and Friday, January 10, from 8:30 a.m. to 11:00 p.m., and January 11, 1974, from 8:30 a.m. to 7:00 p.m., National Institutes of Health, Building 31, Conference Room 2, Bethesda, Maryland. The meeting will be closed to the public to discuss and review contract proposals

submitted in response to recent requests for proposals in the field of cancer immunotherapy, in accordance with the provisions set forth in section 552 (b) 4 of title 5 U.S. Code, and section 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the closed meeting and roster of committee members.

Dorothy Windhorst, M.D., Executive Secretary, Building 10, Room 4B-17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1791) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-377 Filed 1-4-74; 8:45 am]

#### NATIONAL CANCER INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Committee on Cytology Automation, National Cancer Institute, January 24, 1974, 9 a.m., National Institutes of Health, Building 31, Conference Room 3. This meeting will be open to the public from 9 a.m. to 10 a.m., January 24, 1974, to discuss NCI support of cytology automation. Attendance by the public will be limited to space available. The meeting will be closed to the public from 10 a.m. to 5 p.m., January 24, 1974, to review contracts in the fields of cytology automation, cytopathology evaluation and cytopathology specimens in accordance with the provisions set forth in section 552(b) 4 of title 5 U.S. Code and 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland, 20014 (301-496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Mrs. Ann Moss, Executive Secretary, Building 31, Room 3A06, National Institutes of Health, Bethesda, Maryland, 20014, (301-496-1591) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-375 Filed 1-4-74; 8:45 am]

#### NATIONAL EYE INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Vision Research Program Committee of the National Eye Institute on January 25, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 7. This meeting will be open to the public from 8:30 a.m. to 10:30 a.m. on January 25, for discussion on HEW policies under consideration, the role of the Committee in program and program guidance, and an orientation on funding. The meeting will be closed to the public from 10:30 a.m. to approximately 12 (noon), to review a grant application in accordance with the provisions set forth in section 552(b) 4 of title 5 U.S. Code, and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Julian Morris, Information Officer, NEI, Building 31, Room 6A-27, National Institutes of Health, 496-5248, will furnish summaries of the meeting and rosters of the committee members. Substantive program information may also be obtained from Dr. Bernard Wortman, Health Scientist Administrator, Scientific Programs Branch, NEI, Building 31, Room 6A-52, National Institutes of Health, 496-5301.

(Catalog of Federal Domestic Assistance Program No. 13.331, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-382 Filed 1-4-74; 8:45 am]

#### NATIONAL HEART AND LUNG INSTITUTE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Therapeutic Evaluations Committee, National Heart and Lung Institute, January 30-31, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 9. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., January 30, 1974, to discuss the minutes of the October 3-4 meeting and subsequent Council actions on Committee recommendations, an administrative report, an interim report and plans for a workshop on research design; and closed to the public from 9:30 a.m., January 30, 1974 until its adjournment on January 31, 1974 to review 13 applications for research grants, in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Hugh Jackson, Information Officer, NHLI, NIH Landow Building, Room C918, phone 496-4236, will furnish summaries of the meeting and rosters of the

committee members. Substantive information may be obtained from the Executive Secretary, Dr. Elliot Mortzel, NHLI, NIH Westwood Building, Room 653A, phone 496-7351.

(Catalog of Federal Domestic Assistance Program No. 13-346, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc. 74-381 Filed 1-4-74; 8:45 am]

#### NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Infectious Disease Committee, National Institute of Allergy and Infectious Diseases, January 21-22, 1974, 8:30 a.m. to 5:00 p.m., San Francisco, California. This meeting will be open to the public from 8:30 a.m. to 5:00 p.m. on January 21 and from 8:30 a.m. to 12:00 p.m. on January 22, to discuss studies in children with *Hemophilus influenzae* PRP vaccine, meningococcal group A and C vaccines, and pneumococcal polysaccharide vaccines; and closed to the public from 1:00 p.m. to 5:00 p.m. on January 22 to discuss performance of ongoing contracts in accordance with the provisions set forth in section 552(b) 4 of title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Robert Schreiber, Information Officer, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A-34, phone 496-5717 will furnish summaries of the meeting and roster of committee members. Mrs. Martha Mattheis, Executive Secretary of the Infectious Disease Committee, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Building 31, Room 7A-10, phone 496-5105, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-301, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-369 Filed 1-4-74; 8:45 am]

#### NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Population Research Committee of the National Institute of Child Health and Human Development, January 17, 1974, at 9:00 a.m., National Institutes of

Health, Landow Building, Conference Room C-418. This meeting will be open to the public from 9:00 a.m. to 10:30 a.m., January 17, to discuss program status and projections for Population Research Centers and Program Projects. The meeting will be closed to the public from 10:45 a.m. to 5:00 p.m., January 17, to review grant applications in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Ms. Patricia Newman, Information Officer, NICHD, Landow Building, Room A-804B, National Institutes of Health, 496-5133, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from Dr. Bengt Lilje-root, Executive Secretary of the Committee, Room C-729, Landow Building, National Institutes of Health, 496-6515.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,

National Institutes of Health.

[FR Doc.74-383 Filed 1-4-74;8:45 am]

#### NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Environmental Health Sciences, January 18-19, 1974, at 9 a.m., Research Triangle Park, North Carolina, Building 1 Conference Room. This meeting will be closed to the public from 9 a.m. to 5 p.m., January 18, 1974 for the critique and evaluation of the programs of the Pharmacology-Toxicology Branch of NIEHS. The meeting will be open to the general public from 9 a.m. to 11 a.m. on January 19, 1974 to discuss recent legislative developments, Congressional hearings, and other items of interest to NIH and NIEHS and closed to the public from 11 a.m. to 1 p.m. on January 19, 1974 for discussions and recommendations by the Board of Scientific Counselors relating to the programs of the Pharmacology-Toxicology Branch, in accordance with the provisions set forth in section 552(b) 6 to Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Dr. David P. Rall, Director, NIEHS, Research Triangle Park, North Carolina (919) 549-8411, extension 3201, will furnish summaries of the meeting and rosters of the committee members, as well as any substantive information.

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,

National Institutes of Health.

[FR Doc.74-368 Filed 1-4-74;8:45 am]

#### NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Automation in the Medical Laboratory Sciences Review Committee, National Institute of General Medical Sciences, and a symposium sponsored by this Committee. The symposium on "Gas Chromatography-Mass Spectrometry—A New Analytical Technology," will be held January 29, 1974, from 9:00 a.m. to 3:30 p.m., in the Cypress Glenn Room, Holiday Inn-Medical Center, 6701 South Main Street, Houston, Texas. This meeting will be open to the public with attendance limited to space available. The Committee meeting to be held in the Oakshire Room, Holiday Inn-Medical Center, Houston, Texas, will be open to the public from 9:00 a.m. to 12 noon, January 30, 1974, for opening remarks and general discussion, and closed to the public from 1:00 p.m. to 5:00 p.m., January 30, and from 9:00 a.m. to 5:00 p.m., January 31, 1974, to review, discuss, evaluate, and rank contract proposals in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code for grants and contracts and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Telephone: 301-496-5676, will furnish a summary of the meeting and a roster of committee members.

Substantive program information may be obtained from Dr. Robert S. Melville, Executive Secretary, Westwood Building, Room 954, Telephone: 301, 496-7081.

(Catalog of Federal Domestic Assistance Program No. 13.335, General Medical Sciences-Research Grants)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,

National Institutes of Health.

[FR Doc.74-374 Filed 1-4-74;8:45 am]

#### NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Pharmacology-Toxicology Program Committee, National Institute of General Medical Sciences, January 24-25, 1974, 8:30 a.m., National Institutes of Health, Building 31C, Conference Room 6. This meeting will be open to the public from 8:30 a.m. to 12:30 p.m., January 24, 1974, for opening remarks and general discussion on objectives of the program, and closed to the public from 1:30 p.m. to 5:00 p.m., January 24, and from 8:30 a.m. to 5:00 p.m., January 25, 1974, to review, discuss, evaluate, and

rank grant applications and contract proposals in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code for grants and contracts and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Telephone: 301, 496-5676, will furnish a summary of the meeting and a roster of committee members.

Substantive program information may be obtained from Dr. George J. Cosmides, Executive Secretary, Westwood Building, Room 9A03, Telephone: 301, 496-7707.

(Catalog of Federal Domestic Assistance Program No. 13.335, General Medical Sciences-Research Grants)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,

National Institutes of Health.

[FR Doc.74-380 Filed 1-4-74;8:45 am]

#### NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Neurological Disorders Program-Project Review A Committee, National Institute of Neurological Diseases and Stroke, National Institutes of Health, January 18-19, 1974 at 9:00 a.m., in the Madison Room, Sheraton Park Hotel, Washington, D.C. This meeting will be open to the public from 9:00 a.m. until 10:00 a.m. on January 18th, to discuss program planning and program accomplishments and closed to the public from 10:00 a.m. until the conclusion of the meeting, to review, discuss and evaluate and/or rank program project grant applications in accordance with the provisions set forth in section 552(b) 4 of Title V US Code and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Information Officer, NINDS, Bldg. 31, Room 8A03, Bethesda, Maryland, telephone 49-65751.

2. The Executive Secretary from whom substantive program information may be obtained is: Dr. Leon J. Greenbaum, Jr., Room 7A03A, Westwood Bldg., Bethesda, Maryland, telephone 49-67003.

(Catalog of Federal Domestic Assistance Program No. 13.356, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,

National Institutes of Health.

[FR Doc.74-388 Filed 1-4-74;8:45 am]

**NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE**

**Notice of Meeting**

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Neurological Disorders Program-Project Review B Committee, National Institute of Neurological Diseases and Stroke, National Institutes of Health, January 18-19, 1974 at 9:00 a.m., in the Adams Hamilton Room, Sheraton Park Hotel, Washington, D.C. This meeting will be open to the public from 9:00 a.m. until 10:00 a.m. on January 18th, to discuss program planning and program accomplishments and closed to the public from 10:00 a.m. until the conclusion of the meeting, to review, discuss and evaluate and/or rank program project grant applications in accordance with the provisions set forth in section 552(b) 4 of Title V U.S. Code and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Information Officer, NINDS, Bldg. 31, Room 8A03, Bethesda, Maryland, telephone 496-5751.

2. The Executive Secretary from whom substantive program information may be obtained is: Dr. G. Lawrence Fisher, Room 7A03B, Westwood Bldg., Bethesda, Maryland, telephone 496-7326.

(Catalog of Federal Domestic Assistance Program No. 13.356, National Institutes of Health.)

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-387 Filed 1-4-74;8:45 am]

**NATIONAL LIBRARY OF MEDICINE**

**Notice of Meeting**

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Biomedical Library Review Committee, National Library of Medicine, February 6-7, 1974, 8:30 a.m. to 5:00 p.m. each day, in the Board Room of the National Library of Medicine. This meeting will be open to the public from 8:30 a.m. to 11:00 a.m. on February 6, to discuss administrative reports and program developments, and closed to the public from 11:00 a.m. to 5:00 p.m. on February 6, and all day February 7 to review grant applications, in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

The Executive Secretary, who will furnish summaries of both the open and closed meeting portions, a roster of committee members, and substantive program information, is: Dr. Roger W. Dahlen, Chief, Division of Biomedical Information Support, Extramural Programs, National Library of Medicine, 8600 Rock-

ville Pike, Bethesda, Maryland 20014, Telephone No.: 301-496-4191.

Dated: December 26, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.348, 13.351—National Institutes of Health.)

[FR Doc.74-389 Filed 1-4-74;8:45 am]

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. D-74-259]

**DIRECTOR, CONTRACTS AND AGREEMENTS DIVISION**

**Designation of Functions**

The Director, Contracts and Agreements Division, is designated to act for the Secretary with all of the Secretary's powers, functions and duties, in determining that procedures for the consideration of late proposals set forth in 41 CFR 1-3.802-1 are not applicable to a specific class of negotiated procurements conducted by the Department.

(Section 7(d), Department of Housing and Urban Development Act; 42 U.S.C. 3535(d); 41 CFR 1-3.802-2)

*Effective date.* This amendment is effective as of January 2, 1974.

JAMES T. LYNN,  
Secretary of Housing  
and Urban Development.

[FR Doc.74-446 Filed 1-4-74;8:45 am]

**Office of Interstate Land Sales Registration**

[Docket No. N-74-211; Admin. Div. Docket No. 73-102]

**BASILE ESTATES, ET AL.**

**Notice of Hearing**

Notice is hereby given that:

1. Spathodia Land Corporation, Noel Patric Brady, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated November 17, 1973, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Basile Estates, located in the Province of Quebec, Canada, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer received December 5, 1973, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), it is hereby ordered, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge J. Robert Brown, in Room 2149, Department of HUD Building, 451 7th Street SW., Washington, D.C. on January 14, 1974, at 2:00 p.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before January 7, 1974.

5. The Respondent is hereby notified, That failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified shall be issued pursuant to 24 CFR 1710.45(b)(1).

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

By the Secretary.

Dated: January 2, 1974.

GEORGE K. BERNSTEIN,  
Interstate Land Sales Administrator.

[FR Doc.74-448 Filed 1-4-74;8:45 am]

[Docket No. N-74-210; Admin. Div. Docket No. 73-111]

**THEODOSIA HILLS ET AL.**

**Notice of Hearing**

Notice is hereby given that:

1. Theodosia Hills Development Association, Incorporated, Clement F. Voss, President, its other officers and agents, hereinafter known as the "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated November 23, 1973, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Theodosia Hills, located in Ozark County, Missouri, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer received December 14, 1973, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations con-

tained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), it is hereby ordered, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge J. Robert Brown, in Room 2149, Department of HUD Building, 451 7th Street, SW, Washington, D.C. on January 14, 1974, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before January 7, 1974.

5. The Respondent is hereby notified, That failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45 (b) (1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated: January 2, 1974.

GEORGE K. BERNSTEIN,  
Interstate Land Sales Administrator.

[FR Doc.74-447 Filed 1-4-74;8:45 am]

## ATOMIC ENERGY COMMISSION

[Docket Nos. 50-101 and 50-290]

### UNITED NUCLEAR CORP. AND GULF UNITED NUCLEAR FUELS CORP.

#### Notice of Intent To Issue Order Authorizing Dismantling of Facility

By application dated October 23, 1973, and supplements dated November 1 and November 30, 1973, the licensees requested authorization to dismantle the Pawling Lattice Test Rig Facility (PLATR) and the Pawling Test Facility (PTF) in accordance with its dismantling plan. The facilities have not been operated during the last two years and all fuel has been shipped offsite.

The Commission has reviewed the application in accordance with the provisions of the Commission's regulations and has found that the dismantlement and disposal of component parts of the facilities will be accomplished in accordance with the regulations in 10 CFR Chapter I, and will not be inimical to the common defense and security or to the health and safety of the public. The basis for the findings is set forth in the Safety Evaluation by the Regulatory staff which is being issued concurrently with this notice.

Accordingly, an appropriate Order will be issued on January 21, 1974, authorizing United Nuclear Corporation and Gulf United Nuclear Fuels Corporation to dismantle the PLATR and the PTF covered by Facility Licenses Nos. R-49 and CX-25, as amended, in accordance with the

application and the Commission's regulations.

Date of issuance: December 20, 1973.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,  
Assistant Director for Operating Reactors, Directorate of Licensing.

[FR Doc.74-443 Filed 1-4-74;8:45 am]

## ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

### Cancellation of Meeting

JANUARY 2, 1974.

Due to scheduling changes, the meeting of the Advisory Committee on Reactor Safeguards' Subcommittee on the North Anna Power Station previously scheduled for January 9, 1974, and the discussion of the North Anna Power Station scheduled on Thursday, January 10, 1974, from 2:00 p.m. to 4:30 p.m. during the 165th ACRS meeting have been cancelled and will be rescheduled at a later date. Notices of the Subcommittee meeting and the full Committee meeting were previously published at 38 FR 35358, December 27, 1973.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-534 Filed 1-4-74;8:45 am]

[Docket No. 50-382]

## LOUISIANA POWER & LIGHT CO. (WATERFORD STEAM ELECTRIC STATION, UNIT 3)

### Order Scheduling Prehearing Conference Evidentiary Hearing and Other Matters

On December 28, 1973, counsel for all three parties to this proceeding filed a request with this Board (Atomic Safety & Licensing Board) that certain agreed dates be established for the scheduling of the final prehearing conference, the filing of advance, written direct testimony pursuant to the Commission's Rules of Practice, and the commencement of the evidentiary hearing.

There being no opposition to this request, and in view of the recent appointment of a new Chairman due to the death of the prior Chairman, necessitating additional time for the new Chairman to familiarize himself with details of voluminous materials already filed in this proceeding, the request is granted and the suggested schedule is hereby adopted by the Board:

(1) January 8, 1974—9:30 A.M.: Prehearing Conference in New Orleans, La. (Courtroom of the U.S. Court of Appeals for the 5th Circuit, East courtroom, 800 Camp St., New Orleans, Louisiana 70130) to resolve all outstanding motions, and to advise the Board of the proposed order of proof regarding the contentions.

(2) February 1, 1974—Last day for the filing of written direct testimony by all parties pursuant to 10 CFR 2.743(b).

(3) February 19, 1974—9:30 A.M.: Start of evidentiary hearing in New Orleans, Louisi-

ana (address of courtroom to be announced in subsequent Notice of Hearing).

It is so ordered.

Issued at Washington, D.C. this 2d day of January, 1974.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,  
Chairman.

[FR Doc.74-442 Filed 1-4-74;8:45 am]

[Docket Nos. 50-289, 50-320]

## METROPOLITAN EDISON CO. ET AL. (THREE MILE ISLAND, UNITS 1 & 2—JUNIATA LINE)

### Designation of Successor Board Chairman

Charles A. Haskins, the designated Chairman in the above-entitled proceeding, died on December 18, 1973.

Thomas W. Reilly is designated as the successor Chairman of the Board herein.

Dated at Washington, D.C. this 2d day of January, 1974.

NATHANIEL H. GOODRICH,  
Chairman, Atomic Safety  
and Licensing Board Panel.

[FR Doc.74-441 Filed 1-4-74;8:45 am]

[Docket Nos. 50-416, 50-417]

## MISSISSIPPI POWER AND LIGHT CO. (GRAND GULF NUCLEAR STATION, UNITS 1 AND 2)

### Notice and Order Resetting Evidentiary Hearing

By notice and order dated December 13, 1973, the Atomic Safety and Licensing Board (the Board) scheduled an evidentiary hearing to be held on the environmental issues in the above-captioned proceeding, which involves the application of the Mississippi Power and Light Company for construction permits for two boiling water nuclear reactors designated as Grand Gulf Nuclear Station, Units 1 and 2. This hearing was to begin on February 5, 1974, in Port Gibson, Mississippi. However, because of scheduling conflicts, it is necessary for the Board to postpone this hearing from February 5, 1974 until February 19, 1974.

Please take notice and it is hereby ordered, That the evidentiary hearing on environmental issues specified in the Atomic Energy Commission's "Notice of Hearing on Application for Construction Permits" involving the Grand Gulf facility is continued from February 5, 1974 and is rescheduled to begin at 10 a.m. local time on Tuesday, February 19, 1974 in the courtroom of the Circuit Court of Claiborne County, County Courthouse, Market Street, Port Gibson, Mississippi 39150. The hearing shall run continuously until all evidence has been received on the environmental issues or until continued by further order of the Board.

Members of the public are invited to attend this prehearing conference and may request to make limited appearances pursuant to § 2.715(a) of the Commission's rules of practice, 10 CFR Part 2. Limited appearances will be received

from the individuals who have previously indicated in writing or at the prehearing conference of April 19, 1973 that they wish to make limited appearances. Oral or written statements to be presented by limited appearances will be received prior to the start of the taking of evidence at the hearing.

Issued at Washington, D.C. this 28th day of December 1973.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,  
Chairman.

[FR Doc.74-437 Filed 1-4-74; 8:45 am]

[Docket No. 50-410]

**NIAGARA MOHAWK POWER CORP.  
(NINE MILE POINT, UNIT 2)**

**Notice and Order for Further Evidentiary Hearing**

By the Atomic Energy Commission's memorandum and order dated November 6, 1973, RAI-73-11, the Atomic Safety and Licensing Board (the Board) was required to hold a prehearing conference with regard to the contentions relating to energy conservation alternatives and to set a schedule for the presentation of evidence on those alternatives. This prehearing conference was held on December 19, 1973, in Washington, D.C. At that prehearing conference, the Board set the date for the evidentiary hearing on the energy conservation alternatives. This notice implements that scheduling action.

Please take notice and it is hereby ordered, That the evidentiary hearing on the energy conservation alternatives is scheduled to begin at 10:00 a.m., local time, on Wednesday, January 16, 1974, in the United States District Court, Second Floor, Federal Building, Erie Boulevard & Genesee Street, Syracuse, New York 13202. This hearing shall run continuously until all evidence has been received on the energy conservation alternatives or until continued by further order of the Board.

Members of the public are invited to attend this hearing.

By order of the Atomic Safety and Licensing Board.

Issued at Washington, D.C., this 28th day of December, 1973.

DANIEL M. HEAD,  
Chairman.

[FR Doc.74-438 Filed 1-4-74; 8:45 am]

[Docket Nos. 50-219, 50-237, 50-249, 50-254, 50-265, 50-220, 50-245, 50-263, 50-293]

**PETITION FOR DERATING OF CERTAIN BOILING WATER REACTORS**

**Order Dismissing Certain Dockets**

Upon motion made by the Regulatory Staff at the prehearing conference and without objection of any party present, it is hereby ordered, That this proceeding is dismissed with respect to Docket Nos.

50-219, 50-237 and 50-220, and the Director of Regulation is authorized to take appropriate action on the applications for modifications of Technical Specifications in those Dockets. A further opinion stating the reasons for this order will be forthcoming.

Washington, D.C., December 28, 1973.

ATOMIC SAFETY AND LICENSING BOARD,  
GLENN O. BRIGHT,  
GUSTAVE A. LINENBERGER,  
MICHAEL L. GLASER,  
Chairman.

[FR Doc.74-439 Filed 1-4-74; 8:45 am]

[Docket No. 50-465]

**WESTINGHOUSE ELECTRIC CORP.**

**Notice of Application and Consideration of Issuance of Facility Export License**

Please take notice that Westinghouse Electric Corporation, Pittsburgh, Pennsylvania, has submitted to the Atomic Energy Commission an application for a license to authorize the export of component parts of a reactor to Statens Vattenfallsverk, Stockholm, Sweden, and that the issuance of such license is under consideration by the Atomic Energy Commission.

No license authorizing the proposed export will be issued until the Atomic Energy Commission determines that such export is within the scope of and consistent with the terms of an applicable agreement for cooperation arranged pursuant to Section 123 of the Atomic Energy Act of 1954, as amended (Act), nor until the Atomic Energy Commission has found that:

(a) The application complies with the requirements of the Act, and the Atomic Energy Commission's regulations set forth in Title 10, Chapter 1, Code of Federal Regulations, and

(b) The equipment proposed to be exported constitutes important components of a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Atomic Energy Commission does not evaluate the health and safety characteristics of the facility to be exported.

Unless by January 22, 1974, a request for a hearing is filed with the Atomic Energy Commission by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected by the proceeding, the Director of Regulation may, upon the determinations and findings noted above, cause to be issued to Westinghouse Electric Corporation, a facility export license and may cause to be published in the FEDERAL REGISTER a notice of issuance of the license. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice, the Atomic Energy Commission will issue a notice of hearing or an appropriate order.

A copy of the application is on file in the Atomic Energy Commission's Public

Document Room located at 1717 H Street, NW, Washington, D.C.

Dated at Bethesda, Maryland this 14th day of December, 1973.

For the Atomic Energy Commission,  
S. H. SMILEY,

Deputy Director for Fuels and Materials, Directorate of Licensing.

[FR Doc.74-440 Filed 1-4-74; 8:45 am]

[Docket No. 50-336]

**CONNECTICUT LIGHT AND POWER CO.  
ET AL.**

**Notice of Availability of Initial Decision**

In the matter of the Connecticut Light and Power Co., Hartford Electric Light Co., Western Massachusetts Electric Co. and Millstone Point Co. (Millstone Nuclear Power Station, Unit 2).

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulation in Appendix D, section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an Initial Decision dated December 5, 1973, was issued by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of an amendment to Construction Permit No. CPPR-76 to the above applicants. The construction permit is for the Millstone Nuclear Power Station, Unit 2, a pressurized water reactor facility which is designed for initial operation at 2560 megawatts thermal, which is located in Waterford, Connecticut. The Initial Decision is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and in the Waterford Public Library, 49 Rope Ferry Road, Waterford, Connecticut. The Initial Decision is also being made available at the Office of the Director of Planning, Federal/State Relations, Department of Finance and Control, 340 Capitol Avenue, Hartford, Connecticut 06115 and at the Southeastern Connecticut Regional Planning Agency, 139 Boswell Avenue, Norwich, Connecticut 06360.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision modified in certain respects the contents of the Final Environmental Statement relating to the construction of the Millstone Nuclear Power Station, Unit 2, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, Section A.11, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those

contained in the Final Environmental Statement dated June 1973. As required by section A.11 of Appendix D, a copy of the Initial Decision, which modifies the Final Environmental Statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Pursuant to the above mentioned Initial Decision, the Atomic Energy Commission (the Commission) has issued Amendment No. 3 to Construction Permit No. CPPR-76. The amendment adds conditions to the construction permit for the protection of the environment which require the applicants to implement a monitoring program sufficient to detect the onset of conditions detrimental to the environment and to the definition and implementation of necessary remedial measures, and require the applicants to comply with the Commission's Interim Policy Statement on Implementation of section 511 of the Federal Water Pollution Control Act Amendments of 1972.

The Director of Regulation has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

A copy of the Initial Decision dated December 5, 1973 and Amendment No. 3 to Construction Permit No. CPPR-76, and other related documents are available for public inspection at the above designated locations in Washington, D.C. and Waterford, Connecticut. Single copies of the Initial Decision and Amendment No. 3 to CPPR-76 may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing, Regulation.

Dated at Bethesda, Maryland, this 27th day of December 1973.

For the Atomic Energy Commission.

KARL R. GOLLER,  
Chief, Light Water Reactors  
Group 1-3, Directorate of  
Licensing.

[FR Doc.74-436 Filed 1-4-74; 8:45 am]

[Docket Nos. 50-416 and 50-417]

**ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON GRAND GULF NUCLEAR STATION, UNITS 1 AND 2**

**Notice of Meeting**

JANUARY 3, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on the Grand Gulf Nuclear Station, Units 1 and 2, will hold a meeting on January 17 and 18, 1974, in

the Plaza Room of the Hyatt House Hotel, 1740 N. First Street, San Jose, California 95112. The purpose of the meeting will be to review the application of the Mississippi Power and Light Company for a permit to construct Units 1 and 2, which are located in Claiborne County, Mississippi, about 25 miles south of Vicksburg, Mississippi.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

THURSDAY, JANUARY 17, 1974, 9:00 A.M.-5:00 P.M. AND FRIDAY, JANUARY 18, 1974, 9:00 A.M.-5:00 P.M.

Review of the application for a construction permit (presentations by the AEC Regulatory Staff and the Mississippi Power and Light Company and its consultants, and discussions with these groups).

In connection with the above agenda item, the Subcommittee will hold executive sessions at 8:30 a.m. on January 17 and 18, 1974 which will involve a discussion of its preliminary views, and an executive session at the close of the meeting on January 18, 1974, consisting of an exchange of opinions of the Subcommittee members and internal deliberations and formulation of recommendations to the ACRS. In addition, the Subcommittee may hold a closed session with the Regulatory Staff and Applicant to discuss privileged information concerning containment test results, seismic exploration, or fuel design.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the executive sessions at the beginning and end of the meeting will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than January 10, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the application for a construction permit and related documents

which are on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and the Harriet Person Memorial Library, Municipal Building, Port Gibson, Mississippi 39150.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3:30 p.m. on January 18, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call or January 15, 1974, to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., Eastern Daylight Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portions of the meeting will be available for inspection on or after January 23, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545 and within approximately nine days at the Harriet Person Memorial Library, Municipal Building, Port Gibson, Mississippi 39150. On request, copies of the minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 on or after March 19, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-651 Filed 1-4-74; 10:11 am]

## CIVIL AERONAUTICS BOARD

[Docket 26245]

AMERICAN AIRLINES, INC., AND PAN  
AMERICAN WORLD AIRWAYS, INC.;  
ROUTE EXCHANGE AGREEMENT

## Notice on Motions

In order to facilitate the conduct of this proceeding, all motions for consolidation or consideration of issues which enlarge, expand and change the nature of the above-entitled proceeding shall be filed on January 15, 1974, and answers thereto shall be due on January 25, 1974.

This notice will be published in the FEDERAL REGISTER.

[SEAL] WILLIAM H. DAPPER,  
Administrative Law Judge.

DECEMBER 28, 1973.

[FR Doc. 74-529 Filed 1-4-74; 8:45 am]

[Order 73-12-114; Dockets 23944, 22728, 23439, 24017, 25264, 26176, 23856, 21391, 19648, 25319, 25599]

STANLEY G. WILLIAMS AND  
SOUTHERN AIR TRANSPORT, INC.

## Supplemental Renewal Proceeding Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of December, 1973.

By Order 73-12-66, dated December 17, 1973, the Board directed all interested persons to show cause why it should not revoke, cancel, or otherwise terminate the operating authorities of Southern Air Transport, Inc. (SAT) and thereby terminate its status as an air carrier.<sup>1</sup>

The time within which responses were to be proffered having expired, and no responses having been submitted, the matter is ripe for Board action.

Accordingly, we conclude that the tentative findings and conclusions contained in Order 73-12-66 should be made final and SAT's status as an air carrier should terminate.

Accordingly, it is ordered, That:

1. The tentative findings and conclusions set forth in Order 73-12-66, dated December 17, 1973, be and they hereby are made final;

2. The applications of Southern Air Transport, Inc. in Dockets 22728, 23439 and 24017 be and they hereby are dismissed;

3. The status as party of Southern Air Transport, Inc. in the "Supplemental Renewal Proceeding," Docket 23944 be and it hereby is terminated;

4. With respect to Docket 25264, the joint application for acquisition of control be and it hereby is dismissed, and all further proceedings be and they hereby are terminated;

5. Notice is hereby given that the certificate of public convenience and necessity held by Southern Air Transport, Inc.

<sup>1</sup> We also tentatively found and concluded that SAT's motions to withdraw applications and terminate its status as party in Dockets 22728, 23439, 24017, 23944 and 25264 should be granted.

and issued pursuant to Order E-24237,<sup>2</sup> dated September 27, 1966, has been terminated;

6. Pursuant to section 401 of the Act, the certificates of public convenience and necessity issued to Southern Air Transport, Inc. by Orders E-23350 and E-24237,<sup>3</sup> dated March 11, 1966, and September 27, 1966, be and they hereby are cancelled;

7. Pursuant to the Board's reserved jurisdiction, and in accordance with the terms set forth therein, the authority granted by Orders 73-7-82, July 17, 1973; 73-5-65, May 10, 1973; 72-4-93, April 18, 1972, 72-4-70, April 14, 1972; and 71-12-6, December 1, 1971, be and it hereby is revoked; and

8. This Order will be served upon Southern Air Transport, Inc.; all certificated air carriers; and Rich International Airways.

This Order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 74-530 Filed 1-4-74; 8:45 am]

CONSUMER PRODUCT SAFETY  
COMMISSION

[FP 4-72]

## MATTRESSES

Amendments to Flammability Standard;  
Correction

In FR Doc. 73-11273, appearing at page 15095 in the issue of Friday, June 8, 1973, in the first column on page 15098, under "(6) Sheet selection—", the specification reading "fabric weight of 155±14 gm/m<sup>2</sup>" is corrected to read "fabric weight of 115±14 gm/m<sup>2</sup>".

Dated: December 28, 1973.

SADYE E. DUNN,  
Secretary, Consumer Product  
Safety Commission.

[FR Doc. 74-363 Filed 1-4-74; 8:45 am]

VOLUNTARY POWER LAWN MOWER  
STANDARD

## Notice of Meeting

At the request of the Outdoor Power Equipment Institute Advisory Committee, a meeting will be held at 10 a.m. on Thursday, January 10, 1974, in conference room 235, Westwood Towers Building, 5401 Westbard Avenue, Bethesda, Md., to discuss the Consumer Product Safety Commission staff's critique of the American National Standards Institute standard B71.1 for power lawn mowers, lawn and garden tractors, and law tractors (hereinafter referred to as power mowers).

The Commission, by letter dated December 20, 1973, granted a petition from the Outdoor Power Equipment Institute

<sup>2</sup> Paragraph 1 thereof only.

<sup>3</sup> Paragraph 2 thereof only.

requesting the Commission to commence a proceeding for the issuance of a consumer product safety rule for power mowers. The Commission, however, denied that portion of the petition requesting it to publish ANSI standard B71.1 as a proposed consumer product safety rule.

The meeting will be attended by representatives of the Outdoor Power Equipment Institute and the Consumer Product Safety Commission. Any other parties wishing to attend should notify Mr. Don Early, Office of Standards Coordination and Appraisal, Consumer Product Safety Commission, Washington, D.C. 20207 (phone 301-496-7197).

Dated: December 28, 1973.

SADYE E. DUNN,  
Secretary, Consumer Product  
Safety Commission.

[FR Doc. 74-362 Filed 1-4-74; 8:45 am]

COUNCIL ON ENVIRONMENTAL  
QUALITY

## ENVIRONMENTAL IMPACT STATEMENTS

## Notice of Public Availability

Environmental impact statements received by the Council on Environmental Quality from December 17 through December 21, 1973.

NOTE: At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.

## DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, 202-447-3965.

## FOREST SERVICE

## Draft

Cholmondeley Sound Drainage, Tongass N.F., Alaska, December 17: The statement refers to the proposed management plan for the Cholmondeley Sound drainage, Prince of Wales Island, on the Tongass National Forest. The primary action is that of timber harvest by clearcutting. The 72,000 acre unit contains 42,100 acres of commercial stands. Other important resources of the area are fish, wildlife, and recreation. Adverse impact of the action will include the decrease of naturalness and aesthetic quality; wilderness character will be lost where it presently exists. (80 pages). (ELR Order No. 31944.) (NTIS Order No. EIS 73 1944-D.)

West Creek Timber Sale, Nezperce, N.F., Idaho, Idaho County, December 18: The statement refers to the proposed sale of eleven million board feet of mature and overmature sawtimber of the West Fork Race Creek, Nezperce National Forest. The proposed harvest is within the exterior boundaries of the proposed National Recreation Area of Senate Bill S2233. Adverse impact resulting from the action would be to air quality, scenery, solitude, and watershed. (24 pages). (ELR Order No. 31969.) (NTIS Order No. EIS 73 1969-D.)

Gold Creek Planning Unit, Lolo N.F., Mont., Missoula County, December 17: The statement refers to the proposed implementation of a revised multiple use plan for the 17,332 acre Gold Creek Planning Unit of the Lolo National Forest. The planning unit is divided into seven management units, which will be managed for timber production, recreational use, wildlife habitat, and watershed

valu-. A roadless condition will be maintained on 4,871 acres. Roads and other activities will result in the development of 9,248 acres of land which is presently roadless. Adverse impact will include the disturbance of natural conditions of soil, water, vegetation, and wildlife. (122 pages.) (ELR Order No. 31947.) (NTIS Order No. EIS 73 1947-D.)

Vegetation Management, Oreg. and Wash., December 18: The statement refers to the proposed use of the chemical agents 2,4-D, 2,4,5-T, 2,4,5-TP, Amitrole-T, Dicamba, and Picloram on Malheur, Umatilla, and Wallawa-Whitman National Forests. The herbicides will be used in reforestation, site preparation, utility and road right-of-way maintenance, range vegetation, and noxious weed and poison plant control. The use of the chemicals will put herbicide residues into the environment in varying amounts depending upon the chemical used, formulation rates, methods of application, and its fate in the environment. There is a hazard to wildlife in the altering or eliminating of its habitat. (Two volumes.) (ELR Order No. 31965.) (NTIS Order No. EIS 73 1965-D.)

Herbicides in Oregon National Forests, Oreg., several counties, December 18: The statement refers to the proposed use of the chemical agents Amitrole, Atrazine, Dicamba, 2,4,5-T, 2,4-D, Silvex, and Picloram in vegetation management on the Deschutes, Fremont, Ochoco, and Winema National Forests. The use of the chemicals will put herbicide residues into the environment in varying amounts, depending on the chemical used, formulation rates, the method of application, and its fate in the environment. There is no way to keep the herbicide from non-target species; very little is known about the effects of the herbicides on the plant community. There is a hazard to wildlife in the altering or elimination of the habitat. (two volumes.) (ELR Order 31968.) (NTIS Order No. EIS 73 1968-D.)

Keowee Unit, Sumter National Forest, S.C., Oconee County, December 18: The statement refers to the proposed management plan for the 15,900 acre Keowee Unit, Sumter National Forest. Included in the plan are the construction of hiking trails and parking lots; a wildlife management program featuring deer and turkey, with the construction of two small hunting camps; and a timber management program, which calls for the clearcutting of 1,580 acres. The plan calls for the closure and rehabilitation of 17 miles of primitive roads and the closure of public lands. Adverse impact will be to wildlife, water quality, soils, vegetative cover, and aesthetics, due to timber harvest, road and trail construction, and operation of motor vehicles. (ELR Order No. 31966.) (NTIS Order No. EIS 73 1966-D.)

Vernal Planning Unit, Ashley N. F., Utah, Uintah, Duchesne, Daggett Counties, December 18: The statement refers to the proposed management plan for the 338,200 acre Vernal Planning Unit of Ashley National Forest. The unit has been divided into seven sub-units, which will be managed for water, recreation, timber, wildlife, grazing, wilderness, and mineral values. Of a total of 174,700 acres of roadless and undeveloped land in the unit, 67,000 acres will remain unroaded, 79,300 acres may have temporary roads, and 28,400 acres will be roaded and developed for non-wilderness. (220 pages.) (ELR Order No. 31967.) (NTIS Order No. EIS 73 1967-D.)

#### Final

Cibola National Forest, N. Mex., December 17: The proposal under consideration is a Timber Management Plan for the Forest; it is based upon a planned annual allowable harvest of 7.4 million board feet. The plan would provide direction and guidance to the systematic management of timber resources within the constraints of a multiple use plan

for the protection of environmental qualities. Adverse effects of the proposal would include air and water pollution, erosion of soils, impairment of natural beauty, and the possibility of fire. (133 pages.) Comments made by: EPA, DOI, state and local agencies and concerned citizens. (ELR Order No. 31948.) (NTIS Order No. EIS 73 1948-F.)

South Holston Unit, Cherokee National Forest, Tenn., Va., December 18: The proposed action is the initiation of a 10-year management plan for the 37,714 acre Unit of the National Forest. The plan allows for an annual timber harvest of 3.2 million board feet. Approximately 38 miles of access road will be constructed, along with 10 miles of cycle trails and 11 miles of flat loop trails. There will be improvement of some wildlife habitat, and restrictions placed upon the use of off-road vehicles. Adverse effects of the plan include soil movement and visual impact from logging and motorized vehicles, and dispersed litter from recreationists. (Approximately 120 pages.) Comments made by: DOI, EPA, DOT, TVA. (ELR Order No. 31972.) (NTIS Order No. EIS 73 1972-F.)

#### SOIL CONSERVATION SERVICE

#### Draft

Lost River Subwatershed, Potomac River, W. Va., Hardy County, December 18: The statement refers to a proposed watershed protection and flood prevention project on the 94,750 acre subwatershed. Project measures will include four single-purpose flood-water retarding structures, one multiple purpose structure, and land treatment measures. Adverse impact of the project will include the inundation of 2.4 miles of stream and 292 acres of farmland and associated wildlife habitat, as well as the displacement of eleven residences. (55 pages.) (ELR Order No. 31971.) (NTIS Order No. EIS 73 1971-D.)

#### DEPARTMENT OF DEFENSE, ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, S.W., Washington, D.C. 20314, (202) 693-7168.

#### Draft

Cache River Basin Project (2), Ark. December 20: The statement, a revised draft, refers to the proposed construction of 231.5 miles of channel enlargement and realignment, in order to provide adequate drainage outlets and reduce flooding on 788,500 acres of land. Also recommended is the acquisition of 30,000 acres for the mitigation of project-induced loss of fish and wildlife. Existing terrestrial and aquatic communities will be adversely affected; a considerable amount of basin woodlands will be cleared as an indirect result of the project; wetland habitat will be damaged; localized changes in waterfowl use patterns will occur as a result of reductions in overbank flooding. (Memphis District.) (3 Volumes.) (ELR Order No. 32007.) (NTIS Order No. EIS 73 2007-D.)

William L. Springer Lake, Sagamon River, Ill., several counties, December 18: The statement refers to the proposed construction of the five major components of the William L. Springer Lake. Included are Springer Dam and Lake, Friends Creek Dam and Subimpoundment, Greenbelt corridor, the Greenbelt levee system, and upstream flood protection. Project purposes include flood control, water supply, recreation and stream-flow regulation. A total of 33,045 acres of land, involving 1,145 ownerships, will be acquired for project measures. The project conservation pools will inundate 4,200 acres; an additional 5,455 acres would be included in full flood pools. Archeological sites and agricultural land will be lost to the project. (Chi-

cago District.) (ELR Order No. 31954.) (NTIS Order No. EIS 73 1954-D.)

Onaga Lake, Kans., Pottawatomie County, December 19: The statement refers to the proposed construction of Onaga Lake, a multi-purpose lake project on Vermillion Creek. At the top of the multi-purpose pool the lake will have a surface area of 5,320 acres; at the top of the flood control pool the lake will have a surface area of 10,600 acres. The project will result in the inundation of 17 miles of stream; 12,210 acres of land will be purchased in fee simple for project purposes. Adverse impact will include the inundation of wildlife habitat and stream fishery; the displacement of people; effects to the agricultural economy; and loss of archeological and historical sites. (Kansas City District.) (ELR Order No. 31977.) (NTIS Order No. EIS 73 1977-D.)

Biloxi Harbor Dredging, Miss., December 17: The project includes the continued maintenance of existing Federal channels; expansion of a segment of existing Federal channel to its currently authorized dimensions; and the transformation of existing channels which were constructed and maintained by local interests into a Federal project. Adverse impacts include the loss of bottom dwelling organisms, temporary increases in turbidity, temporary reduction in primary production, loss of phytoplankton, and the increasing of the level of certain dissolved pollutants by resuspending contaminated sedimentary material through dredging operations. (Mobile District.) (55 pages.) (ELR Order No. 31941.) (NTIS Order No. EIS 73 1941-D.)

Freeport Harbor Navigation Project, Tex., Brazoria County, December 17: The project involves the altering of the existing 36-foot navigation project, by easing a channel bend near the Gulf Intracoastal Waterway and Brazosport turning basin, and increasing the size of the vessel maneuvering area at the north of Brazos Harbor Channel. Adverse impacts include the removal of some bottom dwelling organisms, and the loss of 135 acres of vegetation due to the disposal of dredged materials. Dredging operations will cause localized and temporary increases in turbidity. (ELR Order No. 31937.) (NTIS Order No. EIS 73 1937-D.)

Lewisville Lake, Tex., December 19: The statement refers to the Lewisville Lake Operation and Maintenance Program which includes flood control, water conservation, operation and maintenance of project structures and facilities as well as parks for recreational use, and management of land and water resources. Adverse impacts of the already existing dam project are: altered natural cycle of flooding; eroded soil from lake shore; possible destruction of vegetation through inundation; sanitation problems; altered water quality and chemistry by storage; and displaced wildlife and damaged habitat by storing flood waters. (Ft. Worth District.) (47 pages.) (ELR Order No. 31974.) (NTIS Order No. EIS 73 1974-D.)

Milwaukee Harbor Navigation Improvements, Wis., December 19: The project provides for the deepening of approximately 97 acres of Milwaukee's north outer harbor to promote the movement of general cargo commerce. In conjunction with the dredging operation, a dike structure enclosing 65 acres will be built in the south outer harbor. Adverse impacts include alteration of bottom sediments; the destruction of benthos by the dredging dike construction; creation of minor turbidity; and potential plant and animal destruction. (Chicago District.) (56 pages.) (ELR Order No. 31976.) (NTIS Order No. EIS 73 1976-D.)

#### Final

Virginia Key Beach Erosion Control Project, Fla., December 17: Proposed is a beach

erosion control project which will involve the placement of 100,000 cu. yds. of sand on 1.3 miles of ocean shore of Virginia Key, and the construction of one impermeable and 12 permeable groins. Material for beach nourishment will come from the Miami Harbor deepening project. There will be some adverse impact to marine habitat. (Jacksonville District.) (67 pages.) Comments made by: USDA, DOC, EPA, HUD, DOI, state and local agencies. (ELR Order No. 31952.) (NTIS Order No. EIS 73 1952-F.)

St. Francis Basin Project, Mo., Ark., December 17: The statement refers to the completion of a flood control and drainage improvement project which is presently 41% complete. Features of the project include a reservoir in south east Missouri and channel works, levees, control structures, and pumping stations. That portion of the project remaining includes 475 miles of channel works and the acquisition of 34,000 acres (including 11,000 acres of woodland). There will be adverse impact to wildlife communities and possible damage to historic and archeological resources. (245 pages.) Comments made by: USDA, DOI, EPA, state and local agencies. (ELR Order No. 31946.) (NTIS Order No. EIS 73 1946-F.)

#### ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630, Waterside Mall, Washington, D.C. 20460, (202) 755-0940.

#### Draft

Valley Forge Waste Treatment Facility, Chester County, Pa., December 17: The statement refers to the proposed granting of Federal financial assistance for the construction of wastewater treatment facilities to serve the municipalities of Schuylkill, Charlestown, East Pikeland, Tredyffrin, Easttown, East Whiteland, Willistown, and Malvera. Facilities will include an eight MGD treatment plant and interceptor sewers, and will be operated by the Valley Forge Sewer Authority. Discharge will be to the Schuylkill River. Adverse impact will include increased noise levels, traffic disruption, wildlife habitat disruption, and the temporary impacts from construction activities. (ELR Order No. 31945.) (NTIS Order No. EIS 73 1945-D.)

#### GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets, N.W., Washington, D.C. 20405, (202) 343-4161.

#### Draft

Federal Office Building, Manchester, N.H., Hillsborough County, December 19: The statement refers to the proposed construction of a new Federal office building in Manchester. The building will be located in the city sponsored Civic Center Urban Renewal Project, and will have a gross area of 175,000 sq. ft. The building will also serve as an "Energy Conservation Demonstration Project." The building is expected to have a considerable impact upon the design practices of engineers and architects. (69 pages.) (ELR Order No. 31978.) (NTIS Order No. EIS 73 1978-D.)

#### Final

U.S. Courthouse, Orlando, Fla., Orange County, December 17: Proposed is the construction of a U.S. Courthouse and Federal Building, containing 182,492 gross sq. ft. The six floor building will house 28 agencies, the U.S. Courts, and parking for 140 vehicles. There will be local construction disruption. (54 pages.) Comments made by: EPA, DOI, USDA, HUD, state and local agencies. (ELR

Order No. 31939.) (NTIS Order No. EIS 73 1939-F.)

#### DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

The draft environmental impact statements which were filed by the Department of the Interior on December 20 refer to provisions of the Alaska Native Claims Settlement Act.

#### Draft

Proposed Chugach N.F. Additions, Alaska, December 20: The statement refers to the proposed addition of 672,000 acres of public lands to the Chugach National Forest. Management would be in accordance with the laws, rules, and regulations applicable to the Forest Service. Short term exploration of the Forest resources will be limited in order to maintain a sustained yield of goods and services. (90 pages.) (ELR Order No. 31979.) (NTIS Order No. EIS 73 1979-D.)

Proposed Porcupine National Forest, Alaska, December 20: The statement refers to the proposed designation of 5.5 million acres of public lands as the Porcupine National Forest, and of portions of the Sheenjek and Porcupine Rivers as components of the Wild and Scenic Rivers System. The overall impact of the action will be the protection, conservation, and management of the area's renewable surface resources, with mineral extraction permitted under existing laws. Adverse impacts may include a reduction in wildlife habitat productivity, and disturbances to air, water, and scenic qualities. Mineral extraction will lead to depletion of those resources. (221 pages.) (ELR Order No. 31981.) (NTIS Order No. EIS 73 1981-D.)

Proposed Wrangell Mountains National Forest, Alaska, December 20: The statement refers to the proposed congressional designation of 5.5 million acres of public lands as the Wrangell Mountains National Forest, and the Bremner River as a component of the Wild and Scenic River System. The overall impact of the action is that of the protection, conservation, and management of the area's renewable surface resources, with mineral extractions permitted under present laws. (252 pages.) (ELR Order No. 31994.) (NTIS Order No. EIS 73 1994-D.)

Proposed Iliamna National Resource Range, Alaska, December 20: The statement refers to the proposed legislative designation of 2.8 million acres of public lands in the Lake Iliamna Nushagak River area of Alaska as the Iliamna National Resource Range. It is also proposed that a 47 mile segment of the Alagnak River be designated as a component of the National Wild and Scenic River System. The Bureau of Land Management would have primary responsibility for implementation of the land-use plan related to the action, with assistance coming from the Bureau of Sports Fisheries and Wildlife. Mineral development, except for valid existing rights, will be under the discretionary control of the Federal Government. (275 pages.) (ELR Order No. 31997.) (NTIS Order No. EIS 73 1997-D.)

Proposed Yukon-Kuskokwim National Forest, Alaska, December 20: The statement refers to the proposed legislative designation of 7.3 million acres of public lands as the Yukon Kuskokwim National Forest, to be managed by all the laws, rules, and regulations applicable to the National Forest System; and to the designation of portions of the Nowitna River as components of the Wild and Scenic Rivers System. The overall impact of the action is the protection, conservation, and management of the area's renewable surface resources, with mineral extraction permitted under existing laws.

(241 pages.) (ELR Order No. 32004.) (NTIS Order No. EIS 73 2004-D.)

#### BUREAU OF OUTDOOR RECREATION

#### Draft

Proposed Fortymile National Wild River, Alaska, December 20: Proposed is the legislative designation of 375 miles of the Fortymile River drainage system and an adjacent 320,000 acres of land along the United States-Canada border as a component of the National Wild and Scenic Rivers System. Administration would be by the Bureau of Land Management. Mining in scenic and recreational river areas will be permitted under regulations to provide safeguards against pollution and unnecessary impairment of the scenery. The overall affect of the action would be the preservation of existing scenic, recreational, historic, and water quality values. (183 pages.) (ELR Order No. 31980.) (NTIS Order No. EIS 73 1980-D.)

Proposed Unalakleet Wild River, Alaska, December 20: The statement refers to the proposed legislative designation of 60 miles of the Unalakleet River and 104,000 acres of adjacent land in the Norton Sound region of northwest Alaska as a component of the National Wild and Scenic Rivers System. Inclusion of the land will have the overall effect of preserving the existing scenic, recreational, and water quality values of the river. Adjacent lands would be retained in their existing primitive condition. (126 pages.) (ELR Order No. 31982.) (NTIS Order No. EIS 73 1982-D.)

Proposed Birch Creek National Wild River, Alaska, December 20: The statement refers to the legislative designation of a 135 mile segment of Birch Creek and 200,000 acres of adjacent land in the center of Interior Alaska as a component of the National Wild and Scenic Rivers System. The overall effect of the action is the preservation of existing scenic, recreational, and water quality values. (100 pages.) (ELR Order No. 31983.) (NTIS Order No. EIS 73 1983-D.)

Proposed Beaver Creek National Wild River, Alaska, December 20: The statement refers to the proposed legislative designation of a 135 mile segment of Beaver Creek and 200,000 adjacent acres as a component of the National Wild and Scenic River System, under the administration of the Bureau of Land Management. The overall effect of the action will be that of preserving the existing scenic, recreational, and water quality values of the river; existing primitive conditions will be maintained. Mining would be prohibited. (99 pages.) (ELR Order No. 31999.) (NTIS Order No. EIS 73 1999-D.)

#### BUREAU OF RECLAMATION

#### Final

Oahe Unit, S. Dak., several counties, December 17: The statement considers the development of the Oahe Unit of the Pick-Sloan Missouri Basin Project. Water will be diverted from Lake Oahe (on the Missouri River) and used for the irrigation of 190,000 acres, for municipal supply by 17 towns and cities, and for wildlife and recreation purposes. Approximately 444,400 acre-ft. of water will be diverted from the Lake annually, reducing hydroelectric production by 172 million kw hours. Ninety thousand acres (of which 9,420 are wetland) will be required for project facilities. (429 pages.) Comments made by: DOI, USDA, HEW, DOT, FPC, EPA, USA, state and local agencies, and concerned citizens. (ELR Order No. 31953.) (NTIS Order No. EIS 73 1953-F.)

#### BUREAU OF SPORTS FISHERIES AND WILDLIFE

#### Draft

Proposed Alaska Coastal National Wildlife Refuge, Alaska, December 20: The statement refers to the proposed legislative designation of 65,000 acres of public lands along

the coast of Alaska as the Alalik, Barren Islands, Bering Sea, Chukchi Sea, Kodiak, and Shumagin Islands National Wildlife Refuges. (This would amount to the establishment of four new refuges, and additions to the other two.) Additional lands within the area of ecological concern would be acquired by the Secretary of the Interior, should they become available. The lands of the Refuges would be withdrawn from all forms of appropriations under the public land laws, including the mining and mineral leasing laws. (317 pages.) (ELR Order No. 31987.) (NTIS Order No. EIS 73 1987-D.)

Proposed Yukon Delta National Wildlife Refuge, Alaska, December 20: The statement refers to the proposed legislative designation of 4.7 million acres of public lands adjacent to the Clarence Rhode National Wildlife Refuge as the Yukon Delta National Wildlife Refuge. Public lands within an area of ecological concern including the Clarence Rhode National Wildlife Range and the Hazen Bay Migratory Waterfowl Refuge would be acquired by the Secretary of the Interior, should they become available. The lands would be withdrawn from all forms of appropriation under public land laws, including the mining and mineral leasing laws; the Yukon Refuge would be studied for possible inclusion in the National Wilderness Preservation System. (257 pages.) (ELR Order No. 31988.) (NTIS Order No. EIS 73 1988-D.)

Selawik National Wildlife Refuge, Alaska, December 20: Proposed is the legislative designation of 1.4 million acres of public lands east of Kotzebue Sound as the Selawik National Wildlife Refuge. (Included would be the Chamisso National Wildlife Refuge.) The Secretary of the Interior would be granted authority over all navigable waters within the Refuge, and would be authorized to purchase private inholdings as they become available. The lands of the Refuge would be withdrawn from all forms of appropriation under public land laws, including mining and mineral lease laws; and the Refuge would be studied for possible inclusion in the National Wilderness Preservation System. (293 pages.) (ELR Order No. 31989.) (NTIS Order No. EIS 73 1989-D.)

Proposed Togiak National Wildlife Refuge, Alaska, December 20: The statement refers to the proposed designation of 214,600 acres of public interest lands and 2,626,500 acres of national interest lands, 587,300 acres of refuge replacement lands and 2,800 acres of public domain lands, as well as the 247,700 acre Cape Newenham National Wildlife Refuge, as the Togiak National Wildlife Refuge. The Refuge would be administered by BSWF, and would be studied for possible inclusion in the National Wilderness Preservation System. Additionally, 60 miles of the Kanektok River would be designated as a Wild River. Potential long-term adverse impact would result from the denial of intensive resource development. (ELR Order No. 31995.) (NTIS Order No. EIS 73 1995-D.)

Proposed Noatak National Ecological Range, Alaska, December 20: The statement refers to the proposed designation of 7.5 million acres of public lands in the Noatak and Squirrel River basins of northwestern Alaska as the Noatak National Ecological Range. The Range would be managed by the BLM, and be placed under a twenty year development moratorium. Additionally, 265 miles of the Noatak River would be designated as a component of the National Wild and Scenic Rivers System. The ecological range would be closed to all forms of appropriation under the public laws; comprehensive studies would be made of the area's natural resource values, including minerals and wilderness; the Secretary would report his findings to Congress in 20 years. (ELR

Order No. 31996.) (NTIS Order No. EIS 73 1996-D.)

Proposed Yukon Flats National Wildlife Refuge, Alaska, December 20: The statement of public lands be designated by Congress as the Yukon Flats National Wildlife Refuge. The Secretary of the Interior would have the authority to acquire lands and interests within the Refuge boundary should they become available. The lands would be withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The Yukon Refuge would be studied for possible inclusion in the National Wilderness Preservation System. Overall impact of the proposal is the protection of the area's fish and wildlife resources. (95 pages.) (ELR Order No. 31998.) (NTIS Order No. EIS 73 1998-D.)

Arctic National Wildlife Refuge, Alaska, December 20: The statement refers to the proposed addition of four million acres of public lands to the Arctic National Wildlife Refuge, and the legislative designation of the combined area as the Arctic National Wildlife Refuge. The Secretary of the Interior would be authorized to acquire private lands, and to withdraw the area from all forms of entry and appropriation under the public lands laws, including the mining and mineral leasing laws. The Refuge would be further studied for possible inclusion in the National Wilderness Preservation System. The action will result in the denial of intensive resource development. (approximately 300 pages.) (ELR Order No. 32005.) (NTIS Order No. EIS 73 2005-D.)

Proposed Koyukuk National Wildlife Refuge, Alaska, December 20: Proposed is the legislative designation of 4.5 million acres of public lands as the Koyukuk National Wildlife Refuge. Authority would be granted to acquire lands and interests within the refuge boundary if the holder should elect to divest itself of the interests. The Refuge would be studied for possible inclusion in the National Wilderness Preservation System. (222 pages.) (ELR Order No. 32006.) (NTIS Order No. EIS 73 2006-D.)

Wolf Creek National Fish Hatchery, Ky., Russell County, December 17: Proposed is the construction and operation of a national fish hatchery below Wolf Creek Dam, for the propagation of rainbow trout. Adverse impact will include the discharge of hatchery waste water to the Cumberland River, with resultant organic enrichment of river water. (37 pages.) (ELR Order No. 31943.) (NTIS Order No. EIS 73 1943-D.)

#### NATIONAL PARK SERVICE

##### Draft

Proposed Harding Icefield-Kenal Fjords N.M., Alaska, December 20: The statement refers to the proposed legislative designation of 300,000 acres of land and water on the south coast of the Kenai Peninsula as the Harding Icefield-Kenal Fjords National Monument, and the legislative recognition of 460,000 acres as an Area of Ecological Concern (AEC). Also proposed is a conceptual master plan to guide the management of the area. (253 pages.) (ELR Order No. 31984.) (NTIS Order No. EIS 73 1984-D.)

##### Draft

Proposed Mount McKinley National Park, Alaska, December 20: The statement refers to a proposal that Congress legislatively add land and water parcels to Mount McKinley National Park, increasing the size of the Park from the present 1,939,493 acres to 5,150,000 acres. Also proposed is a master plan for the administration of the Park, and the continuation of a cooperative planning and management zone to the south and east of the Park. The proposal may affect wildlife,

scenic and geologic features, natural resources development, and recreation. (286 pages.) (ELR Order No. 31985.) (NTIS Order No. EIS 73 1985-D.)

Proposed Cape Krusenstern National Monument, Alaska, December 20: The statement refers to the proposed legislative designation of 350,000 acres of lands and waters in northwestern Alaska as the Cape Krusenstern National Monument, in order to protect nationally significant historic and archeologic values and their natural environment. The Monument would be administered by the NPS. The lands of the Monument would be withdrawn from all forms of appropriation or entry under public land laws, and would be closed to sport hunting. The Monument would be studied for possible inclusion in the National Wilderness Preservation System. (195 pages.) (ELR Order No. 31986.) (NTIS Order No. EIS 73 1986-D.)

Proposed Kobuk Valley National Monument, Alaska, December 20: Proposed is the Congressional designation of lands and waters of the public domain as the Kobuk Valley National Monument; and of the Salmon River as a Wild River under the Wild and Scenic Rivers Act. Also proposed is a master plan for administration of the areas. Impact of the proposal may occur to: the integrity of the ecosystem; subsistence use of the area by the Natives; commercial uses such as fishing, mineral entry, geothermal power, tourism, communications, and transportation; and the socio-economic and cultural environment of the area resulting from visitor use. (362 pages.) (ELR Order No. 31990.) (NTIS Order No. EIS 73 1990-D.)

Proposed Lake Clark National Park, Alaska, December 20: The statement refers to the proposed designation of 2.4 million acres of land and waters in the Aleutian and Alaskan Mountain Ranges, about 100 miles east of Anchorage, as Lake Clark National Park. Also included is a conceptual master plan for park management. The proposal may affect the integrity of the ecosystems and landscapes within the proposed boundaries, including an area from which a significant portion of the State's multi-million dollar sockeye salmon harvest is derived. (287 pages.) (ELR Order No. 31991.) (NTIS Order No. EIS 73 1991-D.)

Proposed Anikchak Caldera N.M. and Wild River, Alaska, December 20: The statement refers to the proposed Congressional establishment of the Anikchak Caldera National Monument and the Anikchak Wild River, both from lands and waters removed from public domain under provisions of the Alaska Native Claims Settlement Act. Also proposed is a master plan for the administration of the area. (194 pages.) (ELR Order No. 31992.) (NTIS Order No. EIS 73 1992-D.)

Proposed Katmai National Park, Alaska, December 20: The statement refers to the proposed Congressional establishment of a 4,660,000 acre Katmai National Park on the Alaska Peninsula, 200 miles from Anchorage. The park would include the waters and lands of the present Katmai National Monument, and other lands selected in accordance with provisions of the Alaska Native Claims Settlement Act. Also proposed is a master plan for management and development of the park. (317 pages.) (ELR Order No. 31993.) (NTIS Order No. EIS 73 1993-D.)

Proposed Yukon-Charley National Rivers, Alaska, December 20: The statement refers to the proposed Congressional designation of 2.23 million acres of lands and waters along the upper Yukon River as Yukon-Charley National Rivers, in order to protect the nationally significant natural, historic and archeological values. The Rivers would be administered by the National Park Service, and would be studied for possible inclusion in the National Wilderness Preservation Sys-

tem. The land in the Charley River basin would be closed to mining and mineral entry; mining would be permitted on the Yukon portion on a permit and lease system. (Included in the statement is a discussion of a conceptual master plan for management.) (336 pages.) (ELR Order No. 32000.) (NTIS Order No. EIS 73 2000-D.)

Proposed Gates of the Arctic National Park, Alaska, December 20: The statement refers to the proposed Congressional designation of the Arctic National Wilderness Park and the Nunamit National Wildlands. Included in the proposal is the designation of the Noatak, Alatna, Tinayuk, Killik (including Easter Creek), and the North Fork of the Koyukuk River as Wild Rivers. A master plan for administration of the areas is considered in the statement. (289 pages.) (ELR Order No. 32001.) (NTIS Order No. EIS 73 2001-D.)

Proposed Wrangell-St. Elias National Park, Alaska, December 20: The statement refers to the proposed Congressional establishment of an 8.5 million acre Wrangell-St. Elias National Park in South-central Alaska. The action may affect: the integrity of the ecosystems within the Park's boundaries; the effectiveness of the Park's use as a standard against which man-caused changes in manipulated ecosystems can be measured; the regional economy, from increased visitation and decreased opportunity for the use of resources; the national culture, from scenic-wilderness experiences; and the national economy, from restriction of potential copper production. (Approximately 350 pages.) (ELR Order No. 32002.) (NTIS Order No. EIS 73 2002-D.)

Proposed Chukchi-Imuruk National Wildlands, Alaska, December 20: The statement refers to the proposed Congressional establishment of a 2,820,000 acre Chukchi-Imuruk National Wildlands on the Seward Peninsula of Alaska. The Wildlands will be jointly administered as a unit of the National Wildlife Refuge System, and the National Park System. Impacts of the action will occur to private land ownership, fish and wildlife, water, vegetation, historic and archeological values, agriculture, mining, timbering, navigation, and hydroelectrical potential, among others. (Approximately 500 pages.) (ELR Order No. 32003.) (NTIS Order No. EIS 73 2003-D.)

#### Final

Proposed Wilderness, Chiricahua Nat. Mon., Ariz., Cochise County, December 17: Proposed is the legislative designation of 6,925 acres of the Chiricahua National Monument as wilderness within the National Wilderness Preservation system. (100 pages.) Comments made by: USDA, COE, HUD, State agencies. (ELR Order No. 31938.) (NTIS Order No. EIS 73 1938-F.)

#### DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street, S.W., Washington, D.C. 20590, (202) 426-4357.

#### FEDERAL AVIATION ADMINISTRATION

#### Draft

Louisville Municipal Airport, Ga., Jefferson County, December 17: The statement refers to a plan for the development of a Basic Transport airport in Louisville. The major proposals of the plan are to: acquire land for airport development, including runway extension, approach zones and transitional areas; construct parallel taxiway; construct T-hangar taxiway, and apron area; and install new highway facilities. Adverse impacts include the clearing of 57 acres of land and increases in air and noise pollution. There will also be short-termed negative effects

associated with normal construction techniques. (36 pages.) (ELR Order No. 31936.) (NTIS Order No. EIS 73 1936-D.)

The Syracuse Hancock International Airport, N.Y., December 17: The project involves the following item of work: the extension of a runway 1,020 feet to the south-east. The extension will be 150 feet wide and will include the widening of 600 feet of existing taxiway and the construction of a parallel taxiway 75 feet wide and 2,200 feet long. Also included is the installation of related runway and taxiway lights. Adverse impacts include the rise in noise pollution in some areas, and an expected increase in air pollution with additional air traffic in the future. (30 pages.) (ELR Order No. 31935.) (NTIS Order No. EIS 73 1935-D.)

#### Final

Destin-Port Walton Beach Airport, Fla., Okaloosa County, December 18: The statement refers to the proposed development of an existing basic utility airport into a basic transport facility capable of handling turbojet powered aircraft of up to 60,000 lbs. Approximately 43 acres of land will be committed to the project; noise and air pollution levels will increase. (44 pages.) Comments made by: EPA, USDA, DOI, state and local agencies. (ELR Order No. 31973.) (NTIS Order No. EIS 73 1973-F.)

#### FEDERAL HIGHWAY ADMINISTRATION

#### Draft

I-65—County Road 17 Interchange, Ala., Shelby County, December 17: The statement refers to the construction of an interchange at I-65-2(31) and County Road 17. Land will be taken for right-of-way, and sixteen families will be displaced. The interchange is expected to spur regional and community growth. (23 pages.) (ELR Order No. 31951.) (NTIS Order No. EIS 73 1951-D.)

Intersection, CSAH 18 and CR 39, Edina, Minn., Hennepin County, December 17: The project involves the removal of at-grade intersections on CSAH 18 and CR 39 in the Village of Edina, and replacing them with a single diamond interchange. The improvement would include a park access road that would require 5 acres of 4(I) land (Braemar Park). The only significant adverse impact would be the use of the 5 acres of parkland and the visual disruption of the area (46 pages.) (ELR Order No. 31950.) (NTIS Order No. EIS 73 1950-D.)

U.S. 281, Hidalgo County, Tex., December 17: The project involves the construction of a four-lane full control access highway (US 281) with interchanges and frontage roads, from existing US 281, two miles north to Edinburg to US 83 in Pharr. Length is 10.6 miles. Adverse impact will be the use of a large amount of agricultural land. (37 pages.) (ELR Order No. 31942.) (NTIS Order No. EIS 73 1942-D.)

#### Final

U.S. 71, December 18: The proposed project is the widening of U.S. 71 to a 4-lane highway. Length would be approximately 10 miles. One family, one business and two golf tee blocks would be displaced. The project will traverse the McKissic and Sugar Creeks causing increased water pollution and loss of fish and biota habitat. An increase in air and noise pollution will also occur. (49 pages.) Comments made by: AEC, EPA, USDA, HEW, HUD, DOI, state agencies. (ELR Order No. 31970.) (NTIS Order No. EIS 73 1970-F.)

Colorado River Bridge and Yuma Bridge, Ariz., Yuma County, December 18: The project involves the construction of two bridges crossing the Colorado River, the common boundary between Arizona and California. The bridges are part of the continuing construction of I-8. Adverse impacts of

this project will be storm drainage deposited in the Colorado River, and a slight rise in noise pollution. (183 pages.) Comments made by: EPA, DOI, COE, state and local agencies. (ELR Order No. 31957.) (NTIS Order No. EIS 73 1957-F.)

Willow Springs Road, FAS 119, Ill., Cook County, December 18: Proposed is the construction of a new four lane highway and bridge project, 3700 feet in length, which will replace three existing bridges over the Des Plaines River and adjacent canals. A total of eleven buildings will be displaced by the project; a 4(f) statement will be filed for the taking of a small amount of recreational land. Comments made by: HUD, USDA, DOC, HEW, OEO, EPA, COE, USCG, state and local agencies. (ELR Order No. 31955.) (NTIS Order No. EIS 73 1955-F.)

Illinois, Coles and Moultrie Counties, December 18: The action is the proposed widening and resurfacing of approximately 8.3 miles of Federal Aid Route 17 (Illinois Route 16). Approximately 40 acres of farm land will be acquired for right-of-way. One family, one business and several miscellaneous structures will be displaced. (84 pages.) Comments made by: DOI, USDA, EPA, HEW, COE, State and local agencies. (ELR Order No. 31959.) (NTIS Order No. EIS 73 1959-F.)

Illinois Route 23, Ill., LaSalle County, December 18: The statement refers to the proposed reconstruction and relocation of a segment of Route 23 between the Rock Island Railroad track and FAI Route 80. The length of the project is 1.55 miles. Channel changes to Goose Creek will cause temporary disruption of small animal habitat. Several families and four businesses will be displaced. (45 pages.) Comments made by: USDA, HUD, DOI, EPA, state and local agencies. (ELR Order No. 31962.) (NTIS Order No. EIS 73 1962-F.)

Ky. 237, Ky., Boone County, December 18: The proposed project is the relocation and reconstruction of Ky. 237 to a 4-lane facility. Length of project is 2.69 miles. The number of family and business dislocations will depend upon the route selected. Wildlife will be affected. (83 pages.) Comments made by: DOI, USDA, EPA, state and local agencies. (ELR Order No. 31956.) (NTIS Order No. EIS 73 1956-F.)

U.S. 212, Minn., Yellow, Medicine and Renville Counties, December 18: The statement refers to a corridor study for the relocation and reconstruction of an 8.5 mile segment of U.S. 212 to bypass the City of Granite Falls. The project includes a 0.5 mile connection for proposed T.H. 23 east of Granite Falls. The Minnesota River backwater flood plain will be encroached upon. Approximately 375 acres of land will be committed to the project. One farmstead will be displaced and some property severed. (137 pages.) Comments made by: USDA, EPA, state and local agencies. (ELR Order No. 31958.) (NTIS Order No. EIS 73 1958-F.)

Federal Aid Secondary Route 534, Conrad, Mont., Pondera County, December 19: The proposed project involves the reconstruction of 1.65 miles of existing FAS Route 534 within the city limits of Conrad. Approximately 4.5 acres of land will be committed to right-of-way. The major impact from this project is the removal of approximately 90 poplar and ash trees. (100 pages.) Comments made by: DOI, EPA, USDA, state and local agencies. (ELR Order No. 31975.) (NTIS Order No. EIS 73 1975-F.)

I-40, Raleigh to I-95, N.C., Wake and Johnston Counties, December 18: Proposed is the construction of a segment of I-40 from west of Raleigh to I-95 south of Smithfield, and of a four lane freeway spur bypassing Smithfield. The projects will total 46 miles in length. The relocation of 88 families and 13 businesses will be required. Portions

of the project are located within the watershed of the City of Raleigh's water supply, and there is a possibility of siltation during construction. Comments made by: USDA, COE, GSA, HEW, HUD, OEO, EPA, DOT, state and local agencies. (ELR Order No. 31960.) (NTIS Order No. EIS 73 1960-F.)

I-5, City of Roseburg, Oreg., Douglas County, December 18: Proposed is the reconstruction of 2.38 miles of I-5 to Interstate standards, with four 12 foot travel lanes, a 16 foot median, and 10 foot paved shoulders. Two interchanges will be modified, and the Hospital Bridge will be widened. Right-of-way acquisition will include 15.37 acres, thirty homes, and five businesses. (96 pages.) Comments made by: DOT, DOC, DOI, EPA, state and regional agencies. (ELR Order No. 31963.) (NTIS Order No. EIS 73 1963-F.)

SR 29, Morgan County, Tenn., December 18: The project involves the improvement of the SR 29 highway between Wartburg and Oneida. The project consists of a two lane facility with a length of 3.7 miles. A bridge will be constructed over the Emory River. Adverse impacts include the relocation of one business and ten families. There will be an increase in noise pollution. (78 pages.) Comments made by: EPA, HUD, USDA, COE, DOI, state and local agencies. (ELR Order No. 31961.) (NTIS Order No. EIS 73 1961-F.)

Center Street, Orem, Utah, Utah County, December 18: Proposed is the construction of two miles of highway in Orem, on Center Street from U.S. 91 to U.S. 189. No substantial relocation of residents is to be undertaken. A 4(f) statement will be required for the taking of land from the Edgement Veterans Memorial Park. (137 pages.) Comments made by: USDA, HUD, DOC, DOI, HEW, EPA, state and local agencies. (ELR Order No. 31964.) (NTIS Order No. EIS 73 1964-F.)

#### TENNESSEE VALLEY AUTHORITY

Contact: Dr. Francis Gartrell, Director of Environmental Research and Development, 720 Edney Building, Chattanooga, Tennessee 37401, (615) 755-2002.

#### Draft

Chattanooga-Brainerd Area Flood Relief, Tenn., December 17: The statement refers to a proposed flood relief plan for the Brainerd Area of Chattanooga. The plan will include the construction of 3.8 miles of levee, the relocation of 8.8 miles of channel and the widening of 0.8 mile of channel. Adverse impact will include the loss of aquatic and wildlife habitat. (73 pages.) (ELR Order No. 31940.) (NTIS Order No. EIS 73 1940-D.)

#### U.S. WATER RESOURCES COUNCIL

Contact: Mr. Don Maughan, Director, 2120 L Street, N.W., 8th Floor, Washington, D.C. 20037, (202) 254-6303.

#### Final

Columbia-North Pacific Region Study, December 17: The statement refers to an assessment of the environmental effects resulting from implementation of framework plans and programs contained in the Columbia-North Pacific Region Comprehensive Framework Study. The management of water and related land use in Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming is discussed. (Approximately 150 pages.) Comments made by: USDA, COE, DOC, EPA, FPC, HEW, HUD, DOI, DOT, agencies of Washington, Idaho, Oregon, Wyoming, Utah, and Montana. (ELR Order No. 31949.) (NTIS Order No. EIS 73 1949-F.)

NEIL ORLOFF,  
Counsel.

[FR Doc.74-254 Filed 1-4-74;8:45 am]

## ENVIRONMENTAL IMPACT STATEMENTS

### Availability

The following are summaries of the environmental impact statements which were received by the Council on Environmental Quality from December 24 through December 28, 1973. At the head of the list of statements for each agency is the name of a contact who can provide further information on those statements.

#### DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, (202) 447-3965.

#### AGRICULTURE STAR, AND CONSERV. SERVICE

#### Draft

Rural Environmental Conservation Program, December 28: The statement refers to the 1974 Rural Environmental Conservation Program, which includes the Rural Environmental Assistance Program and the Forestry Incentives Program. Under the former, the Federal Government will be sharing with farmers and ranchers the costs of carrying out approved soil, water, woodland, and wildlife conservation practices on their land. Under the latter, the costs of forest tree planting and management, and protection of nonindustrial private forest lands will be shared. The program is intended to accelerate or make possible the carrying out in rural areas of needed conservation and environmental protection and enhancing measures. (76 pages.) (ELR Order No. 32036.) (NTIS Order No. EIS 73 2036-D.)

#### FOREST SERVICE

#### Draft

Ketchikan Timber Sale, Tongass N.F., Alaska, December 27: The statement refers to the proposed 1974-79 timber harvest plan for the Ketchikan Pulp Company long term timber sale. The harvest, primarily by clearcutting and associated activities, will be of 960 million board feet. Cutting units would be of 160 acres, maximum. Approximately 300 acres of new roads would be constructed in conjunction with the harvest. Wildlife habitat, soil and water quality will be adversely affected. (184 pages.) (ELR Order No. 32027.) (NTIS Order No. EIS 73 2027-D.)

Lower Wolf Planning Unit, Kootenai N.E., Mont., December 26: Proposed is the implementation of a multiple use plan on the Lower Wolf Unit of the Kootenai N.E. Management will be for such values as big game habitat, primitive conditions, timber harvesting, and aesthetics. There will be some road construction; the wilderness option will be reduced on 16,000 acres of the Richards Mountain Inventoried Roadless Area. (ELR Order No. 32008.) (NTIS Order No. EIS 73 2008-D.)

#### Final

Winter Park Management, Arapaho National Forest, Grand County, Colo., December 27: The statement refers to the management of the Winter Park Management Unit of the Arapaho National Forest, in order to protect its suitability for winter sports activities, and to expand its capacity. (100 pages.) Comments made by: DOI, USDA, EPA, State and local agencies, and concerned citizens. (ELR Order No. 32028.) (NTIS Order No. EIS 73 2028-F.)

Timber Sale, Gallatin National Forest, Gallatin County, Mont., December 27: The proposed project is a 3.0 million board feet timber sale in the Portal Creek Drainage Basin of the Forest. Included will be road construction. Part of the sale is in an area that is inventoried as roadless. There will be soil disturbance, air, water and visual impact. The improved road will increase recreational use of Golden Trout and Hidden Lakes. (53 pages.) Comments made by: USDA, DOI, EPA, State agencies and concerned citizens. (ELR Order No. 32026.) (NTIS Order No. EIS 73 2026-F.)

Warland Planning Unit, Kootenai N.F., Lincoln County, Mont., December 27: Proposed is the implementation of a revised multiple use plan for the Warland Planning Unit. The 65,000 acre unit would be divided into eight smaller units, which would be managed for such values as recreation and viewing, big game winter habitat, domestic animal forage, water use, and timber production. Adverse impacts will include soil and vegetation disturbance, air and noise pollution, and some disturbance of wildlife. There will be some road construction in presently roadless areas. Comments made by: DOI, USDA, State agencies, and concerned citizens. (ELR Order No. 32029.) (NTIS Order No. EIS 73 2029-D.)

#### Final

Mush Creek Watershed, Dallas and Lowndes Counties, Ala., December 26: Proposed is the development of a watershed protection project. Included are land treatment measures and floodwater retarding structures. Flood protection will be provided on 3,062 acres of flood plain lands. Approximately 1,450 acres of forest land will be converted to agricultural use with concomitant effect to wildlife; 614 acres will be committed to flood pools. (52 pages.) Comments made by: COE, HEW, DOI, DOT, EPA, State agencies, and concerned citizens. (ELR Order No. 32019.) (NTIS Order No. EIS 73 2019-F.)

Twelve Mile Creek Watershed, Union, Adair, and Ringgold Counties, Iowa, December 26: The statement refers to a proposed watershed protection project. The project is intended to reduce flood damages by 85% on 2,272 acres, and prevent gully erosion on 3,255 acres, as well as to provide water supply for the City of Creston. Project measures will include land treatment, 11 grade stabilization structures, and one multiple purpose reservoir. Adverse impact will include the permanent inundation of 924 acres; the periodic flooding of 662 acres; the relocation of 5 families and effect upon 5 farm operations; and the closing of 4 roads. (46 pages.) Comments made by: COE, HEW, DOT, EPA, DOI, and State agencies. (ELR Order No. 32015.) (NTIS Order No. EIS 73 2015-F.)

Eagle-Tumbleweed Draw Watershed Project, Chaves and Eddy Counties, N. Mex., December 26: Proposed is a watershed protection and flood protection project. Project features would include one floodwater retarding structure, land treatment measures, channels, diversions and irrigation systems. The City of Artesia will be protected from flooding. One thousand two hundred and ninety-nine acres of rangeland will be committed to project uses. (72 pages.) Comments made by: COE, DOI, DOC, HEW, EPA, and State agencies. (ELR Order No. 32017.) (NTIS Order No. EIS 73 2017-F.)

Highway 112 Critical Erosion Control Project, Ashland County, Wis., December 26: The statement refers to a project which will control gully erosion from Highway 112, in the Town of White River. There will be a change in vegetative cover type in the treatment area. (54 pages.) Comments made by: AHP, COE, DOI, USDA, and EPA. (ELR Order No. 32013.) (NTIS Order No. EIS 73 2013-F.)

## DEPARTMENT OF DEFENSE, AIR FORCE

Contact: Dr. Billy Welch, Room 4D 873, The Pentagon, Washington, D.C. 20330, (202) OX 7-9297

**Final**

Air Force Accounting Center, Lowry AFB, Colo., December 26: Proposed is the relocation of the Air Force Accounting and Finance Center, from the existing GSA facility in Denver to Lowry AFB, A 604,921 sq. ft. (floor area) building would be constructed for the Center at Lowry. Adverse impact would include construction disruption, and increased traffic. Comments made by: DOI, HUD, GSA, EPA, State, and local agencies. (ELR Order No. 32014.) (NTIS Order No. EIS 73-2014-F.)

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, S.W., Washington, D.C. 20314, (202) 693-7163.

**Draft**

Great Lakes Connecting Channels, Supplement (2), Chippewa County, Mich., December 27: The document is a draft of the second supplement of a statement filed in January, 1972. The proposed action is the widening of channel bends in St. Mary's River, in order to provide safer navigation for wider vessels using the waterway. Dredging and disposal operations will damage aquatic life; recreational boating and fishing will be adversely affected; greater wave wash of larger vessels could contribute to shore erosion problems. (Detroit District.) (ELR Order No. 32024.) (NTIS Order No. EIS 73 2024-D.)

Hastings Local Flood Protection Works, Minn., December 27: The statement refers to a proposed local flood protection project on the Vermillion River at Hastings. Project measures would include a floodway, channel enlargement, levee extension, and the lowering of Peavy Mill Dam. Adverse impact would include the loss of 150 large trees and wildlife habitat, and the loss of the historic and aesthetic Peavy Dam and mill pond. (St. Paul District.) (56 pages.) (ELR Order No. 32023.) (NTIS Order No. EIS 73 2023-D.)

Caesar Creek Lake (2), Warren County, Ohio, December 28: The updated draft statement refers to the completion of construction of the Caesar Creek Lake Project and related works on the Little Miami River Project purposes are flood control, recreation, water supply and quality control, and fish and wildlife activities. A total of 10,580 acres of land, 2,800 acres of which will be inundated, will be committed to the project. Three covered bridges and 5 archeological sites will be inundated by the project pool. (Louisville District.) (ELR Order No. 32034.) (NTIS Order No. EIS 73 2034-D.)

East Fork Lake (2), Clermont County, Ohio, December 28: The updated draft statement refers to the completion of construction of the remaining 63 percent of the East Fork Lake project on the East Fork of the Little Miami River. Project purposes are flood control, water supply and quality, recreation, and fish and wildlife activities. A total of 10,678 acres of land would be placed in public ownership for project purposes; 2,160 acres of land and 13 miles of free-flowing stream would be inundated. Several hundred buildings, seven historic sites, and one archeological site would be inundated. (Louisville District.) (ELR Order No. 32035.) (NTIS Order No. EIS 73 2035-D.)

La Crosse Flood Control Project, La Crosse County, Wis., December 27: Proposed is a flood control project for the City of La Crosse. Project measures would include a levee system, road raises, flood walls, road and rail closures, interior drainage facilities, and the

evacuation of one flood prone area in the La Crosse. Adverse impact of the Project would include the commitment of 69 acres, including 30 acres of biologically productive marsh and floodplain forest, to project measures. (St. Paul District.) (166 pages.) (ELR Order No. 32022.) (NTIS Order No. EIS 73 2022-D.)

**Final**

Markland Locks and Dam Highway, Kentucky and Indiana, December 26: The proposed project is the construction of a two-lane highway bridge supported by the Markland Dam, crossing the Ohio River. An unspecified amount of land will be acquired for right-of-way, with possible displacement of families. Air and noise pollution in the area will increase. (19 pages.) Comments made by: USDA and EPA. (ELR Order No. 32011.) (NTIS Order No. EIS 73 2011-F.)

## FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street, N.W., Washington, D.C. 20426, (202) 386-6084.

**Final**

Crooked Creek Project No. 2628 (2), Clay and Randolph Counties, December 26: The statement, from a revised draft, refers to the granting of a major license to the Alabama Power Company for construction of the Crooked Creek Project on the Tallapoosa River. Project measures will include a 150' high, 956' long concrete dam, earth and rock-filled dikes, a powerhouse, and a 10,600 acre lake. Adverse impact will include the inundation of 10,600 acres of farmland, timber land, and wildlife habitat, the elimination of the free flowing river, and change in water quality. (approximately 200 pages.) Comments made by: AEC, USDA, OFO, COE, HUD, HEW, DOT, DOI, FRA, AHP, State, and regional agencies, and concerned citizens. (ELR Order No. 32030.) (NTIS Order No. EIS 73 2020-F.)

## GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets, N.W., Washington, D.C. 20405, (202) 343-4161.

**Final**

Fort Custer Air Force Station, Mich., December 26: The statement refers to the proposed disposal of 125.07 acres of land at Custer Air Force Station by negotiated sale to the City of Springfield for general public purposes. Redevelopment of the property will increase vehicular traffic in the area resulting in some vehicular air pollution. (46 pages.) Comments made by: EPA, DOI, and State agencies. (ELR Order No. 32009.) (NTIS Order No. EIS 73 2009-F.)

## DEPARTMENT OF THE INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

**Draft**

Proposed Oil and Gas Lease Sale, OCS Texas, December 28: The statement refers to the proposed sale of oil and gas leases to 245 tracts (1,355,684.39 acres) of OCS lands offshore Texas. Eleven tracts are situated in water depths of 300 meters or more. Each tract offered is subject to a matrix analytical technique in order to evaluate significant environmental impacts should leasing occur and subsequent oil and gas exploration ensue. The sale is tentatively scheduled for late spring, 1974. (Two volumes.) (ELR Order No. 32030.) (NTIS Order No. EIS 73 2030-D.)

## BONNEVILLE POWER ADMINISTRATION

**Final**

Hungry Horse Cloud Seeding Project, Flathead and Lake Counties, Mont., December 27: Proposed is a cloud seeding project which is intended to maintain normal snowpack conditions in the basin of the South Fork of the Flathead River above Hungry Horse Dam. The purpose is to help alleviate a projected shortage of firm energy in the Pacific Northwest, by assuring normal stream flows and hydroelectric generation. Approximately 18 pounds of silver iodide will be released over the study area; the project will extend from November 15, 1973 through April 15, 1974. Impact could include a 10 percent increase in snowpack over the 1,034,600 acre target area, with resultant effects to wildlife, vegetation, soil erosion, and streamflow. (Approximately 300 pages.) Comments made by: USDA, DOC, DOI, COP, PNRB, FPA, NSE, State agencies, and concerned citizens. (ELR Order No. 32025.) (NTIS Order No. EIS 73 2025-F.)

## BUREAU OF RECLAMATION

**Draft**

Central Valley Project Water Use, several counties in California, December 26: The proposed action is a water service contract which will involve the delivery of 133,000 acre-feet of water to eleven water and irrigation districts in Kern, Kings, Tulare, and Fresno Counties. Three thousand acre-feet of the water will be used for municipal supply; the remainder will be used for supplemental irrigation. Existing California Water Project and Central Valley Project facilities will be used for delivery. The principal impact of the action will be the continued use of lands for agriculture. (161 pages.) (ELR Order No. 32021.) (NTIS Order No. EIS 73 2021-D.)

## BUREAU OF SPORT FISHERIES AND WILDLIFE

**Draft**

Proposed Crab Orchard Wilderness Area, Jackson, Union, and Williamson Counties, Ill., December 28: Proposed is the legislative designation of 4050 acres of the Crab Orchard National Wildlife Refuge as wilderness within the National Wilderness Preservation System. Wilderness designation would commit the area to the forces of nature and remove some future management options. (48 pages.) (ELR Order No. 32016.) (NTIS Order No. EIS 73 2016-D.)

Proposed Fort Niobrara Wilderness Area, Cherry County, Nebr., December 26: The statement refers to the proposed legislative designation of 4,635 acres of the 19,123 acre Fort Niobrara National Wildlife Refuge as wilderness within the National Wilderness Preservation System. Wilderness designation would remove some future management options. (35 pages.) (ELR Order No. 32018.) (NTIS Order No. EIS 73 2018-D.)

## DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street, S.W., Washington, D.C. 20590, (202) 426-4357.

## FEDERAL HIGHWAY ADMINISTRATION

**Draft**

Richardson Highway, Canyon Creek to Shaw Creek, Alaska, December 28: Proposed is the reconstruction of 13 miles of Richardson Highway, from Canyon Creek to Shaw Creek, to primary standards. An unspecified amount of land will be committed to right-of-way; portions of the route will fall within the floodplain of the Tanana River. (35 pages.) (ELR Order No. 32033.) (NTIS Order No. EIS 73 2033-D.)

US 30-95, I-80N to Gayway Junction, Idaho, December 26: Proposed is the construction of 3.65 miles of four lane US 95 and

US 30 on a common alignment from the I-80N Interchange to Gayway Junction. A portion of the alignment will bypass Fruitland. Adverse impact will include the relocation of two homes, and the loss of some right-of-way. (72 pages.) (ELR Order No. 32012.) (NTIS Order No. EIS 73 2012-D.)

## U.S. COAST GUARD

## Draft

Prince William Sound Vessel Traffic System, Alaska, December 28: Proposed is the development of a vessel traffic system for Prince William Sound. Included in the proposal is the construction of a control center, and housing for 45 Coast Guard personnel and their dependents. The traffic system is designed to lessen the probability of tanker casualties with resulting spills of crude oil when the Valdez crude oil loading terminal becomes operational. (30 pages.) (ELR Order No. 32031.) (NTIS Order No. EIS 73 2031-D.)

U.S. Coast Guard Station, Provincetown, Mass., December 28: Proposed is the construction of a three story Search and Rescue Station at the east front of MacMillan Wharf. Adverse impact of the action will include construction disruption to marine biota. The action will make the majority of existing Coast Guard land at Race Point available for acquisition by the Cape Cod National Seashore, and will enhance the aesthetic quality of the structures now grouped at MacMillan Wharf. (10 pages.) (ELR Order No. 32032.) (NTIS Order No. EIS 73 2032-D.)

## Final

Dredging Project, Santa Rosa Station, Fla., December 26: The statement refers to the proposed dredging of the channel at the U.S. Coast Guard Station, Santa Rosa, located on the Pensacola Bay side of Santa Rosa Island. Dredged spoil will be deposited within retaining levees constructed along the eroded shoreline to restore the shoreline to its original condition. (22 pages.) Comments made by: EPA, COE, State and local agencies. (ELR Order No. 32010.) (NTIS Order No. EIS 73 2010-F.)

NEIL ORLOFF,  
Counsel.

[FR Doc. 74-311 Filed 1-4-74; 8:45 am]

DELAWARE RIVER BASIN  
COMMISSIONLIMERICK GENERATING STATION,  
MONTGOMERY COUNTY, PA.

## Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, January 23, 1974, in the grand ballroom of the Sheraton Valley Forge Hotel at the intersection of Route 363 and First Avenue, King of Prussia, Pa. (exit 24 from Pennsylvania Turnpike) beginning at 1:30 p.m. The subject of the hearing will be a proposal to amend the Commission's Comprehensive Plan so as to include the Limerick project. The focus of the Commission's interest will be on the water resources aspects as summarized below.

**Limerick Generating Station.** A nuclear-fueled electric generating station proposed by the Philadelphia Electric Company. Two generating units, with an electrical capacity of 1,100,000 kilowatts each, are scheduled for construction on the east bank of the Schuylkill River about two miles southeast of Pottstown in Limerick Township, Montgomery County, Pennsylvania. The nuclear system includes a single cycle, forced circu-

lation boiling water reactor, producing steam for direct use in the steam turbine. Four hyperbolic, natural draft cooling towers, each approximately 400 feet high, will provide the necessary cooling. Two water intake structures are proposed, one on the Perkiomen Creek and one on the Schuylkill River. Water requirements are estimated at 69 million gallons per day, of which an average of 35 million gallons per day will be evaporated to the atmosphere.

Documents relating to the Limerick Generating Station project may be examined at the Commission's offices. All persons wishing to testify are requested to notify the Secretary to the Commission prior to 5 p.m. on January 22. Written statements will be accepted into the record if submitted no later than February 13, 1974.

Dated: December 27, 1973.

W. BRINTON WHITALL,  
Secretary.

[FR Doc. 74-476 Filed 1-4-74; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. C174-244]

## PENNZOIL PRODUCING CO.

Order Granting Interventions and Fixing  
Date for Hearing

DECEMBER 26, 1973.

Pennzoil Producing Company (Pennzoil) filed on October 12, 1973, an application pursuant to section 7(c) of the Natural Gas Act,<sup>1</sup> and § 2.75<sup>2</sup> of the Commission's General Policy Statements, the Optional Procedure for Certifying New Producer Sales of Natural Gas set forth in Order No. 455,<sup>3</sup> (hereinafter Section 2.75) for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce to United Gas Pipe Line Company (United) from Ship Shoal Block 186, Offshore Louisiana at an initial rate of 47.0 cents per Mcf at 15.025 psia, subject to upward and downward Btu adjustment, pursuant to the terms of a 20 year contract dated August 28, 1973, which is Pennzoil's Gas Rate Schedule No. 297. Escalations of 2.0 cents per Mcf per year and pregranted abandonment are requested.

A petition to intervene requesting a hearing was filed by the Public Service Commission of New York. A petition to intervene in support of the application was filed by United. The American Public Gas Association also filed a petition to intervene. Associated Gas Distributors filed an untimely petition to intervene, but good cause has been shown under § 1.8(d) of the Commission's Rules of Practice and Procedure why its untimely petition to intervene should be granted.

<sup>1</sup> 15 U.S.C. § 717, et seq. (1970)

<sup>2</sup> 18 CFR 2.75

<sup>3</sup> "Statement of Policy Relating To Optional Procedure For Certifying New Producer Sales Of Natural Gas," Docket No. R-441, -- F.P.C. -- (issued August 3, 1972), appeal pending sub. nom. "John E. Moss, et al. v. F.P.C.," No. 72-1837 (D.C. Cir.)

We find a hearing is necessary to determine whether the present and future public convenience and necessity will be served by certifying these sales, and whether the proposed rate is just and reasonable, taking into consideration all factors bearing on maintenance of an adequate and reliable supply of gas, delivered at the lowest reasonable cost.<sup>4</sup>

This hearing is not the proper forum for the relitigation of the propriety of the § 2.75 procedures; that matter is now before the Court of Appeals, see n. 3, supra. This hearing will be addressed solely to the issues of public convenience and necessity, and the justness and reasonableness of the particular sales and rates herein proposed.

Those parties and intervenors desiring to submit cost and non-cost data should structure their evidence to reflect the tests under § 2.75 for determining the justness and reasonableness of the rate sought.

No intervenor has questioned United's need for the additional natural gas supplies that will be available to it as a result of these purchases.

The Commission finds:

(1) It is necessary and in the public interest to allow the above-named proceedings be set for hearing.

(2) It is desirable and in the public interest to allow the above named petitioners to intervene in this proceeding.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 14, and 16 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), Docket No. C174-244 is set for the purpose of hearing and disposition.

(B) A public hearing on the issues presented by the application herein shall be held commencing on February 12, 1974, 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(C) A Presiding Law Judge to be designated by the Chief Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding pursuant to the Commission's rules of practice and procedure.

(D) Pennzoil and any intervenor supporting the application shall file their direct testimony and evidence on or before January 10, 1974. All testimony and evidence shall be served upon the Presiding Judge, the Commission Staff, and all parties to these proceedings.

(E) The Commission Staff, and any intervenor opposing the applications, shall file their direct testimony and evidence on or before January 25, 1974. All testimony and evidence shall be served upon the Presiding Judge, and all other parties to these proceedings.

<sup>4</sup> "Opinion And Order Issuing Certificate Of Public Convenience And Necessity And Determining Just And Reasonable Rates, Opinion No. 659, Belco Petroleum Corporation, Agent, et al., Docket Nos. C173-293, et al., -- F.P.C. -- (issued May 30, 1973), slip op. at para. 21, p. 5.

(F) All rebuttal testimony and evidence shall be served on or before February 1, 1974. All parties submitting rebuttal testimony and evidence shall serve such testimony upon the Presiding Judge, the Commission Staff, and all other parties to the proceedings.

(G) The above named petitioners are permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however*, That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *provided, further*, That the admission of such interests shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in these proceedings.

(H) The Administrative Law Judge's decision shall be rendered on or before March 12, 1974. All briefs on exceptions shall be due on or before April 2, 1974, and replies thereto shall be due on or before April 16, 1974.

(I) The contract between Pennzoil and United dated August 28, 1973 is accepted for filing effective as of the date of initial delivery and designated as

Pennzoil Producing Company F.P.C. Gas Rate Schedule No. 297.

By the Commission.<sup>6</sup>

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-309 Filed 1-4-74;8:45 am]

[Docket No. RI 74-94]

### TEXACO INC.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

DECEMBER 21, 1973.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that

<sup>6</sup> Before Commissioners John N. Nassikas, chairman, Albert B. Brooke, Jr., Rush Moody, Jr., William L. Springer.

#### APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf <sup>a</sup>		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI74-94	Texaco Inc.	183	* 15	El Paso Natural Gas Co. (Aneth Field, San Juan Co., Utah and Flodine Park Field, Montezuma County, Colo.) (Rock Mountain area).		11-23-73	12-24-73	* Accepted			
.....do.....	.....do.....	.....do.....	16	.....do.....	\$58,516	11-23-73		(19)	1.421.568	1.4728.6836	
.....do.....	.....do.....	.....do.....	17	.....do.....	2,246	11-23-73		(16)	2.321.568	2.3729.235	
								5-24-74	4.728.036	4.828.32	

<sup>a</sup> Unless otherwise stated, the pressure base is 14.73 p.s.i.a.

<sup>1</sup> Previously reported at 22 cents at 15.025 p.s.i.a.

<sup>2</sup> Previously reported at 22.18 cents at 15.025 p.s.i.a.

<sup>3</sup> Includes tax reimbursement of 0.18 cents.

<sup>4</sup> Utah production.

<sup>5</sup> Colorado production.

<sup>6</sup> Contract amendment dated Oct. 5, 1973.

The proposed increased rates contained in Supplement No. 16 to Texaco's Rate Schedule No. 183 are accepted, as of December 24, 1973, up to 24¢ plus Btu adjustment, and are suspended until December 25, 1973, insofar as they exceed 24¢, plus Btu adjustment, pending determination of Texaco's entitlement under Opinion No. 658 to the tax reimbursement included in such rates.

The other proposed increased rate exceeds the ceiling under Opinion No. 658, and is suspended for five months.

[FR Doc.74-308 Filed 1-4-74;8:45 am]

### FEDERAL FIVE YEAR ENERGY RESEARCH AND DEVELOPMENT PROGRAM

#### Notice of Conference

DECEMBER 27, 1973.

Take notice that on January 7, 1974, at 10:00 a.m., a conference will take place at the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, to hear a presentation on the proposed funding of the Federal Five

### Year Energy Research and Development Program.

The Conference is being called at the request of the Team to Advance Research for Gas Energy Transformation, Inc. (TARGET). TARGET representatives requested time to express their views to the Commission Staff concerning the inclusion of fuel cell research in the funding for the proposed energy program.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-409 Filed 1-4-74;8:45 am]

[Docket No. RM74-6, Order No. 498]

### NATION-WIDE FUEL EMERGENCY

#### Further Procedures for Conservation of Natural Gas

DECEMBER 21, 1973.

The nation is confronted with a national energy emergency. By this Order

the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto [18 CFR Ch. II], and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column. This supplement shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

the Commission seeks to implement measures for the conservation of natural gas in order to cope with the existing and projected gas supply deficiencies. The Commission staff's most recent report on current and projected curtailments of natural gas service by pipeline companies for the 1973-74 heating season, which was released on September 17, 1973, discloses that net curtailments of firm-requirements customers by the major interstate pipelines totalled 423,157,879 Mcf for the 1972-1973 heating season. Projected curtailments for the entire 1973-74 heating season are estimated to increase to 508,757,700 Mcf, approximately 20 percent more than the 1972-1973 heating season deficiencies. Actual and estimated curtailments for the 1973 summer period (April through October) indicate an increase of 74 percent over the corresponding period in 1972. These summer curtailments of industrial loads primarily were required to enable the pipeline companies to inject

more gas into underground storage in order to assist them in meeting high priority winter demands. There is no indication that this situation will reverse itself in the near future.

The overall domestic requirements for the 1973-74 heating season involve critical shortages in all types of fuels, including propane and fuel oils with the result that the unfulfilled demand for natural gas cannot be adequately met by other fuels. The shortfall of natural gas for this winter (1973-74) cannot be averted in any significant degree by increased production or by reference of unfulfilled demands to substitute fuels. Accordingly, conservation of our depleted natural gas resources is a present national imperative to meet consumer demand and the demands of our economy for natural gas. We recognize, however, that the burden of the present shortage must be equitably shared by all natural gas users within the context of overall energy shortages requiring apportionment among all energy users under equitable principles to serve the public interest in a productive economy and to provide essential service to consumers.

The Commission has taken a number of actions to conserve natural gas, including the following:

(1) On November 4, 1970, the Commission, under R-405, issued a Policy Statement Notice of Investigation and Proposed Rulemaking with Respect to Developing Emergency Plans, stated that it proposed, after investigation, to issue rules establishing policies to prescribe procedures for developing load relief and curtailment plans for natural gas pipeline companies and electric power systems. This investigation resulted in the Commission issuing Order No. 431. By Order No. 431, issued April 15, 1971, in Docket No. R-418, 45 FPC 570, the Commission promulgated Section 2.70 of its General Policy and Interpretations, 18 CFR 2.70, enunciating a policy with respect to measures to be taken by jurisdictional pipeline companies for the protection of reliable and adequate natural gas service. It was declared to be the policy of the Commission that jurisdictional pipeline companies should take all steps necessary for the protection of as reliable and adequate service as supplies and capacities would permit during the 1971-72 heating season and thereafter, including adequate injection of gas into storage in anticipation of the heating season. Specifically, the pipeline companies were directed to make every reasonable effort to fill all storage fields to a capacity sufficient to meet the anticipated heating season demands, to submit reports on how the policy would be implemented, and, where necessary, to make tariff filings proposing a plan curtailing deliveries on their systems. Further, the policy required the pipelines to place volumetric limitations on sales at current levels in those cases in which they found it necessary to make energy purchases of gas or institute curtailment programs on their system. Additionally, as a means of alleviating the shortfall situation, the Commission au-

thorized exchange arrangements with other pipelines. The policy required that consideration be given to the curtailment of volumes of gas equivalent to all interruptible sales and to curtailment of large boiler fuels sales where alternative fuels are available. The Commission noted that the curtailment programs if approved by the Commission, would control in all respects notwithstanding inconsistent provisions in sales contracts, both jurisdictional and non-jurisdictional, entered into prior to the date of approval of the tariff. The Commission also noted that it would re-examine existing commodity rate levels and, to the extent necessary, might redesign existing commodity-demand rate relationships in then present and future pipeline rate cases. The Commission, recognizing that during the 1971-72 heating season short-term purchases of gas might be necessary in addition to those within the contemplation of § 2.68 of the Commission's General Policy and Interpretations, 18 CFR 2.68, and § 157.29 of the Regulations under the Natural Gas Act, 18 CFR 157.29, said that it would consider applications for limited term certificates of public convenience and necessity contemplated by the notice issued July 17, 1970, in Docket No. R-389-A, 35 FR 11638. Said notice speaks of the consideration of applications for certificates at above-ceiling rates.

In Order No. 431-A issued July 31, 1972, in Docket No. R-418, 48 FPC 193, the Commission noted that certain pipeline companies might not be able to meet demands for firm deliveries beyond the 1971-72 heating season notwithstanding the steps taken pursuant to § 2.70 and purchases within the contemplation of §§ 2.68 and 157.29. Accordingly, the Commission modified § 2.70 to provide for the indefinite consideration of applications for limited-term certificates at above ceiling rates.

(2) In Opinion Nos. 600-A and 671,<sup>1</sup> the Commission adopted rate design and cost allocation procedures designed to inhibit the demand for low priority industrial uses of natural gas. Low priority customers were principally served through interruptible sales, where rates contained little or no demand costs and, consequently, were established at a low level to encourage large industrial, low priority sales. In the subject Opinions, we adopted rate designs to reverse the trend toward lower priority uses by increasing the rate level to provide less incentive for the pipelines and their customers to enter into contracts at rate levels below allocated costs. In Opinion No. 600-A, we fashioned an unmodified Seaboard method for cost allocation by treating El Paso's San Juan fixed production costs, including gathering costs, as part of the commodity function. In Opinion No. 671, we adopted a revised Atlantic Seaboard formula by assigning

<sup>1</sup> Commission Opinion No. 600-A, "El Paso Natural Gas Company," Docket No. RP69-6, et al., issued May 8, 1972 (47 FPC 1157); Commission Opinion No. 671, "United Gas Pipe Line Company," Docket No. RP72-75, issued October 31, 1973 (50 FPC —).

75 percent of United's fixed costs to the commodity category and 25 percent to the demand category. In both cases, common costs were allocated on the basis of annual gas volumes, thereby recognizing that during this shortfall period the gas supply deficiency and not pipeline capacity is the limiting factor of sales volumes on the pipeline's system. Thus, the incentive by pipelines and their customers to reduce unit costs by entering into large interruptible contracts for lower priority uses has been minimized by our action in these proceedings. Our rate design policy expressed in these decisions should contribute to the restraint of artificial demand for natural gas service.

(3) By Order No. 467-B, issued March 2, 1973, in Docket No. R-469, 49 FPC —, the Commission prescribed the most recent and up-to-date priority of service categories applicable to jurisdictional pipeline companies for curtailment of natural gas service in periods of short supply. There are nine categories in descending order of priority:

1. Residential and small commercial.
2. Large commercial requirements and firm industrial requirements for certain purposes.
3. All industrial requirements not otherwise specified in the categories.
4. Firm industrial requirements for boiler fuel use at less than 3,000 Mcf per day, but more than 1,500 Mcf per day.
5. Firm industrial requirements for large volume boiler fuel use.
6. Interruptible requirements of more than 300 Mcf per day.
7. Interruptible requirements of intermediate volumes.
8. Interruptible requirements of more than 3,000 Mcf per day; and
9. Interruptible requirements of more than 10,000 Mcf per day.

Further, the Commission made plain its intent that end usage of gas is controlling in curtailment determinations, but clarified this intent, for the present, by stating that immediate impact of curtailment on small volume interruptible users should be lessened and the alternate fuel capabilities of interruptible users should be considered.

(4) The Chairman's August 15 telegram to the state regulatory agencies indicated the urgent need for information concerning the energy outlook for the several states during the 1973-74 heating season in order to take action to avert a deepening energy crisis. Each state regulatory agency was asked to provide information concerning:

- (1) The total anticipated winter requirements for all primary fuels.
- (2) The supply situation for each particular fuel, its quantity and quality, e.g., sulphur content.
- (3) The substitute fuels required as a result of anticipated natural gas curtailments and/or shortages of other primary fuels.

(4) The types of consumers and their anticipated consumption for each fuel and any deficiencies expected by them.

(5) The expected normal conditions affecting the demand for the various fuels.

In addition, the agencies were requested to report the anticipated ability of the natural gas distributors in each state to meet the demands of the coming winter, and to what extent firm interruptible curtailments were expected.

Responses have been received from 23 states, dated August 17, to September 25, 1973. Most states could not detail the supply requirements for the overall need for substitute fuels, heating oils, and LPG. Some could determine whether specific regulated utilities had firm contracts, lacked firm contracts, or were depending on spot purchases to meet their winter needs. However, the overall requirements of all types of users of primary fuels generally were not available. Others referred to their agricultural energy needs, and indicated that their utilities have contingency and/or curtailment plans for the 1973-74 heating season.

The Commission will consider the effect of conservation measures in the effective utilization of our natural resources to cope with the gas supply shortage. Parties who effectively utilize conservation measures will not be penalized thereby.

In furtherance of conservation objectives, the Commission hereby requests that all natural gas pipeline companies, where possible, husband present supplies of natural gas for high priority usage and requests that all natural gas pipeline companies consider taking the following actions:

(1) To curtail non-essential gas uses in company facilities to reduce natural gas consumption to the lowest practicable level consistent with prudent and reliable service operations.

(2) To improve maintenance techniques with the view to reducing pipeline leaks and losses.

(3) To provide sufficient insulation in company buildings to reduce heat losses.

(4) To eliminate use of ornamental gas lights on company property.

(5) To cease promotion of gas sales.

(6) To appeal to large industrial and commercial customers and the general public to curtail non-essential uses of gas including ornamental gas lighting.

(7) To appeal to the general public to reduce thermostat temperature settings.

(8) To convert as may be feasible gas pilot lights in gas appliances with electric spark or other electronic ignition devices.

(9) To advise on the feasibility of and propose plans to assist large industrial and commercial customers, technically and financially, to maintain, improve or modify their gas utilization and gas using equipment to reduce consumption of gas.

(10) To advise on the feasibility of and propose plans to finance or assist in financing for its employees and customers the cost of home insulation, storm windows and doors, night set-back thermostats and other energy conservation measures sufficient to reduce heat losses.

The Commission requests the cooperation of all state regulatory authorities to carry out the foregoing objectives

through natural gas distributors and to consider the following:

(1) Authorize the costs incurred by regulated companies under conservation programs to be included in costs for rate-making purposes (either through inclusion in rate base or cost of service depending on the type of cost incurred).

(2) Develop procedures to improve the efficient utilization of gas and through rate design and cost allocation and other techniques to discourage the wasteful uses of natural gas.

(3) Develop methods of attaining an objective of reduction of 10 percent in the demand for natural gas by improved efficiency and gas utilization.

(4) States are urged by January 15, 1974, to advise the Commission of their actions and the conservation programs of distribution companies under their jurisdiction to implement this order and to submit any recommendations to the Commission which will accomplish the conservation objectives of this order.

The Commission orders:

(A) All Class A and B natural gas pipeline companies shall report to the Commission on January 1 and July 1 of each year beginning with 1974 what actions have been taken by them and their customers to conserve natural gas; the quantities of natural gas estimated to be conserved by such actions during the 12 months following the report date; and an estimate of the volume of gas actually conserved during the 12 months prior to the report date.

(B) All Class A and B natural gas pipeline companies shall also report to the Commission by February 1 and March 1, 1974, what actions have been taken by them and their customers to conserve natural gas to reduce the impact of the nation's energy emergency for the 1973-74 winter.

(C) All applicants for special relief from the Commission's curtailment priority orders shall make a detailed showing of all actions taken by them to conserve natural gas, including measures urged upon their customers to effect that objective.

(D) This order shall take effect immediately upon its issuance.

(E) The Secretary shall cause prompt publication of this order<sup>2</sup> in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-420 Filed 1-4-74; 8:45 am]

[Docket No. CI74-134]

APEXCO, INC.

Limited Term Certificate; Order Granting Interventions, Setting Hearing Date and Prescribing Procedure

DECEMBER 27, 1973.

On August 21, 1973, Apexco, Inc. (Apexco) filed in Docket No. CI74-134 an

<sup>2</sup> The information gathering aspect of this order has been reviewed by the Office of the Comptroller General of the United States in accordance with Section 409 of Public Law No. 93-153.

application requesting issuance of a limited-term certificate of public convenience and necessity with pre-granted abandonment authority, pursuant to section 7(c) of the Natural Gas Act and the Commission's Regulations thereunder, for the sale of gas to Transwestern Pipeline Company (Transwestern) from the South Carlsbad Field, Eddy County, New Mexico (Permian Basin Area).

Specifically, Apexco proposes to sell to Transwestern approximately 30,000 Mcf of gas per month for one year at 55.0¢ per Mcf (14.65 psia), subject to upward and downward Btu adjustment from 1,000 Btu's per cubic foot but not to exceed 1,175 Btu's. The proposed rate is in excess of the area base rate of 35¢ established by Commission Opinion No. 662.

Apexco began an emergency sale to Transwestern under authority of Order No. 418 on September 20, 1973.

Petitions to intervene in these proceedings were filed by Pacific Lighting Service Company and Southern California Gas Company on September 10, 1973 and by Transwestern on September 11, 1973. Further, an untimely notice of intervention was filed by the Public Utilities Commission of the State of California on September 18, 1973.

The application in this proceeding represents a sizeable volume of gas potentially available to the interstate market. It is of critical importance that interstate pipelines procure emergency supplies of gas to avoid disruption of service to consumers, nevertheless, we must determine whether the rate to be paid serves the public convenience and necessity. It is therefore necessary that this application be set for public hearing and expeditious determination. The hearing will be held to allow presentation, cross-examination, and rebuttal of evidence by any participant. This evidence should be directed to the issue of whether the present or future public convenience and necessity requires issuance of a limited-term certificate on the terms proposed in that application.

We take further note, however, that the Commission in a number of recent orders has already held that an emergency exists on Transwestern's system. See Continental Oil Co., \_\_\_ FPC \_\_\_, Docket No. CI73-742, issued June 8, 1973. We, therefore, conclude that there is an emergency on Transwestern's system which would warrant the issuance of a certificate if the price conforms to the public convenience and necessity.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

(2) The participation of those parties who have petitioned to intervene may be in the public interest.

(3) Although the notice of intervention of the Public Utilities Commission of the State of California was not timely filed, good cause exists to allow that party to intervene since permitting the intervention will not be the basis for delay in these proceedings.

*The Commission orders:*

(A) The application for a limited-term certificate for the sale of natural gas filed in Docket No. CI74-134 is hereby set for hearing.

(B) The above named parties are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further,* That the admission of said interveners shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders of the Commission entered in this proceeding.

(C) Pursuant to the authority of the Natural Gas Act, particularly Sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on February 4, 1974 at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by the applicant.

(D) On or before February 1, 1974, Apexco and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their position.

(E) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control, this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure and the purposes expressed in this order.

By the Commission.

[SEAL] MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-405 Filed 1-4-74;8:45 am]

[Docket No. CS71-127]

**BETTIS, BOYLE AND STOVAL****Notice of Petition for Waiver of Regulations**

DECEMBER 28, 1973.

Take notice by letter filed December 3, 1973, Bettis, Boyle and Stoval (Petitioner), P.O. Box 1168, Graham, Texas 76046, small producer certificate holder in Docket No. CS71-127, requests that the Commission waive in part paragraph (c) of § 157.40 of the regulations under the Natural Gas Act (18 CFR 157.40(c)) so as to permit the sale of natural gas under its small producer certificate from reserves acquired in place from Sun Oil Company, a large producer, and from others.

Paragraph (c) of § 157.40 provides in part that sales may not be made pursuant to a small producer certificate from reserves acquired by a small producer by purchase of developed reserves in

place from a large producer. Petitioner states that it has acquired from Sun Oil Company and others a gas well in Jack County, Texas, the productivity of which had dropped to the point at which it was not economical for the assignors to operate. Petitioner proposes to continue the sale of gas from said well to Natural Gas Pipeline Company of America.

Petitioner's letter is being construed as a petition for waiver of Commission regulations under paragraph (b) of § 1.7 of the Commission's rules of practice and procedure (18 CFR 1.7(b)). Any person desiring to be heard or to make any protest with reference to said petition should on or before January 22, 1974, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-412 Filed 1-4-74;8:45 am]

[Docket No. CI74-12]

**AUBREY C. BLACK, ET AL.****Limited Term Certificates; Order Granting Intervention, Setting Hearing Date and Prescribing Procedure**

DECEMBER 27, 1973.

On July 9, 1973, Aubrey C. Black, et al. (Black) filed in Docket No. CI74-12 an application requesting issuance of a limited-term certificate of public convenience and necessity with pre-granted abandonment authority, pursuant to section 7(c) of the Natural Gas Act and the Commission's Regulations thereunder, for the sale of gas to Northern Natural Gas Company (Northern) from acreage located in Milder Field, Ellis County, Oklahoma (Hugoton-Anadarko Area).

Specifically, Black proposes to sell to Northern approximately 3,000 Mcf of natural gas per day at a price of 46¢ per Mcf (14.65 psia) plus reimbursement for all producing, gathering, severance or other similar taxes whether existing or new taxes. If the tax is based on unit value, Northern is not required to bear any part of the tax on any value in excess of the unit price. The price of this gas is subject to upward and downward Btu adjustment from a base of 930 Btu's per cubic foot. The proposed term of the sale is one year.

Black began making an emergency 60-day sale to Northern on September 24, 1973 under authority of Order No. 418.

A petition to intervene in support of the application was filed by Northern on July 27, 1973.

The application in this proceeding represents a sizeable volume of gas potentially available to the interstate market. It is of critical importance that interstate pipelines procure emergency supplies of gas to avoid disruption of service to consumers, nevertheless, we must determine whether the rate to be paid serves the public convenience and necessity. It is therefore necessary that this application be set for public hearing and expeditious determination. The hearing will be held to allow presentation, cross-examination and rebuttal of evidence by any participant. This evidence should be directed to the issue of whether the present or future public convenience and necessity requires issuance of a limited-term certificate on the terms proposed in that application.

We take further note, however, that the Commission in a number of recent orders has already held that an emergency exists on Northern's system. See "Gas Marketing, Inc."—FPC—, Docket No. CI74-42, issued November 7, 1973. We, therefore, conclude that there is an emergency on Northern's system which would warrant the issuance of a certificate if the price conforms to the public convenience and necessity.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

(2) The intervention of Northern in this proceeding may be in the public interest.

The Commission orders:

(A) The application for a limited-term certificate for the sale of natural gas filed in Docket No. CI74-12 is hereby set for hearing.

(B) Northern is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* that the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further,* That the admission of said interveners shall not be construed as recognition by the Commission that it might be aggrieved by any 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by the applicant.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on January 21, 1974 at 10:00 a.m. (EST) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by the applicant.

(D) On or before January 11, 1974, Black and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their position.

(E) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control, this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-423 Filed 1-4-74;8:45 am]

#### CASCADE NATURAL GAS CORP.

#### Accounting Adjustments; Order Granting Rehearing and Instituting Proceeding

DECEMBER 27, 1973.

As the result of an examination of the books of Cascade Natural Gas Corporation (Cascade) by the Commission staff, a letter order was sent by direction of the Commission to Cascade on October 16, 1973. The letter order directed certain accounting adjustments and requested Cascade to advise the Commission in writing within 30 days as to whether the Company consents, in accordance with the shortened procedure provided for in § 158.3 of the Commission's regulations, to the disposition of various questions regarding proper accounting which were raised.

On November 15, 1973, Cascade filed with the Commission a response in opposition to the proposed disposition, an application for rehearing, and a request for hearing. In its response, Cascade states that the Company does not consent to the disposition in our letter order and requests a formal hearing pursuant to section 158.7 of the Regulations. Specifically Cascade disagrees with Staff's position on gas plant adjustments and compliance exceptions relating to differences between Cascade's books of account and annual report to stockholders; accounting treatment of a net operating loss on Cascade's jurisdictional operations (Colorado-Utah Division); and accounting for freight charges on materials and equipment purchased. It is Cascade's contention that nearly all of the Staff's recommendations in dispute relate to Cascade's local distribution properties which are regulated by the States of Washington and Oregon and that, therefore, the recommendations are not necessary or appropriate for the purpose of the Natural Gas Act. Cascade further states that while "Staff deems it proper to impose retroactive accounting adjustments which will cause the irreparable loss of revenues and tax benefits to Cascade, Staff advised by letter dated June 22, 1973, that it is improper, because of their retroactive effect, to make accounting adjustments which would offset most of the losses resulting from the disputed Staff adjustments."

We shall treat Cascade's response as an application for rehearing filed pursuant to section 19(a) of the Act and we shall grant such application as herein-after indicated. Our review of this plead-

ing indicates that a hearing on the merits should be instituted pursuant to section 8 of the Act, and § 1.20 of the Commission's Regulations, to determine if Cascade's present accounting treatment to which the Staff has taken exception, and to which exception Cascade does not consent, should be modified upon final order of the Commission.

The Commission finds:

Good cause has been shown to investigate the justness and reasonableness of the accounting treatment in Cascade's books of account to which Cascade and the Commission Staff have failed to agree and to determine if such treatment should be modified upon final order of the Commission.

The Commission orders:

(A) Cascade's application for rehearing is hereby granted to the extent hereinafter ordered.

(B) Pursuant to the authority of the Natural Gas Act and Part 158.7 of the Commission's regulations, a public hearing shall be held on February 21, 1974, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, Washington, D.C. 20426 concerning the justness and reasonableness of the accounting treatment in Cascade's books of account to the extent that such treatment was directed to be modified by the Secretary's letter order dated October 16, 1973, but only so far as those directed modifications are objected to by Cascade.

(C) Cascade shall serve its prepared testimony and exhibits on all parties on or before January 18, 1974. The Commission Staff shall serve its prepared testimony and exhibits on or before February 11, 1974.

(D) A presiding administrative law judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing initiated by this order, and shall conduct such hearing in accordance with the Natural Gas Act, the Commission's Rules and Regulations, and the terms of this order.

(E) Pursuant to § 158.8 of the Commission's regulations, Cascade shall have the burden of proof to justify the accounting practices at issue herein.

(F) Pending final order in this proceeding, Cascade shall be permitted to continue the accounting practices at issue herein.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-418 Filed 1-4-74;8:45 am]

[Docket No. RP74-32]

#### CONSOLIDATED GAS SUPPLY CORP.

#### Notice of Proposed Tariff Changes

DECEMBER 27, 1973.

Take notice that on November 5, 1973 Consolidated Gas Supply Corporation (Consolidated) tendered for filing cer-

tain Proposed Tariff Sheets reflecting the addition to Consolidated's tariff of an adjustment clause to implement the recovery of the fixed costs embedded in its effective rates and charges which it would otherwise fail to recover because of the decrease in the volume of sales on which its rates are predicated as a result of gas shortage curtailments. Consolidated states that its cost of service will be unaffected by the filing of the tariff sheets proposed herein. The effective date of the proposed tariff sheets is December 20, 1973. Consolidated also seeks a waiver of § 154.38(d) of the regulations with regard to the filing of rate schedules, to the extent such waiver is deemed necessary. Additionally, if waiver of any other portion of the regulations should be necessary, Consolidated requests such waiver.

Copies of the proposed tariff sheets and supporting data have been furnished Consolidated's jurisdictional customers, interested State commissions and parties to this proceeding.

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, N.E., 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 January 7, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-402 Filed 1-4-74;8:45 am]

[Docket No. E-8548]

#### DUKE POWER CO.

#### Notice of Compliance Filing

DECEMBER 27, 1973.

Take notice that Duke Power Company (Duke) on December 12, 1973, tendered for filing a supplement to Duke's Electric Power Contract with the City of Gastonia, designated Rate Schedule FPC No. 227. The supplement provides for an increase in contract demand from 4,500 KW to 10,000 KW made at the request of the customer. The effective date is January 23, 1974. According to Duke, service has been made on the City of Gastonia.

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, N.E., 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 January 4, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-411 Filed 1-4-74;8:45 am]

[Docket No. CP74-75]

**EGYPTIAN GAS STORAGE CORP.**  
Notice of Extension of Time

DECEMBER 19, 1973.

On December 17, 1973 and December 18, 1973, Texas Eastern Transmission Corporation and Egyptian Gas Storage Corporation respectively, requested an extension to December 19, 1973, to file testimony and exhibits, as required by order issued December 11, 1973.

Upon consideration notice is hereby given that the time is extended to and including December 19, 1973, within which testimony may be filed and December 20, 1973 in which staff and other parties may respond.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-424 Filed 1-4-74;8:45 am]

[Docket No. CI74-342]

**LONE STAR PRODUCING CO.**  
Notice of Application

DECEMBER 27, 1973.

Take notice that on December 10, 1973, Lone Star Producing Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CI74-342 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 of natural gas in interstate commerce to United Gas Pipe Line Company (United) from the Oaks Field, Claiborne Parish, Louisiana, and delivery of said gas to Beacon Gasoline Company for processing and delivery to United in Webster 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 September 27, 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 one year from the end of the emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell an average quantity of up to 3,000 Mcf of gas per day at 50.0 cents per Mcf at 15,025 psia, subject to upward and downward Btu adjustment. Estimated sales are 60,000 Mcf of gas per month.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 22, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a

petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

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

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

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-426 Filed 1-4-74;8:45 am]

[Docket No. CI74-344]

**MCCORMICK OIL & GAS CORP.**  
(OPERATOR), ET AL.

Notice of Application

DECEMBER 27, 1973.

Take notice that on December 10, 1973, McCormick Oil & Gas Corporation (Operator), et al. (Applicant), 1204 Tenneco Building, Houston, Texas 77002, filed in Docket No. CI74-344 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 of natural gas in interstate commerce to Texas Eastern Transmission Corporation (Texas Eastern) from the Cage Estate "G" well, Brooks County, Texas, and delivery of said gas to Trunkline Gas Company for the account of Texas Eastern, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to continue for one year within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70) the sale of natural gas authorized in Docket No. CI72-843 to be made to Texas Eastern. Applicant proposes to sell approximately 3,000 Mcf of gas per day at 45.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment with upward adjustment limited to 1,100 Btu per cubic foot. The sale in Docket No. CI72-843 was authorized to be made within the

contemplation of § 2.70 for one year at 35.0 cents per Mcf at 14.65 psia by order issued December 11, 1972, sub nom. "American Trading and Production Corporation, et al.", pursuant to American Trading and Production Corporation, et al., FPC Gas Rate Schedule No. 6.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 22, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-428 Filed 1-4-74;8:45 am]

[Docket No. E-8394]

**METROPOLITAN EDISON CO.**

Notice of Filing Revisions to Wheeling and Supplemental Power Agreement

DECEMBER 27, 1973.

Take notice that on December 10, 1973 Metropolitan Edison Company (Met-Ed) tendered for filing revised Exhibits B and B-1 to its proposed contract with Allegheny Electric Cooperative (Allegheny), which was filed with this Commission on September 10, 1973 in the docket above and was noticed on September 28, 1973 and ordered suspended on November 9, 1973. Also tendered for filing was a proposed new fuel adjustment clause, which was filed pursuant to the Commission order of November 9 in this docket. Met-Ed claims that the revised exhibits lower the proposed rate for supplemental service.

Met-Ed requests that it be allowed to make the subject filing relating to a suspended rate schedule pursuant to § 35.-

17(b) of the Commission's regulations. Met-Ed also requests waiver of the 30 day notice requirement of section 205 of the Federal Power Act and § 35.3(a) of the Commission's regulations in order that Exhibits B and B-1 may be permitted to become effective on November 10, 1973. Met-Ed further requests waiver of the requirements of §§ 35(b)(4)(i) and 35.13(b)(5)(i) of the Commission's regulations for filing of cost of service data and testimony since such data and testimony was allegedly filed previously in Docket No. E-8394.

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 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 4, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-422 Filed 1-4-74;8:45 am]

[Docket No. CP67-16]

**MICHIGAN WISCONSIN PIPE LINE CO.**  
**Notice of Tariff Filing**

DECEMBER 21, 1973.

Take notice that on December 10, 1973, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) tendered for filing Eleventh Revised Sheet No. 12 to its F.P.C. Gas Tariff, Second Revised Volume No. 1 in substitution for Eleventh Revised Sheet No. 12 submitted on June 27, 1972.

Michigan Wisconsin states that this filing reflects authorization of an optional curtailment provision during the winter period months of January, February and March under its Rate Schedule LVS-1, pursuant to Commission amending order issued November 5, 1973 in Docket No. CP67-16.

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 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 January 4, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-401 Filed 1-4-74;8:45 am]

[Docket No. RP73-6]

**MISSISSIPPI RIVER TRANSMISSION CORP.**  
**AND AMERICAN SMELTING AND REFINING CO.**

**Notice of Petition for Extraordinary Relief**

DECEMBER 26, 1973.

On June 14, 1973, Mississippi River Transmission Corporation (MRT) filed revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1, setting forth curtailment procedures to be operative during periods of curtailed deliveries on MRT. By order issued October 1, 1973, the Commission suspended the revised tariff sheets for the full five months permitted by the Natural Gas Act. Subsequently, numerous applications for rehearing of that suspension order were filed, and on November 2, 1973, the Commission modified its previous order and provided for a one-day suspension. Thereafter on November 5, 1973, MRT filed a motion, pursuant to section 4(e) of the Natural Gas Act, to place the tariff sheets into effect following the expiration of the one-day suspension. A hearing on the justness and reasonableness of the now effective curtailment procedures is scheduled to commence January 8, 1974.

Take notice that on December 13, 1973, American Smelting and Refining Company (ASARCO) filed a petition with the Commission for extraordinary relief pursuant to § 1.7 of the Commission's Rules of Practice and Procedure (18 CFR 1.7) requesting the Commission to grant ASARCO relief from curtailment by MRT by requiring MRT to deliver to ASARCO 634 Mcf on an average day and 710 Mcf on a peak day to meet its smelting and refining operations at ASARCO's Glover, Missouri plant.

ASARCO states that natural gas is the primary fuel used at the Glover plant and is purchased from MRT under an interruptible contract. ASARCO further states that MRT has advised ASARCO that all deliveries to the Glover plant under the existing interruptible contract will be curtailed this winter. From the commencement of operations of the Glover plant in 1968, ASARCO alleges that the only alternate fuel utilized when natural gas was interrupted has been propane, and propane suppliers have advised ASARCO that the Glover plant will not receive sufficient propane to enable it to operate this winter. Additionally, ASARCO states that as of December 10, 1973, the plant had only enough propane for 13 days of operation and no prospect for the receipt of additional quantities. Accordingly, ASARCO requests that MRT be directed to deliver to ASARCO up to 634 Mcf on an average day and

710 Mcf on a peak day until April 30, 1974, to its Glover plant.

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. All parties heretofore permitted to intervene in the proceedings in Docket No. RP73-6 are deemed intervenors herein and need not refile. However, any person desiring to be heard or to make any protest with reference to said petition inclusive of those heretofore permitted to intervene should on or before January 4, 1974, 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 a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

MARY B. KIDD,  
Secretary.

[FR Doc.74-408 Filed 1-4-74;8:45 am]

[Project No. 2301]

**MONTANA POWER CO.**

**Notice of Issuance of Annual License**

DECEMBER 27, 1973.

On December 23, 1968, The Montana Power Company, Licensee for Mystic Lake Project No. 2301 located in Stillwater County, Montana, on West Rosebud Creek and Mystic Lake filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on December 23, 1969, and a supplemental filing pursuant to Commission Order No. 415 on October 29, 1970.

The license for Project No. 2301 was issued effective December 1, 1961, for a period ending December 31, 1969. 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 The Montana Power Company for continued operation and maintenance of Project No. 2301.

Take notice that an annual license is issued to The Montana Power Company (Licensee) under section 15 of the Federal Power Act for the period January 1, 1974, to December 31, 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 Mystic Lake Project

No. 2301, subject to the terms and conditions of its license.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-415 Filed 1-4-74;8:45 am]

[Docket No. RP73-110]

### NATURAL GAS PIPE LINE CO.

#### Notice of Further Extension of Time

DECEMBER 21, 1973.

On December 12, 1973, Staff Counsel filed a motion for a further extension of time to file Staff's testimony dealing with Advance Payments and Depreciation. The motion states that all parties concur in the motions.

On December 19, 1973, Natural Gas Pipe Line Company of America filed an answer to the above motion suggesting further revisions in the procedural dates.

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

Service of Advance Payments Testimony, December 21, 1973.

Prehearing Conference, January 8, 1974 (10 a.m., e.d.t.).

Service of Interveners Evidence, January 22, 1974.

Service of Rebuttal Evidence, February 5, 1974.

Service of Depreciation Evidence by Staff, February 9, 1974.

Service of Interveners' and Natural's Evidence on Staff's Evidence on Depreciation, March 1, 1974.

Hearing, March 12, 1974 (10 a.m., e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-407 Filed 1-4-74;8:45 am]

[Project No. 96]

### PACIFIC GAS AND ELECTRIC CO.

#### Notice of Issuance of Annual License

DECEMBER 27, 1973.

On August 31, 1970, Pacific Gas and Electric Company, Licensee for Kerckhoff Project No. 96, located on the San Joaquin River in Fresno and Madera Counties, California, and affecting U.S. lands of the Sierra National Forest, filed an application under section 15 of the Federal Power Act and Commission regulations thereunder (§ 16.1-16.6).

The license for Project No. 96 was issued effective December 2, 1972, for a period ending December 1, 1972. 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 Pacific Gas and Electric Company for the continued operation and maintenance of Project No. 96.

Take notice that an annual license is issued to Pacific Gas and Electric Company (Licensee) under section 15 of the Federal Power Act for the period December 2, 1973, to December 1, 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 Kerckhoff Project No. 96, subject to the terms and conditions of its license.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-416 Filed 1-4-74;8:45 am]

[Project No. 619]

### PACIFIC GAS AND ELECTRIC CO.

#### Notice of Issuance of Annual License

DECEMBER 27, 1973.

On December 22, 1967, Pacific Gas and Electric Company, Licensee for Bucks Creek Project No. 619 located in the vicinity of Quincy, County of Plumas, California, on Bucks, Grizzly and Milk Ranch Creeks filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on March 2, 1970, and a supplemental filing pursuant to Commission Order No. 415 on November 18, 1970, and an additional filing on July 30, 1973.

The License for Project No. 619 was issued effective April 14, 1926, for a period ending December 31, 1968. 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 Pacific Gas and Electric Company for continued operation and maintenance of Project No. 619.

Take notice that an annual license is issued to Pacific Gas and Electric Company (Licensee) under section 15 of the Federal Power Act for the period January 1, 1974, to December 31, 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 Bucks Creek Project No. 619, subject to the terms and conditions of its license.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-410 Filed 1-4-74;8:45 am]

[Docket No. CP74-160]

### PACIFIC INDONESIA LNG CO.

#### Notice of Application

DECEMBER 27, 1973.

Take notice that on November 30, 1973, Pacific Indonesia LNG Company (Applicant), 720 West Eighth Street, Los Angeles, California 90017, filed in Docket No. CP74-160 an application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing the importation of liquefied natural gas (LNG) into the United States from the Republic of Indonesia, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to import from Indonesia for 20 years an average daily quantity of liquefied natural gas containing approximately 619.71 Btu, which is equivalent to approximately 546,000 Mcf per day of natural gas at 1,135 Btu per standard cubic foot. Applicant states that the LNG will be imported from Indonesia in accordance with a precedent letter agreement between Applicant and Pacific Lighting International, S.A. (PLI), a Panama Corporation, dated November 28, 1973, in which said parties have agreed to execute a definitive agreement providing for the sale by PLI to Applicant of quantities of LNG dedicated to PLI under a Contract for the Sale and Purchase of Natural Gas known as the Pertamina Contract dated September 6, 1973. In the latter agreement PLI has contracted with Perusahaan Pertambangan Minyak Dan Gas Bumi Negara (Pertamina), the State Oil and Gas Enterprise of the Republic of Indonesia, to purchase over the term of a 20-year contract, LNG with a provision that prior to the first contract year lesser quantities of LNG than the daily 619.71 billion Btu will be sold and purchased during the startup period. The application states in addition that the contract term may be extended if the parties so agree at least five years prior to the end of the contract term.

The application states that natural gas will be produced by Pertamina and Mobil Oil Indonesia Inc. (Mobil) to meet the requirements of said contract from an area known as Contract Area "B", located in the Province of Aceh in northwest Sumatra, Indonesia, which area includes the Arun Field. The application states further than the most recent estimate of the natural gas reserves in this latter field indicates that the Arun Field's reserves are more than adequate to support Pertamina's obligation under its contract with PLI. The application states that Mobil is entitled to a share of said production pursuant to Mobil's Production Sharing Contract with Pertamina but that under a Supply Agreement between Mobil and Pertamina, Mobil's entire share of the LNG to be sold and delivered under the Pertamina Contract will be made available to Pertamina for sale to PLI. Applicant states that Mobil has endorsed the Pertamina Contract and has confirmed that it is acceptable.

The application states that after production and gathering, natural gas will be transported to a liquefaction facility to be built by Pertamina in northwest Sumatra, where the gas will be liquefied, stored and loaded onto ships at which loading point PLI will take title. PLI will sell said LNG to Applicant under the agreement to be executed pursuant to the LNG Purchase and Sales Agreement of November 28, 1973, which provides that Applicant will take title on the high seas.

Applicant has agreed in a precedent letter agreement November 28, 1973, with Pacific Lighting Marine Company (PL Marine) to execute a definitive LNG Shipping Agreement providing that PL Marine will furnish to Applicant, by time

charter or otherwise, a minimum of two LNG ships meeting the requirements of the Pertamina Contract and the LNG Purchase and Sales Agreement, and up to six additional ships.

The LNG to be imported will be discharged by PL Marine at facilities proposed to be constructed by Applicant in the vicinity of Port Hueneme, California. Applicant proposes to construct at this site a regasification facility which is to have a peak deliverability of 1,000,000 Mcf per day. Applicant states that it will file early in 1974 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity for these facilities. Applicant intends to sell natural gas derived from this LNG import arrangement to Southern California Gas Company (SoCal) for use on the latter's natural gas distribution system.

Applicant estimates that approximately 190 million Mcf of gas per year will be available to SoCal after consideration is taken for losses resulting from evaporation during shipment of LNG and losses and consumption in the facilities of Applicant.

Applicant states that it is a wholly-owned subsidiary of Pacific Lighting Corporation, PLI, from which Applicant will purchase LNG, is a wholly owned subsidiary of Pacific Hydrogen Corporation, which is a wholly-owned subsidiary of Pacific Lighting Corporation. PL Marine, from which Applicant will obtain ships from transportation of the LNG from Indonesia to the United States is likewise a wholly-owned subsidiary of Pacific Lighting Corporation. SoCal, to which Applicant will sell natural gas derived from LNG, after importation and regasification, has all its outstanding common stock and approximately 92 percent of the voting stock held by Pacific Lighting Corporation.

In a letter accompanying the instant application Applicant states that the precedent agreements referred to herein contemplate the execution of definitive contracts between the parties by January 31, 1974. Applicant states further that the application will be supplemented by such definitive agreements, as well as supplemented by the pricing provisions contained in the Pertamina Contract which have been omitted from the instant filing at Pertamina's request until Pertamina completes its negotiations with other parties for the sale of LNG which are currently in progress and are expected to be concluded by the end of 1973.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 22, 1974, 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-421 Filed 1-4-74; 8:45 am]

[Project No. 2516]

**POTOMAC EDISON COMPANY OF WEST VIRGINIA**

**Notice of Issuance of Annual License**

DECEMBER 27, 1973.

On September 28, 1973, The Potomac Edison Company of West Virginia, Licensee for Dam No. 4 Project No. 2516 located in Berkeley County, West Virginia on the Potomac River near the town of Shepherdstown filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). The Applicant filed a motion requesting Commission permission to file late on October 15, 1973.

The license for Project No. 2516 was issued effective January 1, 1969, for a period ending December 31, 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 The Potomac Edison Company of West Virginia for continued operation and maintenance of Project No. 2516.

Take notice that an annual license is issued to The Potomac Edison Company of West Virginia (Licensee) under section 15 of the Federal Power Act for the period January 1, 1974, to December 31, 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 Dam No. 4 Project No. 2516, subject to the terms and conditions of its license.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-413 Filed 1-4-74; 8:45 am]

[Project No. 2517]

**POTOMAC EDISON COMPANY OF WEST VIRGINIA**

**Notice of Issuance of Annual License**

DECEMBER 27, 1973.

On September 28, 1973, The Potomac Edison Company of West Virginia, Licensee for Dam No. 5, Project No. 2517 located in Berkeley County, West Virginia on the Potomac River near the Town of Hedgesville filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (sections 16.1-16.6). The Applicant filed a motion requesting Commission permission to file late on October 15, 1973.

The License for Project No. 2517 was issued effective January 1, 1969, for a period ending December 31, 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 The Potomac Edison Company of West Virginia for continued operation and maintenance of Project No. 2517.

Take notice that an annual license is issued to The Potomac Edison Company of West Virginia (Licensee) under Section 15 of the Federal Power Act for the period January 1, 1974, to December 31, 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 Dam No. 5, Project No. 2517, subject to the terms and conditions of its license.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-414 Filed 1-4-74; 8:45 am]

[Docket No. E-8552]

**PUGET SOUND POWER & LIGHT CO.**

**Notice of Tendering of Agreement and Rate Schedule**

DECEMBER 27, 1973.

Take notice that on December 13, 1973 Puget Sound Power & Light Company (Puget Sound) tendered for filing a Memorandum of Agreement with the Los Angeles Department of Water and Power (Department) which Puget Sound claims provides for an initial rate.

Puget Sound describes the Agreement as one which provides for energy to be delivered by them to the Department and others. The rate of payment is to be consistent with that set forth in the Pacific Northwest Coordination Agreement for energy supplied from thermal electric sources or miscellaneous purchases. Service under the subject Agreement is to begin December 13, 1973 and Puget Sound proposes that as an effective date.

Puget Sound states that the Agreement is intended to help alleviate critical fuel shortages being experienced by the municipalities. The company further claims that it is impossible to estimate the transactions and revenues which will be derived under the Agreement.

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 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 4, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-403 Filed 1-4-74; 8:45 am]

[Docket No. E-8224]

**SIERRA PACIFIC POWER CO.****Notice of Further Extension of Time and Postponement of Prehearing Conference and Hearing**

DECEMBER 21, 1973.

On December 20, 1973, Sierra Pacific Power Company filed a motion for the revision of procedural dates fixed by notice issued November 12, 1973, in the above-designated matter. The motion states that none of the parties object to the proposed extension.

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

Service of Rebuttal Evidence by Sierra, January 25, 1974.

Prehearing Conference, February 5, 1974 (10 a.m., e.d.t.).

Cross-Examination, February 6, 1974 (10 a.m., e.d.t.).

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 74-406 Filed 1-4-74; 8:45 am]

[Docket No. E-7801]

**CONNECTICUT LIGHT AND POWER CO.****Notice of Amendment to Purchase Agreement**

DECEMBER 27, 1973.

Take Notice that Connecticut Light and Power Company on October 25, 1973, tendered for filing an amendment to their Northfield Mountain Purchase Agreement. The purchasers under the agreement are Montaup Electric Company, New Bedford Gas and Edison Light Company, and Public Service Company of New Hampshire. The termination dates of the existing 1973 and 1974 periods in the Agreements with the purchasers have been altered to permit the purchasers to obtain credit in accordance with the New England Power Pool Agreement.

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 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 8, 1974. 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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 74-427 Filed 1-4-74; 8:45 am]

[Docket No. CP74-7]

**SOUTHERN NATURAL GAS CO.****Order Issuing Certificate of Public Convenience and Necessity as Conditioned, Granting Intervention, Setting Hearing Dates and Prescribing Procedures**

DECEMBER 27, 1973.

On July 9, 1973, Southern Natural Gas Company (Southern) filed, in Docket No. CP74-7, an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of measuring stations and for permission and approval of abandonment of pipeline and appurtenant facilities by sale to Atlanta Gas Light Company (Atlanta Gas) and certain measuring facilities by removal and retirement.

More specifically, Southern proposes to abandon by sale to Atlanta Gas approximately 43.279 miles of Southern's Macon (Georgia) line between Southern's Bass Junction station in Bibb County, Georgia, and Milledgeville station in Baldwin County, Georgia.

Atlanta Gas proposes to utilize these facilities to accommodate a satellite LNG peak shaving plant.

Southern states that the proposed sale will benefit it by relieving it of the responsibilities of maintaining facilities, some of which were placed into operation in the 1930's. Southern further alleges that the abandonment will have no effect on its design delivery capacity and that the only effect will be that the gas formerly delivered by these facilities will now be delivered at two new proposed delivery points.

Southern is also requesting authorization to construct and operate two measuring stations to be known as the Macon-Milledgeville Line No. 1 Station (at Bass Junction) and the Macon-Milledgeville Line No. 2 Station (at South Main) which will replace four such stations proposed to be abandoned by sale along with the Macon-Milledgeville line.

On August 7, 1973, Carolina Pipeline Company (Carolina) filed a timely petition for leave to intervene. Carolina has requested that any certificate issued herein be conditioned to limit the annual sales to Atlanta Gas at the two new proposed delivery points at the 1972 sales volumes which were delivered to Atlanta Gas at the four delivery points which are proposed to be abandoned herein. Carolina requests this condition because it feels that the application, if granted, could result in a diminution of service to Carolina while allowing Atlanta Gas to purchase more gas for inferior use.

On August 17, 1973, Southern filed a response to Carolina's petition to intervene. In this response Southern claimed that consideration of the issues raised by Carolina in its petition to intervene are presently before the Commission in Docket No. RP72-74 and that,

therefore, any consideration of these issues would be tantamount to deciding or prejudging issues before the Commission in other proceedings.

On November 19, 1973, Carolina filed a notice of withdrawal of its petition to Intervene filed on August 7, 1973. In this notice, Carolina states that, upon further reconsideration of the matter, it now believes that the issues raised can more appropriately be resolved in Docket No. RP72-74.

On August 7, 1973, a timely petition to intervene in support of the application was filed by Atlanta Gas Light Company.

In view of the present situation that exists on Southern's system, regarding end use priorities and curtailments, we deem it necessary and proper and in the public interest to issue a permanent conditional certificate to Southern. This certificate will be conditioned so that future annual sales to Atlanta Gas at the two new delivery points are limited to the 1972 volumes delivered to Atlanta Gas at the four former delivery points. We will, however, allow the parties an opportunity to show whether the condition, as imposed, will continue to serve the public interest and therefore should be retained or whether, alternatively, the condition does not serve the public interest and, therefore, should be removed.

The Commission finds:

(1) The intervention of Carolina and Atlanta Gas may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

The Commission orders:

(A) Upon the terms and conditions of this order, a certificate of public convenience and necessity is issued authorizing Applicant, Southern, to construct and operate the measuring stations, as applied for, and further authorizing Southern to abandon pipeline and appurtenant facilities by sale to Atlanta Gas and certain measuring facilities by removal and retirement, as more fully described in the application.

(B) The certificate issued by paragraph (A) above, and the rights granted thereunder, is conditioned so that all future annual sales to Atlanta Gas, from this date forward, at the two new delivery points, are limited to the 1972 volumes delivered to Atlanta Gas at the four former delivery points. The condition will remain in effect until a showing by the parties that the condition is not in the public interest and further order of the Commission thereupon.

(C) Carolina and Atlanta Gas are hereby permitted to intervene in this proceeding, subject to the Rules and

Regulations of the Commission; *Provided, however*, That the participation of said intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further*, That the admission of said intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders of the Commission entered in this proceeding.

(D) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on February 5, 1974, at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

(E) On or before January 14, 1973, Southern and Atlanta shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their position.

(F) An Administrative Law Judge to be designated by the Chief Administrative Law Judge shall preside at, and control, this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-419 Filed 1-4-74; 8:45 am]

[Docket No. RP73-113]

#### TENNESSEE GAS PIPELINE CO.

#### Notice of Extension of Time and Postponement of Prehearing Conference and Hearing

DECEMBER 27, 1973.

On December 7, 1973, Staff Counsel filed a motion for an extension of the procedural dates fixed by order issued August 1, 1973. The motion states that none of the parties contacted expressed any opposition to the request. However, the motion states that Columbia Gas Transmission Corporation does not oppose the motion but does believe that the prehearing conference should be scheduled prior to the filing of intervenor evidence and Tennessee's rebuttal evidence, and further that greater time should be allowed for the filing of intervenor evidence.

On December 7, 1973, Tennessee Gas Pipeline Company, a division of Tenneco, Inc. filed a motion to revise the procedural schedule. The motion states that the customer intervenors listed in the motion either support the motion or do not oppose the proposed procedural schedule. Joinders or answers in support of the motion by Tennessee were filed by Alabama-Tennessee Natural Gas Company; North Penn Gas Company and Pennsylvania Gas and Water Company, jointly; Consolidated Edison Company of New York, Inc.; Columbia Gas Transmission Corporation; New York State Elec-

tric & Gas Corporation; Iroquois Gas Corporation, Pennsylvania Gas Company and United Natural Gas Company, jointly; The Berkshire Gas Company, et al.

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

Service of Testimony and Exhibits by Staff, March 1, 1974.

Prehearing Conference, March 26, 1974 (10 a.m., e.d.t.).

Service of Testimony and Exhibits by Intervenors, April 26, 1974.

Service of Rebuttal Evidence by Tennessee, May 24, 1974.

Hearing, June 4, 1974 (10 a.m., e.d.t.).

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-417 Filed 1-4-74; 8:45 am]

[Docket No. RP74-39-4]

#### TEXAS EASTERN TRANSMISSION CORP. AND CITY OF LAWRENCEBURG, TENN.

#### Notice of Petition for Emergency Relief

DECEMBER 27, 1973.

Public notice is hereby given that on December 12, 1973, the City of Lawrenceburg, Tennessee (Lawrenceburg) filed a petition for emergency relief pursuant to section 1.7 of the Commission's rules of practices and procedure. Lawrenceburg requests that the Commission order its sole supplier of natural gas, Texas Eastern Transmission (TETCO) to supply it with 124,000 Mcf in excess of its present curtailed annual entitlement. Lawrenceburg states that all of the 124,000 Mcf would be sold to the Murray Ohio Manufacturing Company (Murray), a manufacturer of Bicycles and Power Lawn Mowers, for use in that company's process steam boilers.

Murray is the only industrial customer of Lawrenceburg, and last year it purchased more than half of Lawrenceburg's Gas. Murray claims that unless it is given the gas which Lawrenceburg requests it will have to close down its manufacturing plant and offices from about May 1, 1974 through September 1, 1974, when it would receive its new annual entitlement for the 1974-1975 year. The company claims that a shutdown of several months would permanently injure the company and the community in which it is by far the largest employer. Approximately 3,200 employees would be laid off in the City of 10,000 people.

Lawrenceburg notified Murray of the curtailment on September 12, 1973, one week after TETCO's present curtailment plan became operative. Murray claims it immediately took steps to convert its process steam boilers to fuel oil use but because of similar demands by other industries, the necessary equipment could not be installed prior to February 15, 1974. Once the conversion is completed, Murray states that it could live within its reduced entitlement of natural gas. Lawrenceburg states that the additional gas it requests in this petition will not be needed in future years if oil is available.

Ten of Murray's suppliers have submitted affidavits, which are appended to Lawrenceburg's petition, alleging injury to themselves should Murray be forced to shut down.

Any person desiring to be heard or to make protest with reference to said petition should on or before January 7, 1974, 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 petition is on file with the Commission and is available for public inspection.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-425 Filed 1-4-74; 8:45 am]

[Docket No. CI74-168]

#### HARVEY E. YATES, CO., ET AL.

#### Limited Term Certificate; Order Providing for Formal Hearing, Permitting Interventions and Establishing Procedures

DECEMBER 27, 1973.

On April 15, 1971, the Commission, acting pursuant to the authority of the Natural Gas Act, as amended, particularly Sections 4, 5, 7, 8, 10, and 16 thereof (52 Stat. 822, 823, 824, 825, 826, 830; 56 U.S.C. Secs. 717c, 717d, 717f, 717g, 717i and 717j), issued Order 431 promulgating a Statement of General Policy with respect to the establishment of measures to be taken for the protection of as reliable and adequate service as present natural gas supplies and capacities will permit.

On August 30, 1973, Harvey E. Yates Company, et al (Applicants) filed in Docket No. CI74-168 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.70 of the Commission's General Policy and Interpretations thereunder for a one year limited-term certificate of public convenience and necessity with pre-granted abandonment authorizing the sale of natural gas to Transwestern Pipeline Company (Transwestern) from acreage in Eddy County, New Mexico. The limited-term certificate application provides for Applicants to sell to Transwestern approximately 150,000 Mcf of gas per month at a rate of 54.25 cents per million Btu (14.65 psia). Applicants commenced emergency deliveries to Transwestern from the subject acreage on August 15, 1973, pursuant to Section 157.29 of the Commission's Regulations. This sixty day emergency sale expired on October 14, 1973, but was extended for an additional sixty day period.

In Order 431, the Commission amended 18 CFR Part 2 by adding a new § 2.70, which reads:

(3) The Commission recognizing that additional short-term gas purchases may still be necessary to meet the 1971-1972 demands, will continue the emergency measures referred to earlier for the stated 60-day period. If the emergency purchases are to extend beyond the 60-day period, paragraph 12 in the notice issued by the Commission on July 17, 1970, in Docket No. R-389A should be utilized (35 FR 11638). The Commission will consider if the pipeline demonstrates emergency need \* \* \*

Paragraph 12 of R-389 provided, in part, that applicants, requesting certificates for sales of natural gas in excess of the ceiling or guideline rate, shall state the grounds for claiming that the present or future public convenience and necessity requires issuance of a certificate on the terms proposed in the application.

The application in this proceeding represents a significant volume of gas potentially available to the interstate market. It is of critical importance that interstate pipelines procure emergency supplies of gas to avoid disruption of service to consumers; nevertheless, we must determine whether the rate to be paid serves the public convenience and necessity. It is therefore necessary that this application be set for public hearing and expeditious determination. The hearing will be held to allow presentation, cross-examination, and rebuttal of evidence by any participant. This evidence should be directed to the issue of whether the present or future public convenience and necessity requires issuance of a limited-term certificate on the terms proposed in that application.

We take further note, however, that the Commission in a number of recent orders has already held that an emergency exists on Transwestern's system. See *Continental Oil Co., — FPC —*, Docket No. CI73-742, issued June 8, 1973. We, therefore, conclude that there is an emergency on Transwestern's system which would warrant the issuance of a certificate if the price conforms to the public convenience and necessity.

Petitions to intervene in this proceeding were filed jointly by Pacific Lighting Service Company and Southern California Gas Company on September 25, 1973 and by Transwestern on September 27, 1973.

Applicants request that their application be disposed of under the shortened procedure prescribed by § 1.32 of the Commission's rules of practice and procedure.

The Commission finds:

(1) Good cause exists to set for formal hearing the application for a limited-term certificate herein and deny the request to dispose of this application under the shortened procedure prescribed in § 1.32 of the Commission's rules of practice and procedure.

(2) It may be in the public interest to permit the above-named petitioners to intervene in this proceeding.

The Commission orders:

(A) The application for limited-term certificate for sale of natural gas filed in Docket No. CI74-168 is hereby set for hearing and the request to dispose of this application under the shortened

procedure prescribed in § 1.32 of the Commission's rules of practice and procedure is hereby denied.

(B) Pursuant to the authority contained in and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, including particularly Sections 7, 15, and 16, and the Commission's Rules and Regulations under that Act, a public hearing shall be held commencing February 11, 1974 at 10 a.m. (e.s.t.) at a hearing room of the Federal Power Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426, concerning whether the present or future convenience and necessity requires the issuance of a limited-term certificate for the sale of natural gas on the terms proposed in this application and whether the issuance of said certificate should be conditioned in any way.

(C) The above-named petitioners are hereby permitted to become interveners, subject to the rules and regulations of the Commission; *Provided, however*, That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in the petitions to intervene; and, *Provided, further*, That the admission of such interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order of the Commission entered in these proceedings.

(D) Applicants and all petitioners supporting the application shall, on or before February 4, 1974, file with the Commission and serve on all parties to this proceeding, including Commission Staff, all testimony to be sponsored in support of the instant application.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at the hearings in this proceeding and shall prescribe relevant procedural matters not herein provided.

By the Commission.

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

[FR Doc.74-404 Filed 1-4-74;8:45 am]

[Docket No. CP74-5]

**ALGONQUIN GAS TRANSMISSION  
COMPANY**

**Order Granting Applicant's Motion for Postponement of Procedural Dates, Rescheduling Formal Hearings and Denying Staff Motion To Dismiss**

DECEMBER 27, 1973.

On July 5, 1973, Algonquin Gas Transmission Company (Applicant) filed in Docket No. CP74-5 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 synthetic gas in interstate commerce to Texas Eastern Transmission Corporation (Texas Eastern), Applicant's natural gas supplier. Under existing authority (----- FPC

-----, Opinion No. 637, Docket No. CP72-35, issued December 7, 1972), Applicant is authorized to transport and sell in interstate commerce for resale during the winter period from October 16 through April 15 to its then existing customers synthetic gas purchased from and manufactured by Algonquin SNG, Incorporated, Applicant's subsidiary.

In its July 5 application, Applicant estimated that requirements of its existing customers would not equal the maximum daily capacity of Algonquin SNG in the foreseeable future and requested authorization to sell for ten years the balance of the plant's output to Texas Eastern on a daily basis.

The Commission by its order issued October 30, 1973, in this docket, granted certain interventions, required that the direct case of Applicant and all interveners in support thereof be filed on or before November 20, 1973, and set a formal hearing date of December 11, 1973.

On November 20, 1973, Applicant filed a motion pursuant to § 1.12 of the Commission's rules of practice and procedure requesting postponement of the procedural dates set by the Commission's Order of October 30, 1973. In support of its motion Applicant stated *inter alia* that since the filing of its application " \* \* \* certain events have occurred which make it inappropriate to file testimony and go to hearing at this time." Applicant states in its motion that its " \* \* \* regular customers have indicated their desire to purchase all of the plant's output during this coming Wintertime period \* \* \* thus making non available for sale to Texas Eastern during the winter of 1973-74. Applicant also cites in its motion its inability to meet Commission Staff's request of November 2, to provide in its evidence detailed market data sufficient to reflect the end use allocation of gas in the Texas Eastern Transmission Corporation System, both with and without the volumes which Algonquin proposes to sell in the subject application.

All parties except Staff have agreed to Applicant's motion. Staff, by motion dated November 28, ask that the application be dismissed on the ground that under § 1.13 of the Commission's rules of practice and procedure, a motion setting out good cause for extension must be made before four fifths of the time, November 16 in this case has passed.

*The Commission finds:*

The Applicant has shown good cause for postponement of procedural dates.

*The Commission orders:*

(A) Staff's motion to dismiss should be, and is denied.

(B) The direct case of the applicant and all interveners in support thereof shall be filed and served on all parties on or before January 21, 1974. The presiding Administrative Law Judge shall fix dates for the filing of answering testimony after completion of cross-examination on direct testimony.

(C) A formal hearing shall be convened in this proceeding in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., on February 12, 1974, at 10:00

a.m. (e.s.t.). Such hearing shall consider testimony on the issues listed above and any other issues which may be relevant to this proceeding. The Chief Administrative Law Judge will designate an appropriate office of the Commission to preside at the formal hearing of these matters, pursuant to the Commission's Rules of Practice and Procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-429 Filed 1-4-74;8:45 am]

[Docket Nos. CI67-1594, et al.]

**KERR-McGEE CORP., ET AL.**

**Order Consolidating Proceedings and Establishing Date for Prehearing Conference**

DECEMBER 27, 1973.

In the matter of Kerr-McGee Corporation, Continental Oil Company, Amoco Production Company, Southern Natural Gas Company, Phillips Petroleum Company, Southern Natural Gas Company, Tenneco Oil Company, Union Oil Company of California, General American Oil Company of Texas, and Transcontinental Gas Pipe Line Corporation; CI67-1594 and G-17381, G-13758, G-17417, CI67-1654, CI61-355, G-17444, G-17447, CI67-1644, CI67-1645, CI67-332, G-18980, CI61-331, RI65-281, G-19924, RP63-3.

On July 27, 1972, Kerr-McGee Corporation, et al., (Petitioners) filed in Docket No. CI67-1594, et al., pursuant to Section 1.7 of the Commission's Rules of Practice and Procedure, a petition for release of funds currently being held in escrow. The funds are being retained in escrow accounts pursuant to Commission's orders<sup>1</sup> approving settlement agreements between Petitioners, Transcontinental Gas Pipe Line Corporation (Transco) and certain of Transco's customers. According to the above-mentioned orders, permanent certificates were issued to the Petitioners at 19.0 cents per Mcf for Offshore Louisiana Federal Domain sales and at 20.625 cents per Mcf for sales subject to the state of Louisiana taxing jurisdiction. The escrowed monies (1.625 cents per Mcf) represent the difference between the Federal Domain rate and the state of Louisiana rate for sales of gas produced from the "disputed zone" where the applicability of Louisiana severance taxes was uncertain.<sup>2</sup> The escrowed amounts comprised \$15.7 million deposited by Transco plus over \$4.2 million in investment earnings therefrom.

Petitioners allege that because of Commission's Opinion Nos. 598 and 598-A (Southern Louisiana Area Rate Proceeding Docket Nos. AR61-2, et al. and

AR69-1) they are now entitled to receive the escrowed funds and request that the Commission issue an order directing disbursement thereof to them.

A similar petition for release of escrowed funds was filed on October 11, 1972, in Docket Nos. RI65-281 and G-19924, by General American Oil Company of Texas (General American) accompanied by a motion by General American for consolidation of its petition with the proceedings in the Kerr-McGee, et al. docket. Although General American was not a party to the settlement agreement between Petitioners and Transco, General American has an escrow agreement with Transco regarding sales to Transco from the "disputed zone", whereby Transco has deposited \$4.1 million with the same escrow agent used in the Kerr-McGee, et al., escrow arrangement. Moreover, the General American-Transco escrow arrangement was styled after the Kerr-McGee-Transco arrangement. It appears that the same issues of law and fact are involved in the two arrangements. Consequently, we shall consolidate these proceedings for hearing and disposition.

Petitions to intervene in these proceedings have been filed by Associated Gas Distributors on November 9, 1972, Mobil Oil Corporation on December 21, 1972, Ocean Drilling & Exploration Company on December 26, 1972, The Philadelphia Gas Works Division of United Gas Improvement Corporation on December 26, 1972, and Newmont Oil Company on December 29, 1972. On December 21, 1972, The Public Service Commission for the State of New York filed a Notice of Intervention.

*The Commission finds:*

(1) It is necessary and in the public interest that this proceeding be set for hearing and that a prehearing conference be held in connection with the issues presented herein.

(2) The proceedings in Docket Nos. CI67-1594 et al. and RI65-281 et al. should be consolidated for hearing and disposition.

(3) It is desirable and in the public interest to allow the above-mentioned petitioners to intervene in this proceeding.

*The Commission orders:*

(A) The proceedings in Docket Nos. CI67-1594 et al. and RI65-281 et al. are consolidated for hearing and disposition of the matters and issues therein. Pursuant to the authority of the Natural Gas Act, a public hearing shall be held concerning the issues presented therein.

(B) Within 15 days of the date of this order, parties shall file their testimony and evidence. All testimony and evidence filed herein shall be served upon the Presiding Administrative Law Judge, Commission Staff, and all other parties to the proceeding. Parties may, if they deem appropriate, incorporate their previous filings herein as evidence.

(C) On January 9, 1974, a prehearing conference shall be held in accordance with Section 1.18 of the Rules of Practice and Procedure to resolve the issues

herein in a hearing room of the Federal Power Commission, Washington, D.C. at 10:00 a.m.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose shall convene the prehearing conference in the proceeding.

(E) The Administrative Law Judge may in his discretion grant recesses from time to time if he deems a settlement or submission of the issues upon stipulated facts to be possible. If no stipulation or settlement can be reached by the parties hereto after reasonable time and provision has been made for the same, the Presiding Administrative Law Judge shall establish the time for the commencement of hearing.

(F) The above-named petitioners are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests; *And provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in these proceedings.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-430 Filed 1-4-74;8:45 am]

[Docket No. CI74-173]

**O. G. McCLAIN**

**Order Establishing Date for Hearing and Granting Petition To Intervene**

DECEMBER 26, 1973.

On September 10, 1973, O. G. McClain (McClain) filed an application to abandon sales of natural gas in interstate commerce to Natural Gas Pipeline Company of America (Natural) from the Amargosa Field, Jim Wells County, Texas (Texas Gulf Coast Area). Natural filed a Petition to Intervene in this proceeding on October 23, 1973. On October 1, 1973, before Natural filed its first Petition to Intervene, McClain amended his original application to abandon the sales and sought in the alternative a unilateral rate increase to 75.323 cents per Mcf for the subject gas pursuant to § 2.76 of the Commission's general rules of practice and procedure, 18 CFR 2.76, which was adopted in Order No. 481.<sup>1</sup> On November 12, 1973, Natural filed a second petition to intervene in this proceeding, opposed the request for abandonment and special relief, and requested a hearing.

<sup>1</sup> Policy With Respect To Sales Where Reduced Pressures, Need For Reconditioning, Deeper Drilling, Or Other Factors Make Further Production Uneconomical At Existing Prices, Docket No. R-458, 49 F.P.C. — (issued April 12, 1973), as amended by Order Amending Order No. 481 And Granting And Denying Petitions For Rehearing, 49 F.P.C. — (issued June 8, 1973).

<sup>1</sup> See Socony Mobil Oil Company, 28 FPC 357 (1962); Union Texas Petroleum, 29 FPC 1283 (1963); Union Texas Petroleum, 30 FPC 1324, as amended 31 FPC 236 (1964).

<sup>2</sup> The boundary dispute has been before the United States Supreme Court for more than 10 years. See 363 U.S. 1 (1960) and 404 U.S. 388 (1971).

McClain is currently selling the subject gas at 16.72028 cents per Mcf under the terms of a contract dated October 1, 1972, which has expired. McClain, a small producer,<sup>2</sup> recently acquired a fifty (50) percent interest in the producing properties. The rate schedule for the sale to Natural is currently designated as Lesh Company FPC Gas Rate Schedule No. 2. McClain prefers to abandon the sale to Natural, but if this is not possible McClain seeks a unilateral rate increase to 75.323 cents per Mcf. McClain submitted geological and cost information as justification in support of the need for the higher rate.

*The Commission finds:*

(1) It is necessary and in the public interest that this proceeding be set for formal hearing in connection with the issues presented by the application of O. G. McClain, as amended.

(2) It is desirable and in the public interest to allow Natural Gas Pipeline Company of America to intervene in this proceeding.

*The Commission orders:*

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 14, 15, and 16 thereof the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held in this proceeding commencing on February 4, 1974, in a hearing room of the Federal Power Commission, Washington, D.C. 20426, at 10:00 a.m. e.s.t.

(B) Applicant shall file his direct testimony and evidence in support his application to abandon or for special relief on or before January 18, 1974. All such testimony and evidence shall be served upon the Presiding Administrative Law Judge, the Commission Staff, and Natural.

(C) The Commission Staff and Natural shall file their direct testimony and evidence on or before February 8, 1974. All such testimony and evidence shall be served upon the Presiding Administrative Law Judge and all other parties to this proceeding, including the Commission Staff.

(D) Applicant shall file his rebuttal testimony and evidence, if any, on or before February 15, 1974. All such testimony and evidence shall be served upon the Presiding Administrative Law Judge, the Commission Staff, and Natural.

(E) A Presiding Administrative Law Judge, shall be designated by the Chief Administrative Law Judge for the purpose of presiding at the hearing ordered herein. See 18 CFR 3.5(d).

(F) The petition to intervene of Natural Gas Pipeline Company of America is granted subject to the rules and regulations of the Commission; *provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests of that party; *And provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved

because of any order of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-431 Filed 1-4-74;8:45 am]

## FEDERAL RESERVE SYSTEM CAPITAL NATIONAL CORP.

### Acquisition of Bank

Capital National Corporation, Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors' qualifying shares) of West Loop National Bank, Houston, Texas, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank, to be received not later than January 25, 1974.

Board of Governors of the Federal Reserve System, December 27, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.74-400 Filed 1-4-74;8:45 am]

## FLORIDA NATIONAL BANKS OF FLORIDA Order Approving Acquisition

Florida National Banks of Florida, Jacksonville, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of Northside Bank of Miami, Miami, Florida ("Miami Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fifth largest banking organization in Florida has deposits of \$1,186.1 million representing 6 percent of total deposits in commercial banks in the State, and controls 32 banks located throughout Florida.<sup>1</sup> Upon acquisition of Miami Bank (deposits of \$10.6 million), Applicant's share of deposits in the State would increase by 0.1 percentage point and its rank among banking organizations in the State would be unchanged.<sup>2</sup>

<sup>1</sup> All banking data are as of December 31, 1972.

<sup>2</sup> By Notice dated July 5, 1973, the Board informed the Trustees of the Alfred I. duPont Testamentary Trust that the Board had made a preliminary determination that the Trust exercised control and/or a controlling influ-

Miami Bank is located in the Greater Miami Banking Market which includes all of Dade County and portions of southern Broward County, Florida. Miami Bank controls approximately 0.3 percent of the deposits in commercial banks in the market. Three of Applicant's subsidiary banks are located in this market and control a total of approximately \$227 million of deposits, representing approximately 4.6 percent of deposits in commercial banks in the Miami market. Applicant's two subsidiary banks closest to Miami Bank are located, respectively, approximately three miles north and eight miles south of Miami Bank. Some direct competition exists between Miami Bank and all three of Applicant's Miami area subsidiary banks, some direct competition would be eliminated as a result of consummation of Applicant's proposal. Miami Bank derives more than 65 percent of its total deposits and approximately 60 percent of its total loans from the area served by Applicant's second largest subsidiary bank, Florida National Bank and Trust Company, Miami, Florida (deposits of about \$164 million).

In the circumstances of this matter, particularly Miami Bank's relatively small size, and the large number of competing banks located in the Miami area, elimination of Miami Bank as a competitor of Applicant would have only a slightly adverse effect on existing competition in this market and a minimal effect on the concentration of banking resources in this area. Moreover, acquisition of Miami Bank by Applicant may serve to increase future competition among the largest banking organizations in the Miami area where Applicant ranks seventh, with control of approximately 5 percent of deposits. The largest banking organization in this market controls more than 23 percent of bank deposits and each of the next two largest organizations controls approximately 9 percent of bank deposits.

On the basis of the record before it, the Board concludes that consummation of the proposal herein would not substantially lessen competition nor have a significant adverse effect on competition and may, in fact, have a beneficial effect upon the development of future competition among banking organizations in the Miami area.

The financial condition and managerial resources and prospects of Applicant and its subsidiary banks are regarded as generally satisfactory. These factors as they relate to Miami Bank are regarded as consistent with approval. Affiliation with Applicant should enable Miami Bank to draw upon the additional financial and managerial resources of Applicant. Although there is

enough over Applicant. Upon the Trust's failure to contest this determination, and after notice of its willingness to divest its share holdings in Applicant, the Board ordered the Trust to divest its holdings in Applicant (constituting approximately 24.7 percent of Applicant's outstanding voting shares) as early as possible but in no case later than December 31, 1974. (Determination and Order for Divestiture of Control dated October 15, 1973.) Details of the Trust's divestiture plan have not yet been approved by the Board.

<sup>3</sup> See Docket No. CS71-279.

no evidence in the record that the banking needs of the Miami area are going unserved, consummation of the proposed acquisition should enable Miami Bank to expand the quality and range of its banking services, including consumer finance, financial counseling, computer and trust services presently offered by Applicant's subsidiary banks. Considerations relating to the convenience and needs of the Miami area are consistent with approval.

In light of the Board's Determination and Order for Divestiture of Control of Florida National Banks of Florida, Inc., issued on October 15, 1973, requiring the Alfred I. duPont Trust to divest its share holdings of Applicant, an acquisition by Applicant would be regarded by the Board as an acquisition by the duPont Trust, a "company" engaged in nonpermissible activities under the provisions of the Bank Holding Company Act. However, the duPont Trust, through its Trustees, has formally committed itself to divest its holdings of shares of Applicant as soon as possible but in no event later than December 31, 1974; and pursuant to the Board's Determination and Order of October 15, 1973, the duPont Trustees are required to submit to the Board a plan of divestiture containing provisions to assure termination of the control and/or the controlling influence found to exist. In view of the duPont Trust commitment to divest control of Applicant and in light of the Board's requirement that an appropriate plan of divestiture be submitted to the Board, the Board concludes that the proposed acquisition may go forward, *Provided, however*, that the transaction shall not be executed prior to approval by the Board of a plan of divestiture by the duPont Trust of control Applicant.

On the basis of the record, the application is approved for the reasons summarized above and subject to prior approval by the Board of a plan of divestiture by the duPont Trust of control of Applicant. In addition to the condition so imposed, the transaction, shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors, effective December 20, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.74-399 Filed 1-4-74;8:45 am]

### NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

#### Notice of Public Meeting

Notice is hereby given, PL 92-463, that the next meeting of the National Ad-

\* Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governors Mitchell and Daane.

sory Council on the Education of Disadvantaged Children will be held at 1:00 p.m.-4:00 p.m., January 9, 1974 located at 425 13th Street, NW., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of Disadvantaged Children.

The meeting is called for an orientation session for new Council members.

Because of limited space for the public meeting of January 9, all persons wishing to attend should call for reservations at Area Code 202/382-6945 by January 7, 1973.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 13th Street, NW., Room 1012, Washington, D.C. 20004.

Signed at Washington, D.C. on December 14, 1973.

ROBERTA LOVENHEIM,  
Executive Director.

[FR Doc.74-579 Filed 1-4-74;8:45 am]

### NATIONAL ENDOWMENT FOR THE HUMANITIES

#### EDUCATION PANEL ADVISORY COMMITTEE

##### Notice of Meeting

DECEMBER 27, 1973.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Education Panel will meet at Washington, D.C., on January 14 and 15, 1974.

The purpose of the meeting is to review Projects applications submitted to the National Endowment for the Humanities for grants to educational institutions and non-profit organizations.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-393 Filed 1-4-74;8:45 am]

### EDUCATION PANEL ADVISORY COMMITTEE

#### Notice of Meeting

DECEMBER 27, 1973.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Education Panel will meet at Washington, D.C., on January 17 and 18, 1974.

The purpose of the meeting is to review Projects applications submitted to the National Endowment for the Humanities for grants to educational institutions and non-profit organizations.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-394 Filed 1-4-74;8:45 am]

### FELLOWSHIPS PANEL ADVISORY COMMITTEE

#### Notice of Meeting

DECEMBER 28, 1973.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will meet at San Francisco, California on January 17, 1974.

The purpose of the meeting is to review Junior College Teacher Fellowship and Summer Stipend applications submitted to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer Mr. John W. Jordan, 806 15th Street, NW,

Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-395 Filed 1-4-74;8:45 am]

#### FELLOWSHIPS PANEL ADVISORY COMMITTEE

##### Notice of Meeting

DECEMBER 28, 1973.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will meet at Washington, D.C. on January 10, 11, 14, 17, 18, 21, and 22, 1973.

The purpose of the meeting is to review Younger Humanist Summer Stipend applications submitted to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW, Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-396 Filed 1-4-74;8:45 am]

#### FELLOWSHIPS PANEL ADVISORY COMMITTEE

##### Notice of Meeting

DECEMBER 28, 1973.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will meet at Phoenix, Arizona on January 15, 1973.

The purpose of the meeting is to review Junior College Teacher Fellowship and Summer Stipend applications submitted to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have deter-

mined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW, Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-397 Filed 1-4-74;8:45 am]

#### SECURITIES AND EXCHANGE COMMISSION

[70-5439]

#### ALABAMA POWER CO.

##### Notice of Proposed Agreement

DECEMBER 28, 1973.

Notice is hereby given that Alabama Power Company ("APCO"), 600 North 18th Street, Birmingham, Alabama 35291, an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) and 9(a) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to said amended application, which is summarized below, for a complete statement of the proposed transaction.

APCO is currently constructing an electric generating plant located at the site of the existing facilities of Southern Electric Generating Company, near Wilsonville, Alabama. The facility is expected to be operational in May, 1974. In order to comply with environmental control standards with respect to air and water quality, APCO has and will undertake to construct certain facilities ("Project") solely for this purpose. The total cost of the Project is presently estimated not to exceed \$23 million.

To finance the Project, APCO proposes to enter into an Installment Sale Agreement ("Agreement") with The Industrial Development Board of the Town of Wilsonville, Alabama ("Board"), which will provide for the acquisition, construction and equipping of the Project by the Board, and the issuance by the Board, pursuant to an indenture ("Indenture") to be entered into between the Board and an indenture trustee ("Trustee"), of its pollution control revenue bonds ("Pollution Bonds") in an amount not to exceed \$23 million. The proceeds of the sale of Pollution Bonds will be deposited by the Board with the Trustee and will be applied to the payment of the cost of construction (as defined in the Agreement) of the Project.

It is further proposed, and the Agreement provides, that the Project will be

sold to APCO, the purchase price to be paid in semi-annual installments over a period of 30 years. The purchase price shall be in an amount sufficient to pay the principal and interest on the Pollution Bonds as such amounts become due and payable. APCO may prepay the purchase price (a) in whole or in part, at APCO's option, at any time after ten years from the date of issuance of the Pollution Bonds, subject to payment of a premium equal to 3 percent of the principal amount in the eleventh year and declining thereafter by 1/2 of 1 percent, and (b) in whole, at APCO's option in certain other specified instances without premium.

In order to obtain the benefit of a rating for the Pollution Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under APCO's bond indenture ("Mortgage"), APCO 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 \$23 million) equal to the principal amount of the Pollution Bonds, will be deposited with the Trustee as security for APCO'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 Pollution Bonds, will mature on the maturity date of such Pollution Bonds, and will be non-transferable. 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 acceleration of Pollution Bonds then outstanding by the Trustee, 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 APCO to apply available funds, or upon delivery of outstanding Pollution Bonds sufficient to pay or redeem all or any part of the Pollution Bonds, the Trustee will be obligated to deliver to APCO Collateral Bonds in an aggregate principal amount equal to that amount of Pollution Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

It is stated that the Pollution Bonds are expected to be marketed pursuant to arrangements among the Board and The First Boston Corporation, Goldman, Sachs & Co., Incorporated and Sterne, Agee & Leach, Inc. In accordance with the laws of the State of Alabama, the interest rate thereon will be fixed by the Board, and the terms and sale of the Pollution Bonds must be satisfactory to APCO, although APCO will not be a party to the underwriting arrangement. The terms of the Pollution Bonds contain sinking fund provisions, which, in the aggregate, will retire at least twenty-

five percent of the original issue by its final maturity date. APCO further states that it is expected that the interest payable on the Pollution Bonds will be exempt, by ruling of the Internal Revenue Service, from federal income taxation. It is not possible to ascertain in advance precisely the interest rate which may be obtained in connection with the issuance of the Pollution Bonds, but APCO is advised that tax-exempt bonds of like quality and tenor have historically carried an annual interest rate approximately one and one-half to two and one-half percent lower than comparable taxable long-term corporate bonds.

For financial and accounting reporting purposes, the indebtedness of APCO under the Collateral Bonds will be capitalized. A statement of the fees, commissions and expenses paid or incurred, or to be paid or incurred, in connection with the proposed transactions will be supplied by amendment. It is stated that the Alabama Public Service Commission has jurisdiction over the issuance of the Collateral Bonds and the assumption by APCO of its obligations under the Agreement. The order of that commission will be supplied by amendment. APCO submits that the issuance and delivery of its Collateral Bonds to the Board should be exempted from the competitive bidding requirements of Rule 50 by reason of clause (a) (5) thereof inasmuch as they are to be issued and delivered solely to secure APCO's obligations to the Board and no public offering by APCO is to be made. No other 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 January 24, 1974, 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, as amended, or as it may be further amended, 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 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, as amended or as it may be further amended, may be granted 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] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.  
[FR Doc.74-504 Filed 1-4-74; 8:45 am]

[File No. 500-1]

BBI, INC.

Notice of Suspension of Trading

DECEMBER 19, 1973.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 20, 1973 through December 29, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.  
[FR Doc.74-494 Filed 1-4-74; 8:45 am]

[File No. 500-1]

CANADIAN JAVELIN, LTD.

Notice of Suspension of Trading

DECEMBER 18, 1973.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 19, 1973 through December 28, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.  
[FR Doc.74-500 Filed 1-4-74; 8:45 am]

[File No. 24D-3160]

COMMODITY RESOURCES INC.

Order Temporarily Suspending Exemption

DECEMBER 19, 1973.

Commodity Resources Incorporated (issuer), a Delaware corporation, located at 555-17th Street, Suite 714, Denver, Colorado 80202, filed with the Commission, on November 11, 1971, a notification on Form 1-A and an offering circular relating to an offering of 245,000 shares of its \$0.01 par value common stock at \$2.00 per share for an aggregate offering of \$490,000. Subsequent to a staff letter of comment, an amended notification and offering circular were filed on December 8, 1971. The filing was made for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder. J. Shapiro Co., 1710 Midwest Plaza Building, Minneapolis, Minnesota was designated as the underwriter of the offering, to receive a commission of \$0.02 per share. The offering was commenced on January 6, 1972 and was completed on January 31, 1972.

Based on information reported by the staff, the Commission has reason to believe that:

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

(1) An untrue statement that the proceeds of the offering would be used by the Company to engage in the business of buying, selling and trading commodity futures.

(2) Failure to disclose that proceeds from the offering would be used to purchase real estate and enter into joint ventures in real estate.

(3) Failure to disclose that two of the officers of the issuer would receive tracts of land at the expense of the issuer in connection with the issuer's purchase of real estate.

(4) Failure to disclose that the issuer would sell real estate to a limited partnership of which an officer of the issuer was the promoter and general partner.

(5) An untrue statement that the Company proposed to invest not more than 10 percent of the funds of the offering (\$416,500), not immediately required for its proposed activities, in U.S. Treasury obligations not having a longer term than Treasury bills or other interest bearing debt securities.

(6) Failure to disclose that the issuer would loan \$5,000 to an affiliated corporation of which the officers and promoters of the issuer were controlling shareholders.

(7) Failure to disclose that the issuer would loan \$7,000 to the president and treasurer of the Company.

(B) The offering was made in violation of section 17 of the Securities Act of 1933, as amended.

[812-3548]

## DUPONT WALSTON INC.

## Notice of Filing of Application For An Order of Exemption

DECEMBER 20, 1973.

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

It is ordered, Pursuant to Rule 261(a) of the General Rules and Regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's Rules of Practice, that the issuer file an answer to the allegations contained in this order within thirty days of the entry thereof.

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

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-509 Filed 1-4-74; 8:45 am]

[File No. 500-1]

## CONTINENTAL VENDING MACHINE

## Notice of Suspension of Trading

DECEMBER 21, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 26, 1973 through January 4, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-486 Filed 1-4-74; 8:45 am]

Rule 16b-2 under the Exchange Act exempts certain underwriters from the operation of section 16(b). Applicant states that the purpose of the purchase of the shares by the Underwriters will be for resale in connection with a distribution of a substantial block of securities within the purpose and spirit of Rule 16b-2.

Applicant further states that although it is anticipated that the requirements of Rule 16b-2(a)(1) and (2) will be met, one or more of the Underwriters, through their participation in the distribution of the shares, may not be entitled to rely upon Rule 16b-2 to exempt them from section 16(b) of the Exchange Act. The requirements of Rule 16b-2(a)(3) that the aggregate participation of Underwriters not within the purview of section 16(b) of the Exchange Act be at least equal to the participation of Underwriters exempted therefrom under Rule 16b-2 may not be met because it is expected that Applicant, either alone or together with one or more of the Underwriters who will be obligated to purchase more than 10 percent of the aggregate number of shares of the Company's common shares to be outstanding after the closing, will distribute more than 50 percent of the aggregate number of shares. Even assuming, contrary to present expectations, that the Underwriting Commitments of such Underwriters were initially to involve less than 50 percent of the aggregate number of shares, such Underwriters could become obligated to purchase additional shares as a consequence of defaults by other Underwriters who do not purchase their respective Underwriting Commitments, thereby increasing their aggregate participation to more than 50 percent of the shares. Such a distribution would not meet the requirements of Rule 16b-2(a)(3).

In addition to purchases of shares from the Company and sales of shares to customers, there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, purchases to cover overallocments or other short positions created in connection with such distribution, and sales of shares purchased in stabilization.

Applicant states that there is no inside information in existence since the Company, prior to the initial distribution of the shares, will have no assets other than cash and certain contract rights described in the preliminary prospectus, or business of any sort, and all material facts with respect to the Company will be set forth in the prospectuses pursuant to which the shares will be offered and sold. No director or officer of Applicant is a director or officer of either the Company or the Adviser, and Applicant states that it is not anticipated that any partner, director or officer of any other Underwriter will be a director or officer of the Company or the Adviser.

Notice is hereby given that DuPont Walston Incorporated ("Applicant"), 77 Water Street, New York, New York 10005, a registered broker-dealer, in connection with a proposed public offering of up to 2,750,000 common shares ("shares") of Charter Investment Company Incorporated ("Company"), a newly registered, closed-end, diversified management investment company, has filed an Application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting certain transactions from section 30(f) of the Act to the extent that such Section adopts Section 16 of the Securities Exchange Act of 1934 ("Exchange Act"). All interested persons are referred to the Application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant is the prospective representative ("Representative") of a group of underwriters ("Underwriters") to be formed in connection with the proposed public offering. Applicant contemplates that each Underwriter, including the Representative, will execute an Agreement Among Underwriters and that the Representative, acting both for itself and as Representative of the several Underwriters, will execute an Underwriting Agreement with the Company and Charter Investment Management Company, the Company's investment adviser ("Adviser") and The Charter Company, the Adviser's parent.

The Application also states that on November 15, 1973, the Company filed with the Commission a Registration Statement on Form S-4 under the Securities Act of 1933 ("Registration Statement") covering the shares. The proposed public offering price of the shares is \$20.00 per share with underwriting discounts of \$1.75 per share.

Applicant also states that it is possible that the Underwriting Commitment of any one or more of the Underwriters, including the Representative, will exceed 10 percent of the aggregate number of shares of the Company's common shares. Since section 30(f) of the Act subjects every person who is directly or indirectly the beneficial owner of more than 10 percent of any class of outstanding securities of the Company to the same duties and liabilities as those imposed by Section 16 of the Exchange Act, such Underwriter or Underwriters would become subject to the filing requirements of section 16(a) of the Exchange Act and, upon resale of the shares purchased by them to their customers, subject to the obligations imposed by section 16(b) of the Exchange Act.

Applicant maintains that the requested exemption from the provisions of section 30(f) of the Act is necessary and 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. It further asserts that the transactions sought to be exempted do not lend themselves to the practices to which section 16(b) of the Exchange Act and section 30(f) of the Act were enacted to apply.

Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision 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, not later than January 10, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the Application will be issued as of course following said date unless the Commission thereafter orders a hearing 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 the 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] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-482 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### EQUITY FUNDING CORP. OF AMERICA

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

The common stock of Equity Funding Corporation of America being traded on the New York Stock Exchange, the Midwest Stock Exchange, the Pacific-Coast Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, the

Boston Stock Exchange; warrants to purchase the common stock being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange; 9½ percent debentures due 1990 being traded on the New York Stock Exchange; and 5½ percent convertible subordinated debentures due 1991 being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from December 23, 1973 through January 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-492 Filed 1-4-74;8:45 am]

[70-5433]

#### GEORGIA POWER CO.

##### Notice of Proposed Issue

DECEMBER 21, 1973.

Notice is hereby given that Georgia Power Company ("Georgia"), 270 Peachtree Street, N.W. Atlanta, Georgia 30303, and electric utility subsidiary company of The Southern Company ("Southern") a registered holding company, has filed an application with his Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Georgia proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to \$150,000,000 principal amount of its First Mortgage Bonds ("Bonds"), — percent Series, having a term of not less than 5 years and no more than 30 years. Georgia will decide on the terms of the Bonds prior to the filing of the registration statement. The interest rate (which shall be multiple of ½ percent and the price, exclusive of accrued interest to be paid to Georgia (which shall be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The Bonds will be issued under an Indenture, dated as of March 1, 1941, between Georgia and Chemical Bank, as Trustee, as heretofore supplemented and

as to be further supplemented by a Supplemental Indenture to be dated as of January 1, 1974, which includes a prohibition until January 1, 1979 against refunding the Bonds with the proceeds of funds borrowed at a lower effective interest cost.

Georgia proposes to use the proceeds from the sale of the Bonds together with: (1) cash contributions to capital of \$140,000,000 by Southern during 1974 (\$36,500,000 of which was heretofore authorized by Commission Order dated December 26, 1972, HCAR No. 17824) (2) cash on hand in excess of operating requirements, interest and dividends, to finance its 1974 construction program (estimated at \$504,244,000), to pay short-term promissory notes payable in the form of bank notes and commercial paper notes incurred for such purpose, and for other lawful purposes. Additional financing of \$320,000,000 will be required during 1974, and will be obtained through the issuance of securities in types and amounts to be determined, subject to Commission authorization.

Georgia states that as of December 5, 1973, it will receive funds from the Development Authority of Bartow County, Georgia, under arrangements authorized by Commission Order dated September 12, 1973 (HCAR No. 18088), for the construction of certain of Georgia's pollution control facilities. In addition, Georgia is endeavoring to arrange for additional funds to be made available to the extent possible to cover costs of construction of certain other pollution control facilities through the issuance by public authorities of tax-exempt revenue bonds. To the extent that funds become available for such purposes from such sources in 1974, Georgia would expect to be able to reduce, by a like amount, the amount of its additional financing referred to above.

It is stated that the Georgia Public Service Commission has jurisdiction over the proposed issuance and sale of the Bonds by Georgia. No other State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction. A statement of the fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than January 10, 1974, 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 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 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, as filed or as it may be amended, may be granted 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] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

[FR Doc.74-481 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### GIANT STORES CORP.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

The common stock of Giant Stores Corp. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Giant Stores Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 23, 1973 through January 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-491 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### GO PUBLISHING CO., INC.

##### Notice of Suspension of Trading

DECEMBER 19, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Go Publishing Co., Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1 p.m. (e.s.t.) on December 19, 1973 through December 28, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-495 Filed 1-4-73;8:45 am]

[File No. 500-1]

#### HOME-STAKE PRODUCTION CO.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Home-Stake Production Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 26, 1973 through January 4, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-487 Filed 1-4-74;8:45 am]

[70-5437]

#### INDIANA & MICHIGAN ELECTRIC CO. AND AMERICAN ELECTRIC POWER CO., INC.

##### Filing of Declaration Regarding Proposed Sale of Utility Assets

DECEMBER 27, 1973.

Notice is hereby given that Indiana & Michigan Electric Company ("I & M"), 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), 2 Broadway, New York, New York 10004, a registered holding company, have filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12 (d) of the Act and Rule 44 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

I&M proposes to sell to the B.F. Goodrich Company (Goodrich), which is in no way affiliated with either I&M or AEP, a certain transformer installation in a place which is located on the premises of Goodrich in Woodburn, Indiana. These facilities were constructed by I&M for the sole purpose of serving Goodrich. Goodrich is presently being served by I&M under a contract which gives Goodrich the right to select a tariff other than that specified in the contract if Goodrich deems an alternative tariff to be more favorable. Goodrich has selected a tariff the application of which depends upon Goodrich having its own substation. It is in the interest of I&M to make this sale because it cannot sell power to Goodrich under the new tariff unless Goodrich owns a transformer installation.

The proposed sale involves a 138 KV-4KV step-down transformer installation, consisting primarily of two 7500 KVA transformers, two 138 KV motor operated airbreak switches, a bay steel structure and associated equipment including bus work. The selling price, determined in arm's length bargaining on the basis of depreciated replacement cost as of December 20, 1971, will be \$193,584. The original installed cost is \$167,194 and the original cost less book depreciation is \$128,089.

No legal or other fees, commissions or expenses are to be paid or incurred by I&M, AEP or any associate company in connection with the proposed transaction except for the nominal expenses, estimated not to exceed \$2,300. No state commission and no federal commission other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than January 17, 1974, 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 declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from 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] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

[FR Doc.74-480 Filed 1-4-74;8:45 am]

[811-1987]

#### INDUSTRIAL STOCK AVERAGE FUND, INC.

##### Proposal To Terminate Registration

DECEMBER 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 Industrial Stock Av-

[812-3560]

erage Fund, Inc., 176 Broadway, New York, N.Y. 10007 ("Fund"), registered under the Act as an open-end, diversified management investment company, has ceased to be an investment company.

Fund was organized as a Maryland corporation in December of 1969, and filed a Notification of Registration on Form N-8A and a Registration Statement on Form N-8B-1 with the Commission on December 22, 1969.

The Commission's records indicate that Fund has never been activated and that its Registration Statement under the Securities Act of 1933 was never declared effective. Fund has never made any offering of its securities and has no assets, liabilities or shareholders.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion or upon application, finds a registered investment company has ceased to be an investment 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 January 16, 1974, 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 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. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing 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] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-485 Filed 1-4-74; 8:45 am]

[File No. 500-1]

#### INDUSTRIES INTERNATIONAL, INC.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc.

being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 23, 1973 through January 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-489 Filed 1-4-74; 8:45 am]

[File No. 500-1]

#### KORACORP INDUSTRIES, INC.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

The common stock of Koracorp Industries, Incorporated being traded on the New York Stock Exchange and the Pacific Coast Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Koracorp Industries, Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from December 26, 1973 through January 4, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-488 Filed 1-4-74; 8:45 am]

[File No. 500-1]

#### MODULAR DYNAMICS, INC.

##### Notice of Suspension of Trading

DECEMBER 19, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Modular Dynamics, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1 p.m. (e.s.t.) on December 19, 1973 through December 28, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-496 Filed 1-4-74; 8:45 am]

#### MUTUAL INVESTING FOUNDATION AND HERITAGE SECURITIES, INC.

##### Notice of Application

DECEMBER 28, 1973.

Notice is hereby given that Mutual Investing Foundation ("Fund"), a management, diversified, open-end investment company registered under the Investment Company Act of 1940 ("Act"), and Heritage Securities, Inc., 246 North High Street, Columbus, Ohio 43216 ("Heritage") (referred to with the Fund as "Applicants"), a broker-dealer registered under the Securities Exchange Act of 1934, which acts as principal distributor of the two classes of shares (MIF Fund shares and MIF Growth Fund shares) of the Fund, have filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting from the provisions of section 22(d) of the Act and Rule 22d-1 thereunder sales of shares of the Fund pursuant to reinvestment privileges to be offered by the Fund. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company except at a current public offering price described in the prospectus. The prospectus of the Fund states that a sales commission is included in the offering price of the shares of the Fund.

Applicants request an exemption from section 22(d) of the Act and Rule 22d-1 thereunder to enable Applicants to sell shares of the Fund at the net asset values per share, i.e., without any sales charges, to persons who wish to exercise reinvestment privileges offered by the Fund.

The Fund proposes to offer to investors who have redeemed shares of the Fund the privilege of being able to reinvest in the Fund any amount up to the amount of the proceeds of redemption at the net asset value in effect at the time of such reinvestment, without any sales charge, if the privilege is exercised within 15 days of the day the request for redemption was received by the Fund, and if the privilege has not previously been exercised with respect to the Fund.

No compensation will be paid to any salesman or dealer in connection with such a reinvestment. A letter will be sent, accompanied by a current prospectus of the Fund, upon receipt of the redemption request. Such mailing may be followed up by a telephone call to the investor. The charge for this service will be borne by Heritage, who also serves as investment manager to the Fund.

Applicants state that the proposed privilege will not afford an opportunity for speculative short term trading in shares of the Fund. Applicants further contend that the proposed privilege will enable investors to be reminded of features of their investment which they may have overlooked or of which they may

have been unsure at the time they redeemed.

Section 6(c) of the Act provides that the Commission may, upon application, conditionally or unconditionally exempt any person or transaction from any provisions of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 21, 1974, 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 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. 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 will be issued as of course following said date unless the Commission thereafter orders a hearing 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] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

[FR Doc.74-510 Filed 1-4-74;8:45 am]

[812-3550]

## NEW ENGLAND LIFE VARIABLE ANNUITY FUND I ET AL.

### Notice of Application

DECEMBER 26, 1973.

Notice is hereby given that New England Life Variable Annuity Fund I, New England Life Variable Annuity Fund II (the "Variable Annuity Funds") and NEL Equity Services Corporation, 501 Boylston Street, Boston, Massachusetts 02117 ("Nelesco") (hereinafter collectively called "Applicants") have filed an application pursuant to section 11 of the Investment Company Act of 1940 ("Act") for an order permitting the offer of exchange described below and pursuant to section 6(c) exempting Applicants from section 22(d) of the Act.

All interested persons are referred to the application on file with the Commis-

sion for a statement of the representations therein, which are summarized below.

The Variable Annuity Funds are separate accounts of New England Mutual Life Insurance Company ("Insurance Company") established under Massachusetts law by Insurance Company on April 16, 1969, as facilities through which assets attributable to individual variable annuity contract (the "Variable Annuity Contracts") are set aside and invested, and are registered under the Act as open-end, diversified management investment companies. Nelesco, a Massachusetts corporation wholly owned by Insurance Company, is registered as a broker-dealer under the Securities Exchange Act of 1934 and serves as principal underwriter for the Variable Annuity Funds as well as for NEL Income Fund (the "Income Fund"), NEL Equity Fund, Inc., NEL Growth Fund, Inc. and New England Life Side Fund, Inc. (collectively referred to as the "NEL Funds"). The NEL Funds were sponsored and created by the Insurance Company which from time to time may sponsor and create other open-end investment companies for which Nelesco would serve as principal underwriter ("future NEL Funds").

Applicants state that in connection with the sale of Variable Annuity Contracts of the single purchase payment type, deductions from the single purchase payment are made (after deduction of any applicable state premium tax) as follows: 6 percent of the first \$5,000, 3.75 percent of the next \$95,000 and 1.75 percent of any balance, for sales expenses, and 2 percent of the first \$5,000 and .25 percent of any balance, for administrative expenses. Applicants also state that shares of the NEL Funds are sold at net asset value plus a sales charge ranging in steps from 8 percent (on single purchases of less than \$10,000) to 1 percent (on single purchases of \$1,000,000 or more). Applicants assert that sales representatives of Nelesco market both the Variable Annuity Contracts and the shares of the NEL Funds.

Applicants assert that they anticipate that shareholders of the Income Fund and future NEL Funds will sometimes desire to apply investment accumulations held in the form of NEL Funds shares to purchase single purchase payment Variable Annuity Contracts for retirement purposes. Applicants propose to allow such transfers at a reduced sales load. Under the proposal, the shareholders would pay any applicable state premium tax and the usual administrative expense load, but the sales expense deduction would be reduced to: 1.5 percent of the first \$5,000 of the proceeds of such shares so applied, 1 percent of the next \$5,000, .5 percent of the next \$5,000, and .25 percent of any balance in excess of \$15,000. An order permitting such transfers from other NEL Funds was issued by the Commission on March 10, 1972 (Act Release No. 7055).

Applicants assert that state premium taxes and the administrative expense charges (designed to cover such items

as legal, actuarial and accounting services, services of executive and other personnel, postage, telephone and office space and equipment) are made directly to individual contract-holders through deductions from the purchase payment and that it would be unfair to allow exchanging shareholders of the Income Fund or future NEL Funds (which would have the same sales load structure as existing NEL Funds) to avoid those charges because in that case they would have to be paid either by the variable annuity separate accounts or the Insurance Company's general account. Applicants also assert that it would be unfair to the exchanging shareholders who already have paid a sales load to have to pay an additional full sales charge. However, Applicants also state that the continuation of some sales charge would be equitable since the task of the Nelesco registered representatives in explaining to the shareholders of the Income Fund or future NEL Funds the complexities of the Variable Annuity Contract and the significance of life annuity options in retirement planning will be substantial enough to justify the payment of some compensation to them, the cost of which should be borne by the exchanging shareholders.

Section 11(a) of the Act provides in substance that a registered open-end investment company or its principal underwriter may make an offer to a shareholder of such company or of any other open-end investment company to exchange his security for a security in the same or another such company only on the basis of the relative net asset value of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Applicants request approval under section 11 because the offer of exchange will be made at net asset value plus state premium taxes (where applicable), administrative charges, and sales charges (at the reduced rate).

Section 22(d) of the Act in substance prohibits the sale of any redeemable security issued by a registered investment company to any person, except a dealer, a principal underwriter or the issuer, at a price other than the current public offering price described in the prospectus. Applicants request an exemption from section 22(d) of the Act because exchanging shareholders will be able to purchase Variable Annuity Contracts of the single purchase payment type at a reduced sales load, i.e., at a price different from that described in the prospectus.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any persons or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 16, 1974 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 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. 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 will be issued as of course following said date unless the Commission thereafter orders a hearing 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] SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

[FR Doc. 74-479 Filed 1-4-74; 8:45 am]

[70-5425]

#### NORTHEAST UTILITIES, ET AL.

#### Notice of Proposed Issue and Sale of Short-Term Notes To Banks and/or Commercial Paper To Dealers; Exception From Competitive Bidding

DECEMBER 18, 1973.

Notice is hereby given that Northeast Utilities ("NU"), a registered holding company, The Connecticut Light and Power Company ("CL&P"), Selden Street, Berlin, Connecticut 06037, The Hartford Electric Light Company ("HELCO"), 176 Cumberland Avenue, Wethersfield, Connecticut 06109, and Western Massachusetts Electric Company ("WMECO"), 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, each a wholly-owned electric utility subsidiary company of NU, have filed an application-declaration and amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, and 12(b) of the Act and Rules 45, 50(a)(2) and 50(a)(5)(B) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Applicants-declarants each propose to issue, from time to time until March 31, 1975, short-term notes to banks (to be named) and commercial paper to a dealer in commercial paper. The aggregate amount of all such short-term indebtedness ("Notes") at any time outstanding, whether issued to banks or to a dealer in commercial paper, will not exceed \$150,000,000 in the case of NU, and in the cases of CL&P, HELCO and WMECO aggregate amounts of \$168,000,000, \$72,000,000 and \$53,600,000, respectively. By order dated December 11, 1973 (HCAR No. 18213) the Commission authorized CL&P, HELCO and WMECO to continue, for a 5-year period, their existing authorizations to incur short-term indebtedness in an amount up to but not exceeding 20 percent of their respective capitalizations, subject, however, to the requisite approval of their preferred stockholders. In the event such approvals are not forthcoming, the aggregate amount of short-term unsecured indebtedness will not, in the cases of CL&P, HELCO and WMECO, exceed an amount equal to 10 percent of their respective capitalizations.

Applicants-declarants propose to renew and extend any Notes so issued or to refund them with other similar Notes issued to banks or to dealers in commercial paper and to issue and sell additional short-term Notes (and to renew such Notes) from time to time to meet portions of their capital requirements; provided, however, that the aggregate amount of all such Notes of each applicant-declarant at any one time outstanding, including Notes issued both before and after December 31, 1973, will at no time exceed the amount set forth above for each applicant-declarant.

The Notes to be issued to banks ("Bank Notes") will each be dated as of the date of issue (no later than March 31, 1975), will have maximum maturity dates of nine months with right of renewal, will bear interest at a rate per annum not in excess of the prime rate in effect at the lending bank on the date of issue and will be subject to prepayment at any time at each company's option without premium.

Although no formal commitments for future borrowings have been made, it is stated that such borrowings will be effected from banks as follows:

	New York banks	Non-New York banks
NU.....	5	30
CL&P.....	4	25
HELCO.....	4	10
WMECO.....	4	14

In those banks (primarily the New York banks) where the borrowing company's normal working balances are insufficient to support credit lines, compensating balances ranging from 10 percent-20 percent of credit lines are required. Based upon a 9 $\frac{3}{4}$  percent prime interest rate, a 10 percent-20 percent compensating balance will result in an effective

cost of borrowing of 10.83 percent-12.19 percent per annum.

Commercial paper will be issued and sold by each applicant-declarant in the form of short-term promissory notes ("Commercial Paper") in varying denominations of not less than \$50,000 and not more than \$1,000,000, bearing varying maturities of not more than 270 days after date of issue, not subject to repayment prior to maturity. The Commercial Paper will be sold directly to dealers in commercial paper (Lehman Commercial Paper, Incorporated, in the case of NU and WMECO, and A. G. Becker & Co., Incorporated, in the case of CL&P and HELCO), at the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and like maturity sold by public utility issuers to commercial paper dealers. No Commercial Paper shall be issued having a maturity of more than 90 days at an effective interest cost to the applicants-declarants which exceeds the prime commercial bank rate at which they could borrow from banks. No commission or fee will be payable in connection with issuance and sale of the Commercial Paper. The purchasing dealer, as principal, will reoffer the Commercial Paper to institutional investors at a discount not to exceed  $\frac{1}{8}$  of 1 percent per annum less than the prevailing discount rate available to applicants-declarants and in such manner as not to constitute a public offering. The Commercial Paper will be reoffered to not more than 200 identified and designated commercial and institutional customers in a non-public list ("List") prepared for each applicant-declarant in advance by the purchasing dealer, and furnished to the Commission either by each applicant-declarant or the commercial paper dealer. No additions will be made to this customer list. It is anticipated that the Commercial Paper will be held by customers to maturity, but if such customers desire to resell prior to maturity, the purchasing dealer, pursuant to a verbal repurchase agreement, will repurchase the Commercial Paper and reoffer the same only to others on the List.

The funds to be derived by NU from the issuance and sale of the Bank Notes and the Commercial Paper will be applied to: (i) make capital contributions through March 31, 1975, to CL&P, HELCO, WMECO, and The Millstone Point Company ("Millstone"), an electric utility subsidiary of NU, in amounts not to exceed \$35,000,000, \$20,000,000, \$15,000,000 and \$7,000,000, respectively; (ii) make open-account advances through March 31, 1975 to The Quinehtuk Company and Holyoke Water Power Company, each a wholly-owned subsidiary of NU, in amounts not to exceed \$5,000,000 and \$3,000,000, respectively; and (iii) supply funds as needed to other subsidiary companies, pursuant to authorization by the Commission. All capital contributions to subsidiaries will be credited to their capital surplus accounts. CL&P, HELCO and WMECO will apply such contributions, together with the funds to be derived from the issuance

and sale of their Bank Notes and Commercial Paper and other available funds, to finance their respective 1974-75 construction program estimated to be \$156,000,000, \$74,000,000 and \$51,000,000 for 1974, respectively. Millstone will apply such contribution, together with other available funds, for nuclear fuel financing during 1974 estimated to be \$18,000,000.

NU presently contemplates the sale of 4,000,000 shares of its common stock during the first half of 1974. NU proposes to apply the net proceeds of this or any other sale of its common stock, prior to March 31, 1975, to reduce the maximum amount of authorized borrowings, including Bank Notes and Commercial Paper, which NU may have outstanding at any one time. In view of the capital contributions and open-account advances to subsidiaries as set forth herein, NU contemplates the filing of a post-effective amendment to this application-declaration, after the sale of its common shares, to provide for the reinstatement of a portion, if not all, of the borrowing limitation proposed herein. CL&P, HELCO and WMECO will not necessarily apply all or any part of the net proceeds of any long-term financing to the repayment or reduction of their outstanding Bank Notes and Commercial Paper. It is contemplated, however, that any Bank Notes or Commercial Paper of NU, CL&P, HELCO and WMECO outstanding at March 31, 1975, will be repaid from internal cash resources or from the proceeds of long-term debt or equity financing.

Applicants-declarants request exception from the competitive bidding requirements of Rule 50 for the proposed issue and sale of the Commercial Paper pursuant to paragraph (a)(5)(B) thereof on the grounds that it is not practicable to invite competitive bids for commercial paper and that current rates for commercial paper for prime borrowers such as the applicants-declarants are published daily in financial publications. Applicants-declarants also request authority to file certificates of notification under Rule 24 with respect to the issue and sale of Commercial Paper within 30 days after the end of each calendar quarter.

It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. There are no fees or expenses to be incurred in connection with the proposed transactions, except incidental services estimated at \$500 in the case of each applicant-declarant to be performed at cost, by Northeast Utilities Service Company, an affiliated service company.

Notice is further given that any interested person may, not later than January 11, 1974, 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, as amended, 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 amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-483 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### PARKVIEW-GEM, INC.

##### Notice of Suspension of Trading

DECEMBER 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Parkview-Gem, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 12 noon (e.s.t.) on December 13, 1973 through December 22, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-493 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### PATTERSON CORP.

##### Notice of Suspension of Trading

DECEMBER 20, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Patterson Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of

1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 21, 1973 through December 30, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-499 Filed 1-4-74;8:45 am]

[811-1734]

#### PORTFOLIO PERFORMANCE FUND, INC.

##### Notice of Proposal To Terminate Registration Pursuant To Section 8(f) of the Act

DECEMBER 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 Portfolio Performance Fund, Inc., 140 Broadway, New York, N.Y. 10005 ("Fund"), registered under the Act as an open-end, non-diversified management investment company, has ceased to be an investment company.

Fund registered under the Act on September 27, 1968, by filing a Form N-8A Notification of Registration. On that same date, Fund filed a Form N-8B-1 Registration Statement under the Act together with a Form S-5 Registration Statement under the Securities Act of 1933 ("1933 Act"), which 1933 Act Registration Statement has never become effective.

The Commission's records indicate that Fund has never been activated, has not issued any securities and 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 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 January 16, 1974, 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 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. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course

following said date unless the Commission thereafter orders a hearing 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] GEORGE A. FITZSIMMONS,  
*Secretary.*

[FR Doc.74-484 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### PORTAFONE CORPORATION OF ARIZONA

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Portafone Corporation of Arizona being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 3:15 p.m. (e.s.t.) on December 21, 1973 through December 30, 1973.

By the Commission.

SHIRLEY E. HOLLIS,  
*Senior Recording Secretary.*

[FR Doc.74-501 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### SPORTS INTERNATIONAL, INC.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Sports International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 3:15 p.m. (e.s.t.) on December 21, 1973 through December 30, 1973.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
*Senior Recording Secretary.*

[FR Doc.74-502 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### STRATTON GROUP, LTD.

##### Notice of Suspension of Trading

DECEMBER 21, 1973.

The common stock of Stratton Group, Ltd. being traded on the American Stock

Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Stratton Group, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 26, 1973 through January 4, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
*Secretary.*

[FR Doc.74-490 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### TRIX INTERNATIONAL CORP.

##### Notice of Suspension of Trading

DECEMBER 19, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Trix International Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 20, 1973 through December 23, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
*Secretary.*

[FR Doc.74-497 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### U.S. FINANCIAL INC.

##### Notice of Suspension of Trading

DECEMBER 19, 1973.

The common stock of U.S. Financial Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of U.S. Financial Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities

exchange is suspended, for the period from December 20, 1973 through December 29, 1973.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
*Senior Recording Secretary.*

[FR Doc.74-503 Filed 1-4-74;8:45 am]

[File No. 500-1]

#### WESTGATE CALIFORNIA CORP.

##### Notice of Suspension of Trading

DECEMBER 20, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (classes A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 21, 1973 through December 30, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
*Secretary.*

[FR Doc.74-498 Filed 1-4-74;8:45 am]

#### INTERSTATE COMMERCE COMMISSION

##### WILLIAMS BROTHERS PIPE LINE CO.

##### Tentative Valuation

Notice is hereby given that a tentative valuation for the year 1972, Valuation Docket No. 1423, is under consideration for a common carrier by pipeline, the Williams Brothers Pipe Line Co., P.O. Drawer 3448, Tulsa, Oklahoma 74101.

On or before February 4, 1974, persons other than those specifically designated in section 19a(h) of the Interstate Commerce Act having an interest in the valuation of the carrier named above may, pursuant to rule 72 of the Commission's general rules of practice (49 CFR 1100.72), file an original and three copies of a petition for leave to intervene and, if granted, thus to come within the category of "additional parties as the Commission may prescribe" under section 19a(h) of the act, thereby enabling the party to file a protest. It is also required that a copy of the petition to intervene be served at the address shown above upon the carrier and that an appropriate certificate of service be attached to the petition. Persons specifically designated in section 19a(h) of the act need not file a petition; they are entitled to file protest as a matter of right under the statute.

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

[FR Doc.74-514 Filed 1-4-74;8:45 am]

[Notice No. 412]

**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 January 22, 1974. 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-74719. By order of December 28, 1973, the Motor Carrier Board approved the transfer to Kraftours Corporation, doing business as Kraftours, Tulsa, Okla., of Certificates Nos. MC-120781 Subs 2, 3, and 4, issued to Sunflower Stages, Inc., Topeka, Kans., authorizing the transportation of: Passengers and their baggage, between specified points in Kansas, over regular routes, and including the right to engage in charter operations.—Frank W. Liebert, Attorney, Terminal Bldg., Coffeyville, Kans. 67337.

No. MC-FC-74728. By order of December 28, 1973, the Motor Carrier Board approved the transfer to Lyle Doberer and Howard M. Habluetzel, doing business as Ram Truck Line, Clay Center, Kansas, of Certificate No. MC-70082 issued October 20, 1972, to Arnold E. Pilcher, doing business as Pilcher Truck Lines, Leonardville, Kans., authorizing the transportation of: General commodities, with exceptions, and various specified commodities, between specified points and areas in Kansas and Missouri—Eugene W. Hiatt, 308 Casson Bldg., Topeka, Kans., 66603 Attorney at Law.

No. MC-FC-74806. By order of December 28, 1973, the Motor Carrier Board approved the transfer to Kust Trucking & Supply, Inc., Coleman, Wis., of Permit No. MC-128860 (Sub No. 7) issued to Larry's Express, Inc., Tomah, Wis., authorizing the transportation of: Soy flour, corn flour, whey, and dry milk products, from points in Illinois, Iowa, and Minnesota to Louisville, Ky.—Edward Solie, Attorney, 4513 Vernon Blvd., Madison, Wis. 53705.

No. MC-FC-74808. By order of December 28, 1973, the Motor Carrier Board approved the transfer to Covered Wagon Train, Inc., Dansville, N.Y., of the operating rights in Certificate (Corrected)

No. MC-105172 issued August 29, 1973, to Emily J. Dehmler and David N. Dehmler, a partnership, doing business as Covered Wagon Train, Dansville, N.Y., authorizing the transportation of numerous specified commodities, including petroleum products, oils and greases, lubricating oil, agricultural commodities, and corrugated boxes, to and from named points in Pennsylvania, New York, New Jersey, Maine, Massachusetts, New Hampshire, Connecticut, Rhode Island, and Vermont—S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580 Registered Practitioner for applicants.

No. MC-FC-74834. By order of December 27, 1973, the Motor Carrier Board approved the transfer to Bekins Moving & Storage Co., a Washington corporation, Seattle, Wash., of Broker Licenses Nos. MC-12106 and MC-12106 (Sub-No. 1), issued to Bekins Moving & Storage Co., an Oregon corporation, and License No. MC-12399, issued to Bekins Moving & Storage Co., an Idaho corporation, authorizing the holders thereof to engage in operations as brokers in arranging for the transportation of Household Goods, as defined by the Commission, between points in the United States—Russell S. Bernhard, Attorney, 1625 K St., NW., Wash., D.C. 20006.

No. MC-FC-74858. By order of December 28, 1973, the Motor Carrier Board approved the transfer to Ralph A. Johansen Associates, Inc., doing business as Johansen Royal Tours, 1410 Vance Bldg., Seattle, Wash., of Brokerage Licenses No. MC-12983 and MC-12983 (Sub-No. 1) issued March 16, 1967, and January 8, 1973, to Ralph A. Johansen, doing business as Johansen International Tours, 1410 Vance Bldg., Seattle, Wash., authorizing the holder thereof to engage in operations as a broker in arranging the transportation of Passengers and their baggage between points in Washington, Oregon, and California.

[SEAL] JOSEPH M. HARRINGTON,  
*Acting Secretary.*

[FR Doc.74-515 Filed 1-4-74;8:45 am]

[Notice No. 417]

**ASSIGNMENT OF HEARINGS**

JANUARY 2, 1974.

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 January 7, 1974.

MC-108119 Sub 36, E. L. Murphy Trucking Co., now assigned February 25, 1974, at Dallas, Texas, is cancelled and the application is dismissed.

MC-F-11890, Howard Sober, Inc.—Purchase (Portion)—Insured Transporters, Inc., now assigned January 8, 1974, at Washington, D.C., is postponed indefinitely.

MC 129059 Sub 1, Wilson Driveaway, Inc., application dismissed.

MC-119632 Sub 59, Reed Lines, Inc., now being assigned hearing February 7, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC 123048 Sub 222, Diamond Transportation System, Inc., Extension Wallboard, now assigned January 9, 1974, at Washington, D.C., is cancelled and the application is dismissed.

MC 116763 Sub 261, Carl Subler Trucking, Inc., now assigned January 29, 1974, at Washington, D.C., is postponed indefinitely.

MC 135943 Sub 11, Milton Transportation, Inc., MC 138808, A.M. Trucking, Inc., now assigned February 5, 1974, at Washington, D.C., is postponed to February 20, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 138854, Horse Transportation, Inc., now being assigned hearing February 11, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 3854 Sub 24, Burton Lines, Inc., now being assigned hearing February 19, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 128117 Sub 18, Norton-Ramsey Motor Lines, Inc., now being assigned hearing February 19, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 128383 Sub 31, Pinto Trucking Service, Inc., now being assigned hearing February 26, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11665, Arrow Truck Lines, Inc.—Purchase—Byron L. Doster, and MC-121060 Sub 23, Arrow Truck Lines, Inc., now assigned January 31, 1974, at Montgomery, Ala., will be held in Room 615 Aronov Bldg., 474 South Court Street, instead of in Room 816.

MC 114211 Sub 211, Warren Transport, Inc., and MC 119641 Sub 115, Ringle Express, Inc., now being assigned hearing January 16, 1974 (3 days), in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Chicago, Illinois.

[SEAL] JOSEPH M. HARRINGTON,  
*Acting Secretary.*

[FR Doc.74-518 Filed 1-4-74;8:45 am]

[Ex Parte No. 270 (Sub-No. 5)]

**INVESTIGATION OF RAILROAD FREIGHT RATE STRUCTURE—IRON ORES****Order**

It appearing, That, in Ex Parte No. 281, "Increased Freight Rates and Charges, 1972" (Environmental Matters), (not printed), pp. 202-203, decided May 2, 1973, and in the order in this proceeding of September 28, 1973, the Commission and the Coordinator have declared an intention to investigate all rates on iron ores maintained by the railroads subject to the Interstate Commerce Act, and that further orders as to the conduct of this investigation are necessary;

It further appearing, That, as explained in our notice to all parties of November 29, 1973, an independent fact finding study concerning iron ores has been instituted in order to develop a record sufficient to enable the Coordinator to make the environmental assessment required by the National Environ-

mental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321-47 (1970);

It further appearing, That the contribution of iron ores to railroad net revenue has declined between 1966 and 1969, that iron ore movements are one of the top deficit contributions to railroad net revenue in Official territory, and that cost studies prepared under recognized accounting standards and procedures are relevant, and, as stated in the Coordinator's report, 345 I.C.C. 1, 18, "primary reliance will continue to be placed on the Rail Form A cost formula";

And it further appearing, That, as provided in "Investigation of Railroad Freight Rate Structure," 345 I.C.C. 1, 12-13, a Coordinator's conference is necessary to determine the resources and capabilities of participants and to develop areas of common interest in order to promote a cooperative atmosphere in which a meaningful record may be fully developed; therefore:

*It is ordered,* That this proceeding be handled under modified procedure as provided by the Commission's General Rules of Practice, except that 20 copies of all statements submitted shall be filed with the Commission, and that the filing and service of pleadings be as follows:

(a) An opening statement of facts and argument may be submitted by any party to the proceeding on or before June 17, 1974;

(b) A statement or statements limited to rebuttal to any opening statement filed in (a) above may be submitted by any party to the proceeding on or before July 17, 1974. The opening statement to which the rebuttal statement is directed must be specifically identified;

(c) A reply (surrebuttal) limited to replying to a rebuttal statement or statements in (b) above may be submitted by any party on or before August 16, 1974. The rebuttal statement to which the reply statement is directed must be specifically identified;

*It is further ordered,* That respondents and all other parties shall submit the information specified in appendix A in their opening statements;

*It is further ordered,* That the evidence submitted in the statements filed (opening, rebuttal, and surrebuttal) must be served on all parties on the service list and must be divided in the manner provided in appendix A, and that failure to do so may be cause for rejection of the pleading in its entirety;

*It is further ordered,* That a Coordinator's conference pertaining to the iron ores subnumbered investigation be scheduled for January 31, 1974, beginning at 9:30 a.m. Eastern Daylight Savings Time at the Office of the Commission in Washington, D.C., including environmental matters, and that the following rules apply to the conference:

(a) Parties who desire to make oral representations at this conference must notify the Interstate Commerce Commission, Office of Proceedings, Room 5342, Washington, D.C. 20423, on or before January 22, 1974. The notice of intent to participate at the conference

must specify the amount of time required for oral participation and must include a brief statement of the matters to which the remarks will be addressed;

(b) Parties unable to attend the conference but desiring to express a position may file on or before January 25, 1974, a three-page document setting forth their views. Such documents will be incorporated into the transcript of the conference if they are limited to three pages. Extra copies of the written representations need not be supplied to the Commission. Service on other parties is not essential, although it is desirable.

In furtherance of the objective of this proceeding, as stated in 345 I.C.C. 1, 3, official notice will be taken of material set forth in appendix B and may be used by the Coordinator to supplement the record in this proceeding. Parties objecting to the publications or portions of publications listed in appendix B should, on or before January 31, 1974, file motions to strike matters listed in appendix B which in their opinion are biased, contain errors of fact, or will not aid in the development of the record.

Notice is given that the Coordinator may hold petitions filed in this proceeding for disposition in a Coordinator's report, and that all parties should proceed upon the assumption that any petitions which may be filed in this proceeding will not justify any party's failure to comply with the scheduled due date for filing of statements.

Notice is given of the Coordinator's intention that a proposed statement assessing the environmental consequences of various courses of action that could be taken in this proceeding will be served on all parties on the service list and on all appropriate governmental agencies after the independent fact finding study of such consequences is completed. Parties will be given an opportunity to comment on the Coordinator's proposed statement well in advance of the time when verified statements will be due.

Notice is further given that the Coordinator has determined that Ex Parte No. 270, Sub-No. 6, "Investigation of Railroad Freight Rate Structure—Scrap Iron and Steel," is the proper forum for investigating the intercommodity rate relationship and revenue/cost relationship between scrap iron and steel, on the one hand, and iron ores, on the other hand.

*It is further ordered,* That because of the intercommodity rate and cost relationship between scrap iron and steel and iron ores, a copy of this order shall be served on all parties of record in Ex Parte No. 270 (Sub-No. 6);

*And it is further ordered,* That notice of this order shall be given to the general public by depositing a copy in the Office of the Commission's Secretary and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C. this 27th day of December, 1973.

By the Commission, Commissioner Dale W. Hardin, Coordinator.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

#### APPENDIX A

*Manner in which evidence should be submitted.* All statements (opening, rebuttal and surrebuttal) must be divided into six categories (parts).

#### PART I

*Railroad freight rate structures on scrap iron and steel.* Maps, diagrams, representative and/or repetitive rates and narratives depicting the freight rate structures and formulas upon which the freight rates on iron ores are based, as of September 1, 1973 should be shown. Complete tariff references must be given for all rates shown. Evidence designed to show the traffic movements and the respondents' participation should be submitted. Representative and/or repetitive carload movements should show origin, destination, rate, minimum weight, actual loading, carload revenue, actual and shortline distances, ton-mile earnings based on actual distances and estimate of extent rates are used. Multiple car and trainload movements should show origin, destination, actual and short-line distances, rate, required minimum weight, actual loading, carload revenue, rate reduction over single carload rate, ton-mile earnings based on actual distances, and an estimate of the extent to which such multi-car-type movements are made (tons moved).

#### PART II

*Self-defeating nature of general increases on scrap iron and steel.* A. Respondents should show the general rate increases sought, those authorized by the Commission, and those actually applied by the carriers individually or any other rate change, on all significant movements of iron ores beginning with and subsequent to Ex Parte No. 256 increases. Reasons for the application of increases less than those authorized as well as other rate changes should be set forth.

B. Evidence by any party designed to show that general rate increases on iron ores may or may not have been self-defeating in nature with respect to generating revenues.

#### PART III

*Disparities and distortions caused by general increases.* Evidence, by any party, relating to rate changes, affected by general rate increases, for the movement of iron ores beginning with and subsequent to Ex Parte No. 256 increases which may have resulted in disparities or distortions between competing shippers and/or localities. This evidence should be accompanied by formulas upon which the freight rates on scrap iron and steel are based and must be accompanied by complete tariff references for all rates shown. This evidence should specify any reason, if known, for such disparities and distortion.

#### PART IV

*Uneven effects of increases on individual railroads.* Evidence, by any party, designed to show the uneven revenue effects (if any) of general rate increases in freight rates on iron ores on individual railroads; why these results may have occurred and what corrective action could be taken to remedy these effects.

#### PART V

*Railroad service.* Evidence, by any party, bearing on the issue whether general increases have provided sufficient revenues to induce the railroads to undertake improvements in service to meet shippers' requirements.

Evidence, by any party, as to whether the railroads, in their proposed rates in general rate increase proceedings, have taken into account possible variations in services being provided shippers.

## PART VI

Matters not otherwise listed. All parties should endeavor to submit their evidence into one or more of the categories listed in Parts I through V above, including revenue/cost relationships. Evidence submitted under Part VI should specifically indicate the purpose for which it is being introduced and the reason it does not come within one of the five foregoing categories. The principal focus of the investigation as set forth in the report of the Coordinator, 345 I.C.C. 1, should be kept in mind.

## APPENDIX B

## BIBLIOGRAPHY OF MATTERS OF WHICH OFFICIAL NOTICE WILL BE TAKEN

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[FR Doc.74-517 Filed 1-4-74;8:45 am]

[Ex Parte No. 270 (Sub-No. 6)]

## INVESTIGATION OF RAILROAD FREIGHT RATE STRUCTURE—SCRAP IRON AND STEEL

## Order

It appearing, That, in Ex Parte No. 281, "Increased Freight Rates and Charges, 1972" (Environmental Matters), (not printed), pp. 202-203, decided May 2, 1973, and in the order in this proceeding of September 28, 1973, the Commission and the Coordinator have declared an intention to investigate all rates on scrap iron and steel maintained by the railroads subject to the Interstate Commerce Act, and that further orders as to the conduct of this investigation are necessary;

It further appearing, That, as explained in our notice to all parties of November 29, 1973, an independent fact finding study concerning scrap iron and steel and iron ores has been instituted in order to develop a record sufficient to enable the Coordinator to make the environmental assessment required by the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321-47 (1970);

It further appearing, That, as a result of the notice of November 29, 1973 referred to above, a petition for intervention by National Steel Corporation was filed on December 19, 1973 in this proceeding because it believes its interests may not be fully protected by its participation in Ex Parte No. 270, Investigation of Railroad Freight Rate Structure—Coal (Sub-No. 4) and Investigation of Freight Rate Structure—Iron Ores (Sub-No. 5);

It further appearing, That the freight rate structures on scrap iron and steel, as a whole, yield revenues substantially above the carriers' variable costs of performing the service, and that cost studies prepared under recognized accounting standards and procedures are relevant, and as stated in the Coordinator's report, 345 I.C.C. 1, 18, "primary reliance will continue to be placed on the Rail Form A cost formula";

And it further appearing, That, as provided in "Investigation of Railroad Freight Rate Structure," 345 I.C.C. 1, 12-13, a Coordinator's conference is necessary to determine the resources and capabilities of participants and to develop areas of common interest in order to promote a cooperative atmosphere in

which a meaningful record may be fully developed; therefore:

*It is ordered*, That this proceeding be handled under modified procedure as provided by the Commission's General Rules of Practice, except that 20 copies of all statements submitted shall be filed with the Commission, and that the filing and service of pleadings be as follows:

(a) An opening statement of facts and argument may be submitted by any party to the proceeding on or before June 17, 1974;

(b) A statement or statements limited to rebuttal to any opening statement filed in (a) above may be submitted by any party to the proceeding on or before July 17, 1974. The opening statement to which the rebuttal statement is directed must be specifically identified;

(c) A reply (surrebuttal) limited to replying to a rebuttal statement or statements in (b) above may be submitted by any party on or before August 16, 1974. The rebuttal statement to which the reply statement is directed must be specifically identified;

*It is further ordered*, That respondents and all other parties shall submit the information specified in appendix A in their opening statements;

*It is further ordered*, That the evidence submitted in the statements filed (opening, rebuttal, and surrebuttal) must be served on all parties on the service list and must be divided in the manner provided in appendix A, and that failure to do so may be cause for rejection of the pleading in its entirety.

*It is further ordered*, That the petition for intervention by National Steel Corporation be, and it is hereby, granted;

*It is further ordered*, That a Coordinator's conference pertaining to the scrap iron and steel subnumbered investigation be scheduled for January 31, 1974, beginning at 9:30 A.M. Eastern Daylight Savings Time at the Office of the Commission in Washington, D.C., including environmental matters, and that the following rules apply to the conference:

(a) Parties who desire to make oral representations at this conference must notify the Interstate Commerce Commission, Office of Proceedings, Room 5342, Washington, D.C. 20423, on or before January 22, 1974. The notice of intent to participate at the conference must specify the amount of time required for oral participation and must include a brief statement of the matters to which the remarks will be addressed;

(b) Parties unable to attend the conference but desiring to express a position may file on or before January 25, 1974, a three-page document setting forth their views. Such documents will be incorporated into the transcript of the conference if they are limited to three pages. Extra copies of the written representations need not be supplied to the Commission. Service on other parties is not essential, although it is desirable.

In furtherance of the objective of this proceeding, as stated in 345 I.C.C. 1, 3, official notice will be taken of material set forth in appendix B and may be used

by the Coordinator to supplement the record in this proceeding. Parties objecting to the publications or portions of publications listed in appendix B should, on or before January 31, 1974, file motions to strike matters listed in appendix B which in their opinion are biased, contain errors of fact, or will not aid in the development of the record.

As an aid to the parties there are listed in appendix C relevant source materials that the parties may want to consult in the preparation of their statements. Request that official notice be taken of the publications or portions of the publications listed in appendix C will be considered if filed on or before January 31, 1974.

Notice is given that the Coordinator may hold petitions filed in this proceeding for disposition in a Coordinator's report, and that all parties should proceed upon the assumption that any petitions which may be filed in this proceeding will not justify any party's failure to comply with the scheduled due date for filing of statements.

Notice is given of the Coordinator's intention that a proposed statement assessing the environmental consequences of various courses of action that could be taken in this proceeding will be served on all parties on the service list and on all appropriate governmental agencies after the independent fact finding study of such consequences is completed. Parties will be given an opportunity to comment on the Coordinator's proposed statement well in advance of the time when verified statements will be due.

Notice is further given that the Coordinator has determined this proceeding is the proper forum for investigating the following matters: (1) the effects of prior general rate increases on scrap iron and steel and (2) the intercommodity rate and revenue/cost relationship between scrap iron and steel, on the one hand, and iron ores, on the other hand.

*It is further ordered*, That because of the intercommodity rate and revenue/cost relationship between scrap iron and steel and iron ores, a copy of this order shall be served on all parties of record in Ex Parte No. 270 (Sub-No. 5), Investigation of Railroad Freight Rate Structure—Iron Ores. Parties of record in the Sub-No. 5 proceeding will be permitted to participate in this proceeding upon the filing of a notice of intent to participate on or before January 22, 1974, in which it is stated "that as a party of record in Ex Parte No. 270 (Sub-No. 5) participation in the Sub-No. 6 proceeding is requested." As soon after January 22, 1974 as possible a revised service list in this proceeding will be served.

*And it is further ordered*, That notice of this order shall be given to the general public by depositing a copy in the Office of the Commission's Secretary and by filing a copy with the Director, Office of the Federal Register, for publication in the Federal Register.

Dated at Washington, D.C. this 27th day of December, 1973.

By the Commission, Commissioner Hardin, Coordinator.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

#### APPENDIX A

*Manner in which evidence should be submitted.* All statements (opening, rebuttal and surrebuttal) must be divided into six categories (parts).

#### PART I

*Railroad freight rate structures on scrap iron and steel.* Maps, diagrams, representative and/or repetitive rates and narratives depicting the freight rate structures and formulas upon which the freight rates on scrap iron and steel are based, as of September 1, 1973, should be shown. Complete tariff references must be given for all rates shown. Evidence designed to show the traffic movements and the respondents' participation should be submitted. Representative and/or repetitive carload movements should show origin, destination, rate, minimum weight, actual loading, carload revenue, actual and shortline distances, ton-mile earnings based on actual distances and estimate of extent rates are used. Multiple car and trainload movements should show origin, destination, actual and short-line distances, rate, required minimum weight, actual loading, carload revenue, rate reduction over single carload rate, ton-mile earnings based on actual distances, and an estimate of the extent to which such multicar-type movements are made (tons moved).

#### PART II

*Intercommodity rate and revenue/cost relationships between scrap iron and steel and iron ores.* Because of the intercommodity relationship between scrap iron and steel and iron ores as previously noted in this order, evidence of cost of service and revenue/cost relationships for the transportation of representative and/or repetitive movements described in Part I above and in Part I of the procedural order in Ex Parte No. 270 (Sub-No. 5), Investigation of Railroad Freight Rate Structure—Iron Ores, served this date, should be introduced into evidence, if readily available, whether prepared under Rail Form A costing procedures or other costing procedures. Although, as stated in the Coordinator's report, 345 I.C.C. 1, 18 "primary reliance will continue to be placed on the Rail Form A cost formula", parties are not precluded from presenting cost evidence based on other costing procedures. Parties are reminded that in this broad investigation it will be impossible to consider the cost with respect to individual non-representative and/or non-repetitive movements and accordingly, parties should indicate the tonnage involved when submitting cost evidence with respect to particular movements.

#### PART III

*Self-defeating nature of general increases on scrap iron and steel.* A. Respondents should show the general rate increases sought, those authorized by the Commission, and those actually applied by the carriers individually or any other rate change, on all significant movements of scrap iron and steel beginning with and subsequent to Ex Parte No. 256 increases. Reasons for the application of increases less than those authorized as well as other rate changes should be set forth.

B. Evidence by any party designed to show that general rate increases on scrap iron and steel may or may not have been self-defeating in nature with respect to generating revenues.

## PART IV

*Disparities and distortions caused by general increases.* Evidence, by any party, relating to rate changes, affected by general rate increases, for the movement of scrap iron and steel beginning with and subsequent to Ex Parte No. 256 increases which may have resulted in disparities or distortions between competing shippers and/or localities. This evidence should be accompanied by formulas upon which the freight rates on scrap iron and steel are based and must be accompanied by complete tariff references for all rates shown. This evidence should specify any reason, if known, for such disparities and distortion.

## PART V

*Uneven effects of increases on individual railroads.* Evidence, by any party, designed to show the uneven revenue effects (if any) of general rate increases in freight rates on scrap iron and steel on individual railroads; why these results may have occurred and what corrective action could be taken to remedy these effects.

## PART VI

*Railroad service.* Evidence, by any party, bearing on the issue whether general increases have provided sufficient revenues to induce the railroads to undertake improvements in service to meet shippers' requirements.

Evidence, by any party, as to whether the railroads, in their proposed rates in general rate increase proceedings, have taken into account possible variations in services being provided shippers.

## PART VII

*Matters not otherwise listed.* All parties should endeavor to submit their evidence into one or more of the categories listed in Parts I through VI above including revenue/cost relationships. Evidence submitted under Part VII should specifically indicate the purpose for which it is being introduced and the reason it does not come within one of the six foregoing categories. The principal focus of the investigation as set forth in the report of the Coordinator; 345 I.C.C. 1, should be kept in mind as well as the relationship of scrap iron and steel with iron ores.

## APPENDIX B

## BIBLIOGRAPHY OF MATTERS OF WHICH OFFICIAL NOTICE WILL BE TAKEN

- American Iron and Steel Institute. *Annual Statistical Report: American Iron and Steel Institute, 1971.* [pp. 57, 58]. Washington, D.C.: American Iron and Steel Institute, 1972.
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## APPENDIX C

## BIBLIOGRAPHY OF MATTERS OF WHICH OFFICIAL NOTICE WILL NOT BE TAKEN

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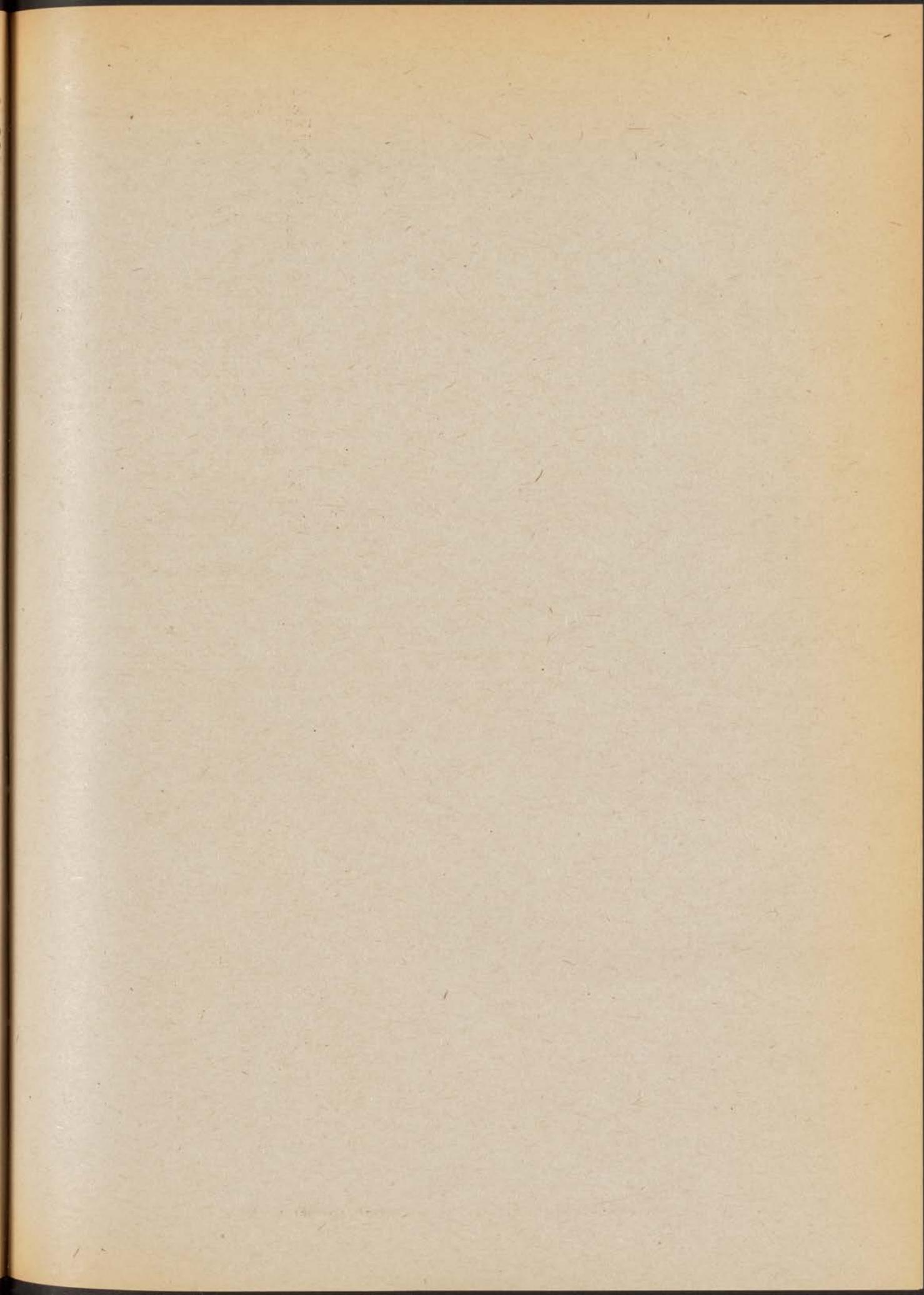
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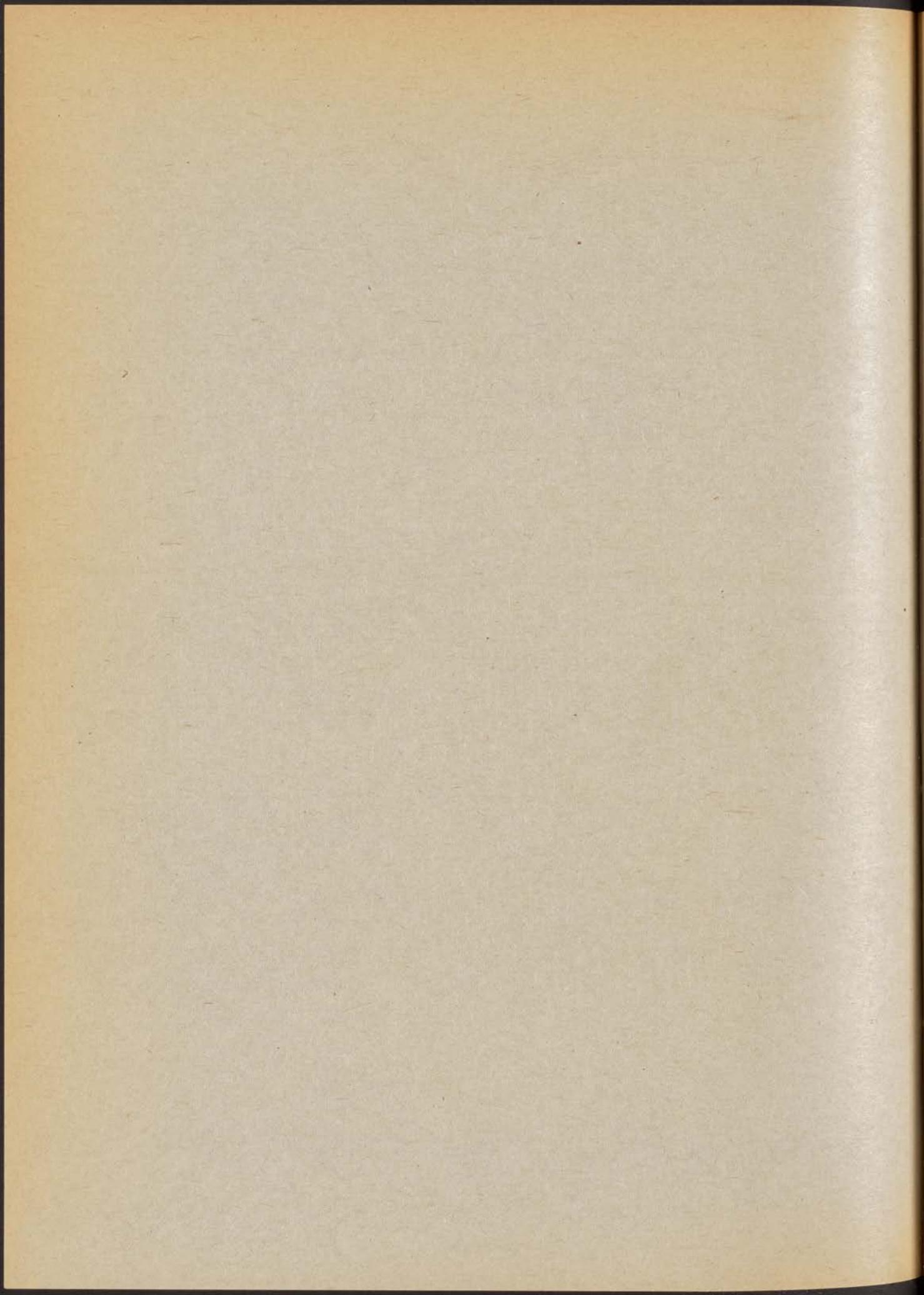
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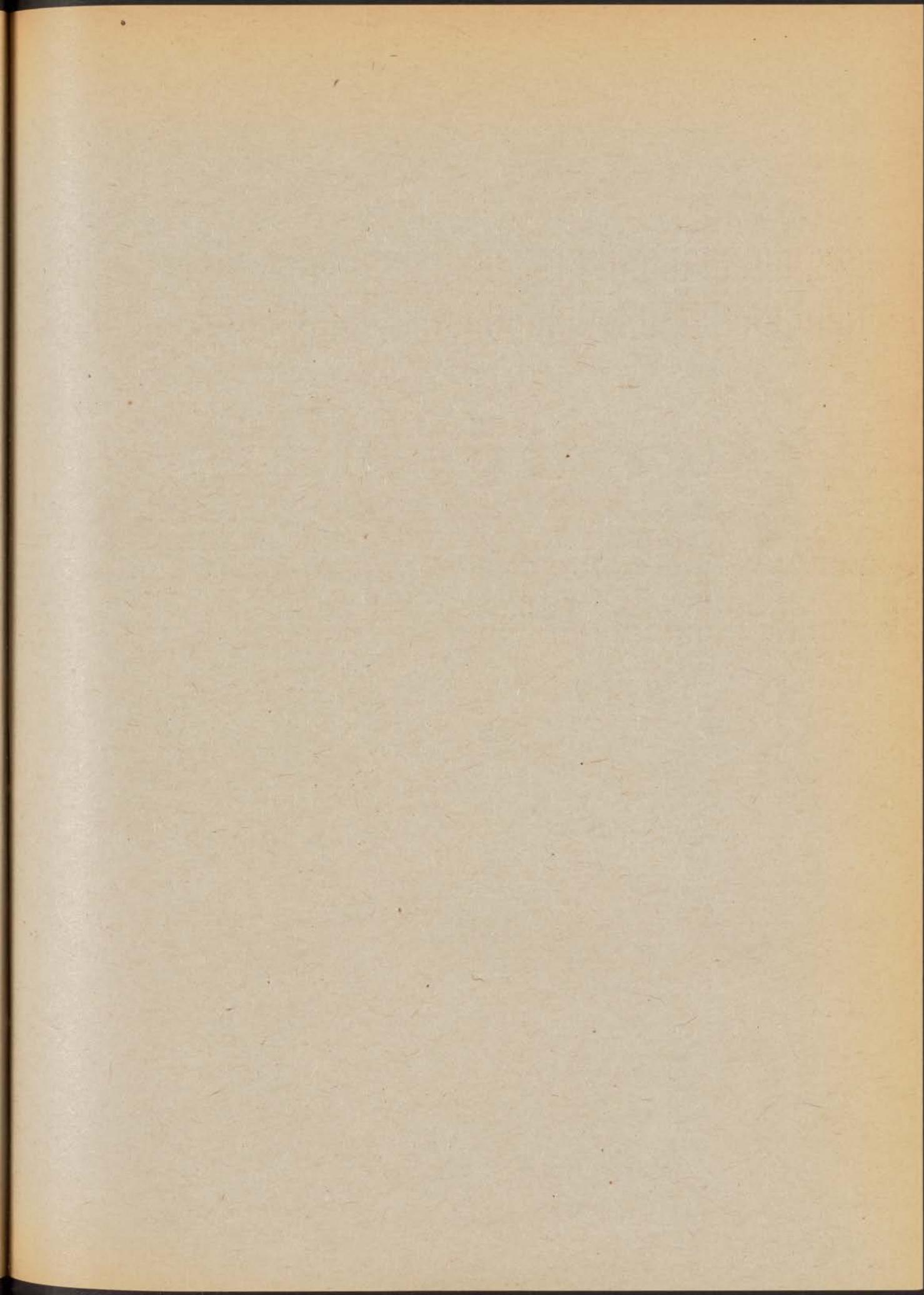
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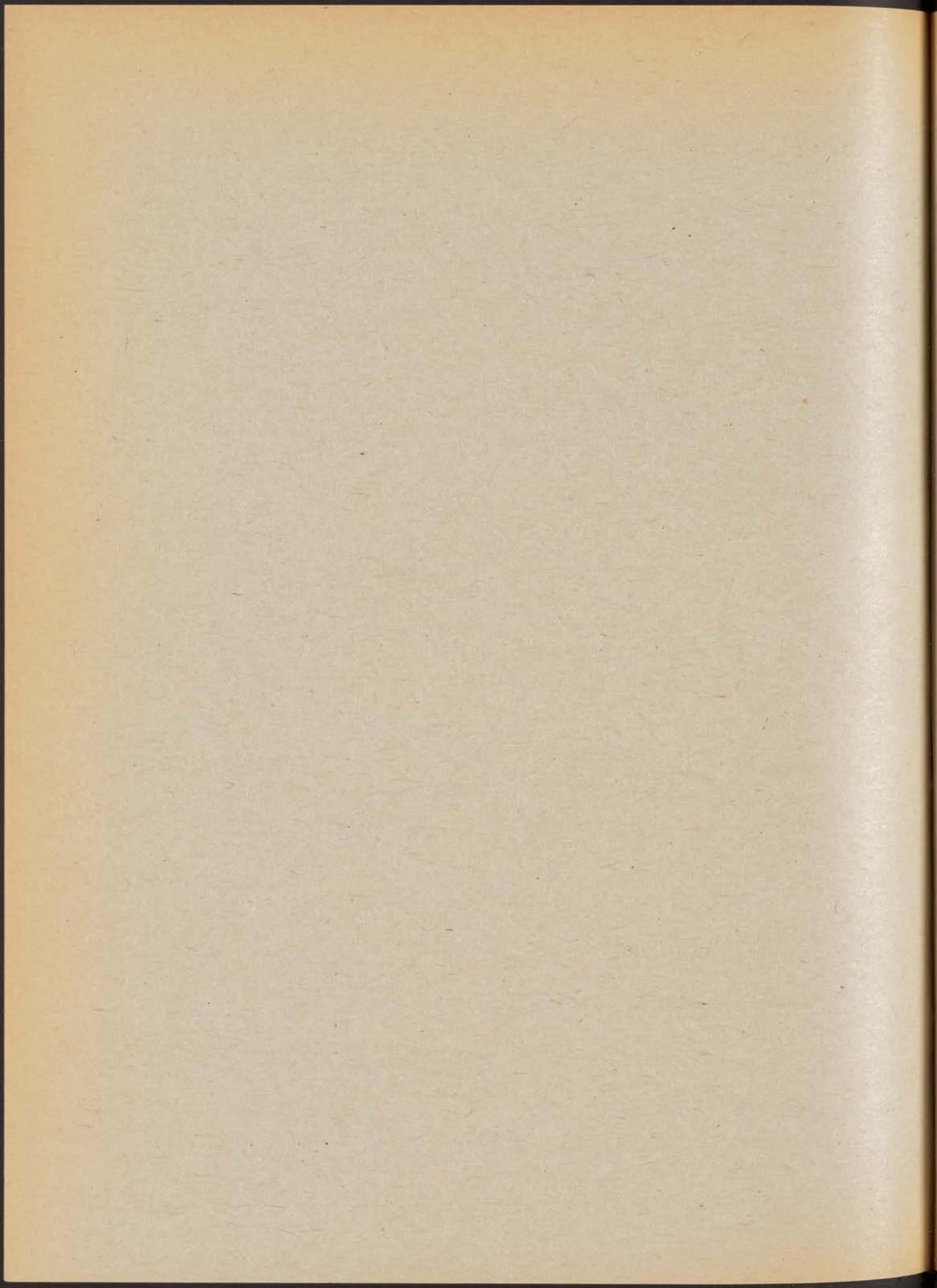
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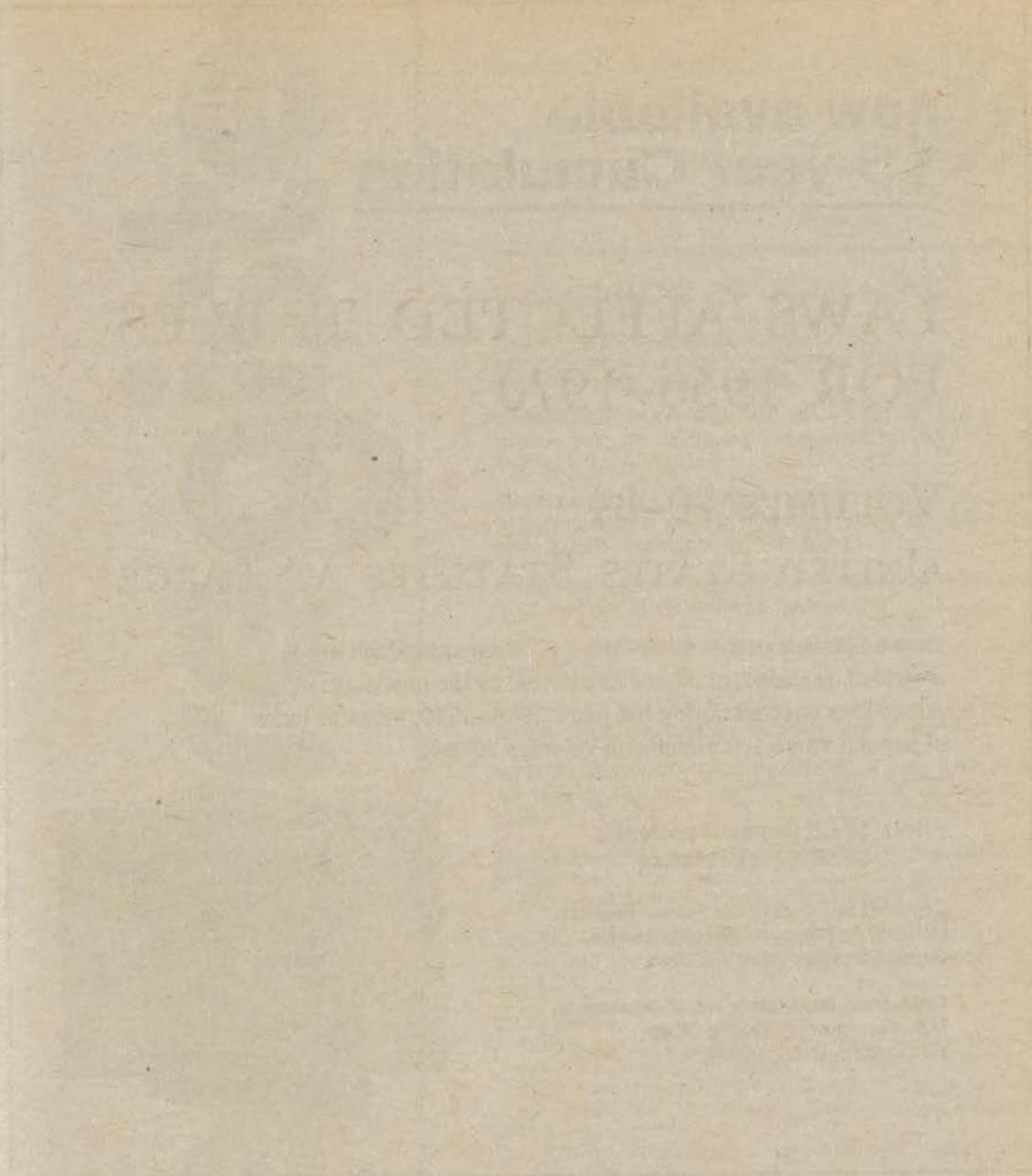
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