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

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

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE, DEPARTMENT OF AGRICULTURE

PART 30—TOBACCO STOCKS AND STANDARDS

Classification of Leaf Tobacco

Notice was published in the FEDERAL REGISTER issue of December 10, 1973 (38 FR 33979), that the Department is considering an amendment to the Classification of Leaf Tobacco Covering Classes, Types, and Groups of Grades, pursuant to the authority contained in the Stocks and Standards Act, as amended (45 Stat. 1079; 47 Stat. 662; 49 Stat. 893; 7 U.S.C. 501 et seq.).

Statement of consideration. As early as 1920 the Department of Agriculture began to build a general framework upon which tobacco standards would be based. In 1925 Type Classification of American-grown Tobacco was published as Miscellaneous Circular No. 55, under authority of the United States Warehouse Act of August 11, 1916.

On January 19, 1929, Congress approved the Tobacco Stocks and Standards Act (Public, No. 661, 70th Congress). This Act authorized the Secretary of Agriculture to collect and publish quarterly statistics of the quantity of leaf tobacco in all forms in the United States possessed by those other than the original growers. It further directed the Secretary of Agriculture to establish standards for the classification of tobacco and to require reporting firms to furnish statistics of stocks of leaf tobacco in such detail as to types, groups of grades, and other factors as he deemed necessary and practical.

In March 1929 the Secretary officially promulgated, under authority of this act, a classification of leaf tobacco to enable him to carry out the provisions of the act. This classification covered only the six principal classes and the numbered types under each. Miscellaneous domestic and foreign-grown tobaccos were included but not classified according to type and group. Few terms were defined.

In November 1929 the Department issued, under authority of the Tobacco Stocks and Standards Act, Service and Regulatory Announcement 118 (SRA, BAE-118) covering the leaf classification of nine classes of tobacco. Each of the six principal classes was divided into numbered types; each type was subdivided into groups of grades identified by both names and letters. Classes 7, 8, and 9 were classified, respectively, as miscellaneous domestic, foreign-grown cigar leaf, and foreign-grown types other than

cigar leaf. Each of these three classes consisted of a single type with no group division. This publication included definitions of additional terms and a reprint of the act.

The Classification of Leaf Tobacco (SRA, BAE-118) was amended in July 1947 (12 FR 4879). This amendment established Type 31-V to accommodate a low nicotine variety of burley tobacco. It was further amended in July 1954 (19 FR 4052), to accommodate a low nicotine strain of flue-cured under Class 7; miscellaneous types of domestic tobacco.

SRA, BAE-118 designates tobacco of Classes 7, 8, and 9 as types 70, 80, and 90, respectively. Under Class 7, all miscellaneous types of domestic tobacco are designated type 70. The amendments herein eliminate type 70 and subdivide Class 7 by officially establishing two type designations. Type 72 is established for Louisiana Perique and type 73 for all other domestic-grown tobacco not otherwise classed or typed.

In a similar manner, SRA, BAE-118 designated all foreign-grown cigar leaf tobacco as type 80. However, for tobacco stocks reporting purposes, this amendment assigns such tobacco official type designations based on geographical origin of the leaf with no reference to physical characteristics. Therefore, the present type 80 is deleted and Class 8 is subdivided by establishing nine type designations, 81 through 89.

Finally, SRA, BAE-118 designates all foreign-grown types other than cigar leaf as type 90. For stocks reporting purposes, this tobacco also is assigned official type designations. These type designations are based on (a) utilization, (b) curing methods, or both, with no reference to physical characteristics. Therefore, this amendment deletes type 90 and Class 9 is subdivided by establishing three type designations, 91 through 93.

This amendment deletes types 24 and 45. Type 24 was declared extinct in 1960 (25 FR 9517), and type 45 has been out of production since the 1940's or longer. As stated above, it also eliminates types 70, 80, and 90 and officially establishes types 72, 73, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, and 93. Although these 14 types are officially established by this amendment all have been in unofficial use from three to 22 years. Therefore, this amendment imposes no new or expanded requirements upon the reporting firms. Certain definitions of terms, types, group names and symbols are changed to conform with those used in current official grade standards. These changes reflect present-day market prep-

aration and employ current local terminology.

A period of 30 days was allowed interested persons desiring to submit written data, views, or arguments in connection with this amendment. No comments were received, therefore, the proposed amendment is adopted without change.

Effective date. These regulations shall become effective February 12, 1974.

Done at Washington, D.C., this 6th day of February 1974.

E. L. PETERSON,

Administrator,

Agricultural Marketing Service.

1. Part 30 is revised by deleting §§ 30.1-30.60 and the following is substituted therefor:

CLASSIFICATION OF LEAF TOBACCO COVERING CLASSES, TYPES, AND GROUPS OF GRADES

Sec.	
30.1	Definitions of terms used in classification of leaf tobacco.
30.2	Leaf tobacco.
30.3	Stemmed.
30.4	Stemmed.
30.5	Class.
30.6	Type.
30.7	Group.
30.8	Scrap.
30.9	Nondescript.
30.10	Cure.
30.11	Flue-cure.
30.12	Fire-cure.
30.13	Air-cure.
30.14	Cigar filler.
30.15	Cigar binder.
30.16	Cigar wrapper.
30.17	Damage.
30.18	Injury.
30.19	Nested.
30.20	Crude.
30.21	Foreign matter.
30.31	Classification of leaf tobacco.
30.36	Class 1; flue-cured types and groups.
30.37	Class 2; fire-cured types and groups.
30.38	Class 3; air-cured types and groups.
30.39	Class 4; cigar-filler types and groups.
30.40	Class 5; cigar-binder types and groups.
30.41	Class 6; cigar-wrapper types and groups.
30.42	Class 7; miscellaneous domestic types.
30.43	Class 8; foreign-grown cigar-leaf types.
30.44	Class 9; foreign-grown types other than cigar-leaf.

REPORTS

30.60 Reports.

ADMINISTRATION

30.61 Administration.

AUTHORITY: Sec. 2, 45 Stat. 1079, as amended; 7 U.S.C. 502.

CLASSIFICATION OF LEAF TOBACCO COVERING CLASSES, TYPES AND GROUPS OF GRADES

§ 30.1 Definitions of terms used in classification of leaf tobacco.

For the purpose of §§ 30.1-30.44 the terms appearing in §§ 30.2-30.21 shall be construed as explained therein.

§ 30.2 Leaf tobacco.

Tobacco in the forms in which it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating or fermenting, and conditioning are not regarded as manufacturing processes. Leaf tobacco does not include any manufactured or semimanufactured tobacco, stems which have been removed from leaves, cuttings, clippings, trimmings, shorts, or dust.

§ 30.3 Unstemmed.

A form of leaf tobacco consisting of a collection of leaves from which the stems or midribs have not been removed, including leaf-scrap.

§ 30.4 Stemmed.

A form of leaf tobacco consisting of a collection of leaves from which the stems or midribs have been removed, including strip scrap.

§ 30.5 Class.

One of the major divisions of leaf tobacco based on the distinct characteristics of the tobacco caused by differences in varieties, soil and climatic conditions, and the methods of cultivation, harvesting, and curing.

§ 30.6 Type.

A subdivision of a class of leaf tobacco, having certain common characteristics which permit of its being divided into a number of related grades. Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths, shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 30.7 Group.

A group of grades, or a division of a type covering several closely related grades, based on the general quality of the tobacco, including the percentage of injury, and other factors. The factors that determine the group divisions also largely determine the usage or suitability of tobacco for certain purposes.

§ 30.8 Scrap.

A byproduct from handling leaf tobacco in both the unstemmed and stemmed forms, consisting of loose and tangled portions of tobacco leaves, floor sweepings, and all other tobacco materials (except stems) which accumulate in auction and storage warehouses, packing and conditioning plants, and stemmeries. Scrap which accumulates from handling unstemmed leaf tobacco is known as leaf-scrap, and scrap which accumulates from handling stemmed leaf tobacco is known as strip-scrap. The

scrap group, covering both leaf-scrap and strip-scrap is designated by the letter "S".

§ 30.9 Nondescript.

Any tobacco of a certain type which cannot be placed in other groups of the type, or any nested tobacco, or any muddy or extremely dirty tobacco, or any tobacco containing an unusual quantity of foreign matter, or any crude tobacco, or any tobacco which is damaged to the extent of 20 percent or more, wet tobacco, or any tobacco that contains fat stems or wet butts. The nondescript or any tobacco infested with live tobacco group is designated by the letter "N".

§ 30.10 Cure.

To dry the sap from newly harvested tobacco by either natural or artificial process. Proper curing is done under such conditions as will permit of the chemical and physiological changes necessary to develop the desired quality of color in tobacco.

§ 30.11 Flue-cure.

To cure tobacco under artificial atmospheric conditions by a process of regulating the heat and ventilation without allowing smoke or fumes from the fuel to come in contact with the tobacco.

§ 30.12 Fire-cure.

To cure tobacco under artificial atmospheric conditions by the use of open fires, the smoke and fumes of which are allowed to come in contact with the tobacco.

§ 30.13 Air-cure.

To cure tobacco under natural atmospheric conditions without the use of fire, except for the purpose of preventing pole burn (house burn) in damp weather.

§ 30.14 Cigar filler.

The tobacco that forms the core or inner part of a cigar. Cigar-filler tobacco is tobacco of the kind and quality commonly used for cigar fillers. Cigar-filler types are those which produce chiefly tobacco suitable for cigar-filler purposes.

§ 30.15 Cigar binder.

A portion of a tobacco leaf rolled around the filler of a cigar to bind or hold it together and form the first covering. Cigar-binder tobacco is tobacco of the kind and quality commonly used for cigar binders. Cigar-binder types are those which produce chiefly tobacco suitable for cigar-binder purposes.

§ 30.16 Cigar wrapper.

A portion of a tobacco leaf forming the outer covering of a cigar. Cigar-wrapper tobacco is tobacco of the kind and quality commonly used for cigar wrappers. Cigar-wrapper types are those which produce chiefly tobacco suitable for cigar-wrapper purposes.

§ 30.17 Damage.

The effect of mold, must, rot, black rot, or other fungous or bacterial diseases which attack tobacco in its cured

state. Any tobacco having the odor of mold, must, or rot shall be included in damaged tobacco. (Note distinction between "damage" and "injury.")

§ 30.18 Injury.

Hurt or impairment from any cause except the fungous or bacterial diseases which attack tobacco in its cured state. Injured tobacco shall include any dead, burnt, or ragged tobacco; or tobacco that has been torn or broken, frozen or frosted, sunburned or scalded, scorched or fire-killed, bulk-burnt or stem-burnt, pole burnt or house burnt, bleached or bruised; or tobacco containing discolored or deformed leaves; or tobacco hurt by insects; or tobacco affected by wild-fire, black fire, rust, frog-eye, mosaic, frenching, sanddrown, or other field diseases.

§ 30.19 Nested.

Any lot of tobacco which has been so handled or packed as to conceal damaged, injured, tangled, or inferior tobacco, or foreign matter.

§ 30.20 Crude.

A subdegree of maturity, crude leaves usually have the general appearance of being raw and unfinished as a result of extreme immaturity. Crude tobacco ordinarily has a characteristic green color.

§ 30.21 Foreign matter.

Any substance or material extraneous to tobacco leaves, such as dirt, sand, stalks, suckers, straws, and strings.

§ 30.31 Classification of leaf tobacco.

For the purpose of this classification leaf tobacco shall be divided into the following classes:

- Class 1. Flue-cured types.
- Class 2. Fire-cured types.
- Class 3.¹ Air-cured types.
- Class 4. Cigar-filler types.
- Class 5. Cigar-binder types.
- Class 6. Cigar-wrapper types.
- Class 7. Miscellaneous domestic types.
- Class 8. Foreign-grown cigar-leaf types.
- Class 9. Foreign-grown types, other than cigar types.

For the purpose of this classification the classes shall be divided into the types and groups set forth in §§ 30.36-30.44.

§ 30.36 Class 1; flue-cured types and groups.

All flue-cured tobacco is graded under the same set of Official Standard Grades for Flue-cured Tobacco (U.S. Types 11, 12, 13, and 14). Flue-cured types are defined according to established general geographical areas of production. However, the determination as to type designations are based upon and indicate the geographic location where inspection and certification are performed—and do not necessarily identify the production area in which the tobacco was grown.

¹ Class 3 covers Air-cured tobacco other than cigar leaf. This class may be subdivided as follows: Class 3a, Light Air-cured tobacco, including types 31 and 32, and Class 3b, Dark Air-cured tobacco, including types 35, 36, and 37.

(a) *Type 11a.* That type of flue-cured tobacco commonly known as Western Flue-cured or Old Belt Flue-cured, produced principally in the Piedmont sections of Virginia and North Carolina.

(b) *Type 11b.* That type of flue-cured tobacco commonly known as Middle Belt Flue-cured, produced principally in a section lying between the Piedmont and coastal plains regions of Virginia and North Carolina.

(c) *Type 12.* That type of flue-cured tobacco commonly known as Eastern Flue-cured or Eastern Carolina Flue-cured, produced principally in the coastal plains section of North Carolina, north of the South River.

(d) *Type 13.* That type of flue-cured tobacco commonly known as Southeastern Flue-cured or South Carolina Flue-cured, produced principally in the coastal plains section of South Carolina and the southeastern counties of North Carolina, south of the South River.

(e) *Type 14.* That type of flue-cured tobacco commonly known as Southern Flue-cured, produced principally in the southern section of Georgia, in northern Florida, and to some extent, in Alabama.

Groups applicable to types 11, 12, 13, and 14:

- A—Wrappers.
- B—Leaf.
- H—Smoking Leaf.
- C—Cutters.
- X—Lugs.
- P—Primings.
- N—Nondescript, as defined.
- S—Scrap, as defined.

§ 30.37 Class 2; fire-cured types and groups.

(a) *Type 21.* That kind of fire-cured tobacco commonly known as Virginia Fire-cured, or Dark-fired, produced principally in the Piedmont and mountain sections of Virginia.

(b) *Type 22.* That type of fire-cured tobacco, known as Eastern District Fire-cured, produced principally in a section east of the Tennessee River in southern Kentucky and northern Tennessee.

(c) *Type 23.* That type of fire-cured tobacco, known as Western District Fire-cured or Dark-fired, produced principally in a section west of the Tennessee River in Kentucky and extending into Tennessee.

Groups applicable to types 21, 22, and 23:

- A—Wrappers.
- B—Heavy Leaf.
- C—Thin Leaf.
- X—Lugs.
- N—Nondescript, as defined.
- S—Scrap, as defined.

§ 30.38 Class 3; air-cured types and groups.

(a) *Type 31.* That type of air-cured tobacco, commonly known as Burley, produced principally in Kentucky, Tennessee, Virginia, North Carolina, Ohio, Indiana, West Virginia, and Missouri.

Groups applicable to type 31:

- X—Flyings.
- C—Lugs or Cutters.
- B—Leaf.
- T—Tips.
- M—Mixed.
- N—Nondescript, as defined.
- S—Scrap, as defined.

(b) *Type 31-V.* Notwithstanding the definitions of "Type" and "Type 31", any tobacco having the general visual characteristics of quality, color, and length of Class 3, Type 31, air-cured tobacco, but which is a low-nicotine strain or variety, produced and to be marketed under such restrictions or controls as shall be specified by the Director of the Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, and which in its cured state is found by an authorized representative of the Department to have a nicotine content of not more than eight-tenths of one percent ($\frac{8}{10}$ of 1%), oven dry weight, shall not be classified as Type 31 but shall be classified and designated upon certification by the Department as Type 31-V. No groups are established for Type 31-V.

(c) *Restrictions and controls relating to the production and marketing of Type 31-V tobacco as a prerequisite to the classification and certification of such tobacco.*—(1) *Declaration of seed or seedlings.* Tobacco shall be produced from seed or seedlings declared to be a suitable low-nicotine strain or variety for the production of Type 31-V, by an agency or agencies designated by the Director of the Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture.

(2) *Production under contract.* Type 31-V tobacco shall be grown under contract with a dealer in tobacco or a manufacturer of tobacco products. In addition to any other provisions not inconsistent herewith, the contract shall provide that:

(i) The dealer or manufacturer shall furnish to the grower seed or seedlings declared therefor as provided in subparagraph (1) of this paragraph;

(ii) The grower shall deliver to the dealer or manufacturer all tobacco produced from such seed or seedlings;

(iii) The grower shall produce not in excess of the number of acres of low-nicotine tobacco specified in the contract;

(iv) The grower shall establish clear lines of demarcation between the low-nicotine tobacco and any other type of tobacco grown on the farm; and

(v) The low-nicotine tobacco shall be housed and handled separately and shall not be commingled with any other type of tobacco: *Provided*, That this provision shall not prohibit the housing of low-nicotine and other types of tobacco in the same curing barn so long as the low-nicotine tobacco is clearly identified and is not commingled with any other type of tobacco.

(3) *Filing of copy of contract.* A copy of each contract referred to in subparagraph (2) of this paragraph shall be filed by the dealer or manufacturer with the Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, by May 1 of each year.

(4) *Restrictions on sale and marketing.* The low-nicotine tobacco shall not be offered for sale, sold, marketed, or otherwise disposed of unless such to-

bacco is clearly represented and identified as being low-nicotine tobacco: *Provided*, That this restriction shall not apply to products manufactured from such tobacco.

(5) *Nicotine content.* The nicotine content of the tobacco in its cured state, based on an official sample drawn and selected as being representative of the whole production from the acreage of low-nicotine tobacco planted under said contract by the same grower during the same calendar year, shall not be more than eight-tenths of one percent ($\frac{8}{10}$ of 1%) oven dry weight.

(6) *Furnishing of information.* Each dealer or manufacturer and each grower shall, from time to time, furnish to the Director of the Tobacco Division, such information as shall be requested relating to his production, stocks, and disposition of low-nicotine tobacco.

(7) *Prohibitions relating to seed and plants.* No seed shall be saved or harvested from the tobacco produced under a contract referred to in subparagraph (2) of this paragraph. No grower to whom seed or seedlings is furnished pursuant to subparagraph (2)(i) of this paragraph shall deliver or transfer any such seed or any plant produced therefrom to any other person.

(8) *Designation of seed or seedlings declaring agencies.* The Kentucky Agricultural Experiment Station, Lexington, Kentucky, is designated as an agency for the declaration of seed or seedlings pursuant to subparagraph (1) of this paragraph.

(9) *Definitions.* For the purposes of the restrictions and controls hereinbefore set forth a "dealer" or a "manufacturer" shall be a dealer in tobacco or a manufacturer of tobacco products.

(d) *Type 32.* That type of air-cured tobacco commonly known as Southern Maryland tobacco or Maryland Air-cured, and produced principally in southern Maryland. (Upper Country Maryland is classed as "miscellaneous domestic.")

Groups applicable to type 32:

- X—Seconds.
- C—Bright-crop or Thin-crop.
- B—Dull-crop or Heavy-crop.
- T—Tips.
- N—Nondescript, as defined.
- S—Scrap, as defined.

(e) *Type 35.* That type of air-cured tobacco commonly known as One Sucker Air-cured, Kentucky-Tennessee-Indiana One Sucker, or Dark Air-cured One Sucker, including the upper Cumberland District One Sucker, and produced principally in northern Tennessee, south central Kentucky, and southern Indiana.

(f) *Type 36.* That type of air-cured tobacco commonly known as Green River, Green River Air-cured, or Dark Air-cured of the Henderson and Owensboro Districts, and produced principally in the Green River section of Kentucky.

(g) *Type 37.* That type of air-cured or sun-cured tobacco commonly known as Virginia Sun-cured, Virginia Sun and Air-cured, or Dark Air-cured of Virginia, and produced principally in the central section of Virginia north of the James River.

Groups applicable to types 35, 36, and 37.
 A—Wrappers.
 B—Heavy Leaf.
 C—Thin Leaf.
 T—Tips.
 X—Lugs.
 N—Nondescript, as defined.
 S—Scrap, as defined.

§ 30.39 Class 4; cigar-filler types and groups.

(a) *Type 41.* That type of cigar-leaf tobacco commonly known as Pennsylvania Seedleaf or Pennsylvania Broadleaf, produced principally in Lancaster County, Pennsylvania, and adjoining counties and including other areas of Pennsylvania and Maryland in which the seedleaf variety is grown.

Groups applicable to type 41:
 C—Stripper.
 X—Straight Stripped.
 Y—Farm Filler.
 N—Nondescript, as defined.

(b) *Type 42.* That type of cigar-leaf tobacco commonly known as Gebhardt, Ohio Seedleaf, or Ohio Broadleaf, produced principally in the Miami Valley Section of Ohio and extending into Indiana.

(c) *Type 43.* That type of cigar-leaf tobacco commonly known as Zimmer, Spanish, or Zimmer Spanish, produced principally in the Miami Valley Section of Ohio and extending into Indiana.

(d) *Type 44.* That type of cigar-leaf tobacco commonly known as Dutch, Shoestring Dutch, or Little Dutch, produced principally in the Miami Valley Section of Ohio.

Groups applicable to types 42, 43, and 44:
 X—Straight Stripped.
 N—Nondescript, as defined.

(e) *Type 46.* That type of cigar-leaf tobacco commonly known as Puerto Rican Filler, produced principally in the inland and semicoastal areas of Puerto Rico.

Groups applicable to type 46:
 C—Strippers.
 X—Grinders.
 N—Nondescript, as defined.
 S—Scrap, as defined.

§ 30.40 Class 5; cigar-binder types and groups.

(a) *Type 51.* That type of cigar-leaf tobacco commonly known as Connecticut Valley Broadleaf or Connecticut Broadleaf, produced principally in the Connecticut River Valley.

(b) *Type 52.* That type of cigar-leaf tobacco commonly known as Connecticut Valley Havana Seed or Havana Seed of Connecticut and Massachusetts, produced principally in the Connecticut River Valley.

Groups applicable to types 51 and 52:
 B—Binder.
 X—Nonbinder.
 N—Nondescript, as defined.
 S—Scrap, as defined.

(c) *Type 53.* That type of cigar-leaf tobacco commonly known as York State or Havana Seed of New York, and Pennsylvania, produced principally in the

Big Flats and Onondaga sections of New York State, and extending into Pennsylvania.

(d) *Type 54.* That type of cigar-leaf tobacco commonly known as Southern Wisconsin Cigar-leaf or Southern Wisconsin Binder-type, produced principally south and east of the Wisconsin River.

(e) *Type 55.* That type of cigar-leaf tobacco commonly known as Northern Wisconsin Cigar-leaf or Northern Wisconsin Binder-type, produced principally north and west of the Wisconsin River and extending into Minnesota.

Groups applicable to types 53, 54, and 55:
 B—Binder.
 C—Stripper.
 X—Straight Stripped.
 Y—Farm Filler.
 N—Nondescript, as defined.
 S—Scrap, as defined.

§ 30.41 Class 6; cigar-wrapper types and groups.

(a) *Type 61.* That type of shade-grown tobacco known as Connecticut Valley Shade-grown, produced principally in the Connecticut Valley section of Connecticut and Massachusetts.

(b) *Type 62.* That type of shade-grown tobacco known as Georgia and Florida Shade-grown, produced principally in southwestern Georgia and in the central part of northern Florida.

Groups applicable to types 61 and 62:

A—Wrappers.
 S—Stained.
 X—Broses.
 N—Nondescript, as defined.

§ 30.42 Class 7; miscellaneous domestic types.

No group divisions are established for any of the types in Class 7. Notwithstanding the definitions of "Class," "Type," "Type 11," "Type 12," "Type 13," and "Type 14," any tobacco having the general visual characteristics of quality, color and length of the types and groups contained in Class 1, flue-cured tobacco, but which is a strain or variety found in its cured state by an authorized representative of the Department to have a nicotine content of not more than eight-tenths of one per cent (8/10 of 1%), oven dry weight, shall be designated upon certification by the Department as Class 7: *Provided*, That for the purpose of establishing and maintaining the identity of such tobacco, it shall not be sold or offered for sale through customary marketing channels for Class 1, flue-cured tobacco; and it shall be identified in accordance with instructions issued by the Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, covering certification of seed or seedlings, contracts for production, designation and demarcation of fields in which grown, maintenance of separate identity of such tobacco from other tobacco, furnishing of samples and furnishing of such information as may be requested relating to production, stocks, and disposition of such tobacco. For tobacco stocks report-

ing purposes, all miscellaneous domestic tobacco shall be designated as follows:

(a) *Type 72.* That type of tobacco commonly known as Louisiana Perique, or Perique, produced principally in St. James Parish located in southeastern Louisiana.

(b) *Type 73.* All domestic-grown tobacco not otherwise classified, including tobacco cured in the same manner as Class 1, flue-cured tobacco, but having a nicotine content of not more than eight-tenths of one percent (8/10 of 1%), oven dry weight. Also included in the miscellaneous types are such types as Ohio Flue-cured and Fire-cured (known as Eastern Ohio), Upper Country Maryland, California, Turkish, and Virginia One-sucker, and the production of the insular possessions of the United States not otherwise classified.

§ 30.43 Class 8; foreign-grown cigar-leaf types.

No group divisions are established for any of the types in Class 8. Type designations for Class 8 tobacco are based on the country from which the tobacco is imported, with no reference to physical characteristics. For tobacco stocks reporting purposes, foreign-grown cigar leaf shall be designated as follows:

- (a) *Type 81*
Cuba
- (b) *Type 82*
Indonesia
- (c) *Type 83*
Philippine Islands
- (d) *Type 84*
Brazil
- (e) *Type 85*
Colombia
- (f) *Type 86*
Dominican Republic
- (g) *Type 87*
Paraguay
- (h) *Type 88*
Mexico
- (i) *Type 89*
All other foreign-grown cigar leaf.

§ 30.44 Class 9; foreign-grown types other than cigar leaf.

No group divisions are established for any of the types in Class 9. Type designations for class 9 are based on (a) utilization, (b) curing method, or both, with no reference to physical characteristics. For tobacco stocks reporting purposes, all foreign-grown tobacco other than cigar leaf shall be designated as follows:

(a) *Type 91.* Foreign grown tobacco commonly known as oriental or aromatic, used principally in blends of cigarette and pipe tobacco.

(b) *Type 92.* Foreign-grown flue-cured tobacco.

(c) *Type 93.* Foreign-grown burley tobacco.

(45 Stat. 1079; 7 U.S.C. 502)

REPORTS

§ 30.60 Reports.

Within fifteen (15) days after January 1, April 1, July 1, and October 1 of each year, all manufacturers, dealers, grower cooperative associations, owners

or agents, other than the original grower of the tobacco and manufacturers who produced less than 185,000 cigars, or 750,000 cigarettes or 35,000 pounds of manufactured tobacco during the first three quarters of the preceding calendar year, shall complete and mail to the Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, in the detail required on forms available from him, reports showing the following information as to leaf tobacco in leaf and sheet form:

(a) *Tobacco in leaf form.* The pounds of tobacco in leaf form owned on the first day of the applicable quarter, with all stocks reported by types of tobacco and whether stemmed or unstemmed; and

(b) *Tobacco in sheet form.* The pounds of leaf tobacco stemmed or unstemmed included in and represented by all stocks of tobacco sheet owned on the first day of the applicable quarter, segregated by the classification and type of tobacco included in and represented by such tobacco sheet and further segregated as to whether for cigar binder or wrapper, or for cigarettes, except that a purchaser of tobacco sheet may, in lieu of the above, report the pounds of sheet tobacco owned on the first day of the applicable quarter, segregated as to whether for cigar binder or wrapper, or for cigarettes and give the name of the firm or firms which produced such sheet tobacco.

NOTE: The reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

ADMINISTRATION

§ 30.61 Administration.

The Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, is charged with the supervision of the Division and the performance of all duties assigned thereto in the administration of the Tobacco Stocks and Standards Act. The conduct of all services, classification of leaf tobacco, or employment of inspection/grading/sampling personnel under these regulations shall be accomplished without discrimination as to race, color, religion, sex, or national origin. Information concerning such administration may be obtained from the Director.

Done at Washington, D.C., this 5th day of December 1973.

E. L. PETERSON,
Administrator,

Agricultural Marketing Service.

[FR Doc. 74-3418 Filed 2-11-74; 8:45 am]

CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE

PART 401—FEDERAL CROP INSURANCE Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regula-

tions, the following counties have been designated for barley crop insurance for the 1975 crop year.

ARIZONA

Maricopa Yuma
Pinal

CALIFORNIA

Modoc

COLORADO

Boulder Sedgwick
Larimer Washington
Morgan Weld

IDAHO

Ada Jerome
Bannock Kootenai
Benevah Latah
Bingham Lewis
Bonnevillie Lincoln
Camas Madison
Canyon Minidoka
Caribou Nez Perce
Cassia Oneida
Franklin Owyhee
Fremont Power
Gooding Teton
Idaho Twin Falls
Jefferson

MARYLAND

Caroline Queen Annes
Kent

MINNESOTA

Becker Otter Tail
Big Stone Pennington
Chippewa Polk
Clay Pope
Douglas Red Lake
Grant Roseau
Kittson Stevens
Mahnommen Swift
Marshall Traverse
Norman Wilkin

MONTANA

Big Horn Musselshell
Blaine Phillips
Carbon Pondera
Cascade Prairie
Chouteau Richland
Daniels Roosevelt
Dawson Rosebud
Fallon Sheridan
Fergus Stillwater
Glacier Teton
Golden Valley Toole
Hill Valley
Judith Basin Wheatland
Liberty Yellowstone
McCone

NORTH DAKOTA

Barnes McLean
Benson Mercer
Bottineau Mountrail
Burke Nelson
Burleigh Oliver
Cass Pembina
Cavaller Pierce
Dickey Ramsey
Divide Ransom
Dunn Renville
Eddy Richland
Emmons Rolette
Foster Sargent
Golden Valley Sheridan
Grand Forks Stark
Grant Steele
Griggs Stutsman
Hettinger Towner
Kidder Trall
La Moure Walsh
Logan Ward
McHenry Wells
McKenzie Williams

OREGON

Gilliam Sherman
Jefferson Umatilla
Klamath Union
Linn Wallowa
Malheur Wasco
Morrow Wheeler

PENNSYLVANIA

Adams Franklin
Chester Lebanon
Cumberland York
Dauphin

SOUTH DAKOTA

Beadlo Grant
Brookings Hamlin
Brown Kingsbury
Clark McPherson
Codington Marshall
Day Miner
Deuel Roberts
Edmunds Spink
Faulk

UTAH

Cache Utah
Davis Weber
Salt Lake

WASHINGTON

Adams Klickitat
Asotin Lincoln
Columbia Spokane
Franklin Walla Walla
Garfield Whitman
Grant

WYOMING

Big Horn Park
Goshen Washakie

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

M. R. PETERSON,
Manager, Federal Crop
Insurance Corporation.

[FR Doc. 74-3490 Filed 2-11-74; 8:45 am]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following counties have been designated for wheat crop insurance for the 1975 crop year.

ARIZONA

Maricopa Yuma
Pinal

ARKANSAS

Chicot Desha
Clay Greene
Craighead Mississippi
Crittenden Poinsett
Cross St. Francis

CALIFORNIA

Imperial Modoc

COLORADO

Adams Logan
Arapahoe Morgan
Cheyenne Phillips
Elbert Sedgwick
Kit Carson Washington
Larimer Weld
Lincoln Yuma

RULES AND REGULATIONS

IDAHO

Ada
Bannock
Benewah
Bingham
Bonneville
Camas
Canyon
Caribou
Cassia
Franklin
Fremont
Gooding
Idaho
Jefferson
Jerome
Kootenai
Latah
Lewis
Lincoln
Madison
Mindoka
Nez Perce
Oneida
Power
Teton
Twin Falls

ILLINOIS

Adams
Bond
Brown
Cass
Champaign
Christian
Clark
Clay
Clinton
Coles
Crawford
Cumberland
DeWitt
Douglas
Edgar
Effingham
Fayette
Fulton
Greene
Hancock
Iroquois
Jasper
Jefferson
Jersey
Kankakee
Logan
McDonough
McLean
Macon
Macoupin
Madison
Mason
Menard
Monroe
Montgomery
Morgan
Moultrie
Platt
Pike
Randolph
Richland
St. Clair
Sangamon
Schuyler
Scott
Shelby
Tazewell
Vermillion
Washington
Wayne

INDIANA

Adams
Allen
Bartholomew
Benton
Blackford
Boone
Carroll
Cass
Clay
Clinton
Davies
Decatur
DeKalb
Delaware
Elkhart
Fayette
Fountain
Fulton
Gibson
Grant
Hamilton
Hancock
Hendricks
Henry
Howard
Huntington
Jackson
Jasper
Jay
Johnson
Knox
Kosciusko
Lagrange
Madison
Marion
Marshall
Miami
Montgomery
Morgan
Newton
Noble
Parke
Pulaski
Putnam
Randolph
Ripley
Rush
Shelby
Sullivan
Tippecanoe
Tipton
Union
Vermillion
Vigo
Wabash
Warren
Wayne
Wells
White
Whitley

KANSAS

Allen
Anderson
Atchison
Barber
Barton
Bourbon
Brown
Butler
Chase
Chautauque
Cherokee
Cheyenne
Clark
Clay
Cloud
Coffey
Comanche
Cowley
Crawford
Decatur
Dickinson
Doniphan
Douglas
Edwards
Elk
Ellis

KANSAS—Continued

Ellsworth
Finney
Ford
Franklin
Geary
Gove
Graham
Grant
Gray
Greeley
Greenwood
Hamilton
Harper
Harvey
Haskell
Hodgeman
Jackson
Jefferson
Jewell
Johnson
Kearny
Kingman
Kiowa
Labette
Lane
Lincoln
Linn
Logan
Lyon
McPherson
Marion
Marshall
Meade
Miami
Mitchell
Montgomery
Morris
Nemaha
Neosho
Ness
Norton
Osage
Osborne
Ottawa
Pawnee
Phillips
Pottawatomie
Pratt
Rawlins
Reno
Republic
Rice
Riley
Rooks
Russell
Saline
Scott
Sedgwick
Seward
Shawnee
Sheridan
Sherman
Smith
Stafford
Stanton
Stevens
Sumner
Thomas
Trego
Wabaunsee
Wallace
Washington
Wichita
Wilson
Woodson

Christian

Caroline
Kent

Bay
Branch
Calhoun
Cass
Clinton
Eaton
Gratiot
Hillsdale
Huron
Ingham
Ionia
Jackson

Becker
Big Stone
Blue Earth
Chippewa
Clay
Dakota
Douglas
Faribault
Freeborn
Grant
Kandiyohi
Kittson
Lac qui Parle
Le Sueur
Mahnoman

Bollivar
Coahoma
Humphreys
Quitman
Sharkey

Adair
Andrew
Audrain
Barton
Bates

KENTUCKY

MARYLAND

Queen Annes

MICHIGAN

Kalamazoo
Lenawee
Livingston
Monroe
Saginaw
St. Clair
St. Joseph
Sanilac
Shiawassee
Tuscola
Washtenaw

MINNESOTA

Marshall
Norman
Otter Tail
Pennington
Polk
Red Lake
Redwood
Renville
Roseau
Stevens
Swift
Traverse
Waseca
Wilkin
Yellow Medicine

MISSISSIPPI

Sunflower
Tallahatchie
Tunica
Washington

MISSOURI

Boone
Buchanan
Butler
Caldwell
Callaway

MISSOURI—Continued

Cape Girardeau
Carroll
Cass
Charlton
Clark
Clinton
Cooper
Dade
Davies
DeKalb
Dunklin
Franklin
Gentry
Harrison
Henry
Holt
Howard
Jackson
Jasper
Johnson
Knox
Lafayette
Lawrence
Lewis
Lincoln
Linn
Livingston
Macon
Marion
Mississippi
Monroe
Montgomery
New Madrid
Nodaway
Pemiscot
Pettis
Pike
Platte
Ralls
Randolph
Ray
St. Charles
Saline
Scotland
Scott
Shelby
Stoddard
Sullivan
Vernon

MONTANA

Blaine
Big Horn
Carbon
Cascade
Chouteau
Custer
Daniels
Dawson
Fallon
Fergus
Glacier
Golden Valley
Hill
Judith Basin
Liberty
McCone
Musselshell
Petroleum
Phillips
Pondera
Prairie
Richland
Roosevelt
Rosebud
Sheridan
Stillwater
Teton
Toole
Treasure
Valley
Wheatland
Wibaux
Yellowstone

NEBRASKA

Adams
Banner
Box Butte
Butler
Cass
Chase
Cheyenne
Clay
Dawes
Deuel
Dodge
Fillmore
Franklin
Frontier
Furnas
Gage
Garden
Gosper
Hall
Hamilton
Harlan
Hayes
Hitchcock
Jefferson
Johnson
Kearney
Keith
Kimball
Lancaster
Lincoln
Merrick
Morrill
Nance
Nemaha
Nuckolls
Otoe
Pawnee
Perkins
Phelps
Polk
Red Willow
Richardson
Saline
Saunders
Scotts Bluff
Seward
Sheridan
Thayer
Washington
Webster
York

NEW MEXICO

Curry

NORTH DAKOTA

Adams
Barnes
Benson
Bottineau
Bowman
Burke
Burlleigh
Cass
Cavaller
Dickey
Divide
Dunn
Eddy
Emmons
Foster
Golden Valley
Grand Forks
Grant
Griggs
Hettinger
Kidder
La Moure

NORTH DAKOTA—Continued

Logan
McHenry
McIntosh
McKenzie
McLean
Mercer
Morton
Mountrail
Nelson
Oliver
Pembina
Pierce
Ramsey
Ransom
Renville
Richland
Rolette
Sargent
Sheridan
Sioux
Slope
Stark
Steele
Stutsman
Towner
Traill
Walsh
Ward
Wells
Williams

OHIO

Allen
Ashland
Auglaize
Butler
Champaign
Clark
Clinton
Crawford
Darke
Defiance
Delaware
Erie
Fairfield
Fayette
Franklin
Fulton
Greene
Hancock
Hardin
Henry
Highland
Huron
Knox
Licking
Logan
Lucas
Madison
Marion
Medina
Mercer
Miami
Montgomery
Morrow
Ottawa
Paulding
Pickaway
Preble
Putnam
Richland
Sandusky
Seneca
Shelby
Union
Van Wert
Wayne
Williams
Wood
Woodot

OKLAHOMA

Alfalfa
Beaver
Beckham
Blaine
Caddo
Canadian
Comanche
Cotton
Craig
Custer
Delaware
Dewey
Ellis
Garfield
Grady
Grant
Greer
Harmon
Harper
Jackson
Kay
Kingfisher
Kiowa
Logan
Major
Mayes
Noble
Nowata
Osage
Ottawa
Pawnee
Payne
Texas
Tillman
Washington
Washita
Woods
Woodward

OREGON

Gilliam
Jefferson
Klamath
Linn
Malheur
Morrow
Sherman
Umatilla
Union
Wallowa
Wasco
Wheeler

PENNSYLVANIA

Adams
Chester
Cumberland
Dauphin
Franklin
Lancaster
Lebanon
Perry
York

SOUTH DAKOTA

Aurora
Beadle
Bennett
Bon Homme
Brown
Campbell
Clark
Codington
Corson
Day
Deuel
Dewey
Douglas
Edmunds
Faulk
Grant
Haakon
Hamlin

SOUTH DAKOTA—Continued

Hand
Hughes
Hutchinson
Hyde
Jones
Kingsbury
Lyman
McPherson
Marshall
Mellette
Miner
Perkins
Potter
Roberts
Spink
Stanley
Sully
Tripp
Walworth

TENNESSEE

Dyer
Lake
Lauderdale
Obion
Robertson

TEXAS

Baylor
Carson
Castro
Collin
Cooke
Dallam
Deaf Smith
Denton
Fannin
Floyd
Foard
Gray
Grayson
Hale
Hansford
Hartley
Hutchinson
Jones
Knox
Lipscomb
Moore
Ochiltree
Oldham
Parmer
Randall
Sherman
Swisher
Wilbarger

UTAH

Box Elder
Cache
Davis
Salt Lake
Utah
Weber

WASHINGTON

Adams
Asotin
Benton
Columbia
Douglas
Franklin
Garfield
Grant
Klickitat
Lincoln
Okanogan
Spokane
Walla Walla
Whitman
Yakima

WYOMING

Goshen
Laramie
Platte

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] M. R. PETERSON,
Manager, Federal Crop
Insurance Corporation.

[FR Doc. 74-3498 Filed 2-11-74; 8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, U.S. DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—GENERAL REGULATIONS
[FHA Instruction 010.1]

PART 1800—ADMINISTRATIVE PROVISIONS

Subpart A—Organizations and General Functions of the Farmers Home Administration

ORGANIZATIONAL CHANGES

Sections 1800.1 and 1800.2, Subpart A of Part 1800, Title 7, Code of Federal Regulations (31 FR 14109) are amended to reflect a realignment of authorities and responsibilities within the Farmers Home Administration. This realignment provides for the most effective and efficient method of operations in that functions are now assigned to defined organizations thus eliminating overlapping functional responsibilities and lines of authority. The Rural Development Act of 1972 charges the agency with functional

responsibilities which require new organizational entities, and, in turn, the realignment of other ongoing functions. The regulations of the Farmers Home Administration are codified in Chapter XVIII, Title 7, of the Code of Federal Regulations. These regulations are in the process of being revised to reflect this realignment of the Agency's authorities and responsibilities and will be published in the FEDERAL REGISTER.

In accordance with 5 U.S.C. 553 this amendment is being published without notice of proposed rulemaking. Inasmuch as they involve only agency regulations of internal procedures and organization notice and public participation in rule-making under 5 U.S.C. 553 is not required or necessary.

Effective date. This amendment is effective February 12, 1974.

As amended, §§ 1800.1 and 1800.2 read as follows:

§ 1800.1 General.

The Farmers Home Administration (FHA) was established by order of the Secretary of Agriculture, dated August 14, 1946 (11 FR 9007). This organization consists of a National Office located in the South Building of the United States Department of Agriculture in Washington, D.C.; the Finance Office located in St. Louis, Missouri; forty-two (42) State Offices, some serving more than one state; and approximately seventeen hundred and fifty (1750) local County Offices. This Agency is responsible for Loan and Grant and other assistance programs including: Rural Housing; Farm Operating; Farm Ownership; Emergency; Soil and Water; Business and Industrial; Watershed; Resource Conservation and Development; Comprehensive Area Plans; Water and Waste Disposal; and Community Facilities. The programs are administered in accordance with regulations and delegations of authority and assignment of functions published in the FEDERAL REGISTER. The regulations are codified in Chapter XVIII, Title 7, Code of Federal Regulations. A general description of the functions of the offices and divisions of the National Office and of the State and County Offices is contained in §§ 1800.2-1800.4.

§ 1800.2 National Office.

(a) *Administrator.* The Administrator administers all FHA programs and operations.

(b) *Associate Administrator.* The Associate Administrator shares responsibility with the Administrator for administering all FHA programs and operations.

(c) *Deputy Administrator Program Operations.* The Deputy Administrator Program Operations shares responsibility with the Administrator and Associate Administrator for administering all FHA programs. He provides leadership, formulates and coordinates the policies and directs programs in carrying out the Rural Housing, Farmer Programs, Community Programs, Business and Industry, and Rural Development programs of the agency. He provides architectural, engineering and similar technical services

and material for field activities. He maintains liaison with professional and technical societies and interested groups. He develops and recommends plans and procedures for management and loan servicing of defaulted loans and acquired properties. He inspects and evaluates the administration of such programs executed in State and County Offices.

(1) *Assistant Administrator (Rural Housing)*. The Assistant Administrator (Rural Housing) provides leadership, formulates and coordinates policies in carrying out the Single and Multiple Family Housing Loans assigned to the Agency. He evaluates program effectiveness and analyzes needs and trends.

(2) *Assistant Administrator (Farmer Programs)*. The Assistant Administrator (Farmer Programs) provides leadership, formulates and coordinates policies in carrying out Farm Real Estate and Farm Production Loan Programs assigned to the Agency. He evaluates program effectiveness and analyzes needs and trends.

(3) *Assistant Administrator (Community Programs)*. The Assistant Administrator (Community Programs) provides leadership, formulates and coordinates policies in carrying out Water and Waste Disposal, Business and Industry and Community Facilities Loan programs assigned to the Agency. He evaluates program effectiveness and analyzes needs and trends.

(d) *Deputy Administrator Comptroller*. The Deputy Administrator Comptroller shares responsibility with the Administrator and the Associate Administrator for administering all FHA programs. He provides leadership, formulates and coordinates the policies and directs the development of programs in carrying out the Agency's internal management functions. He is responsible for marketing loans to finance FHA's programs.

(e) *The Administrative Staff Offices*. (1) *Information Staff*. The Information Staff develops and executes a program of information services concerning the program and accomplishments of the Agency and coordinates information activities with the Department and other agencies.

(2) *Program Evaluation Staff*. The Program Evaluation Staff analyzes alternate program plans and policies, develops long-range plans and evaluates program effectiveness in achieving planned goals and conducts internal reviews. This staff serves as agency liaison with Office of the Inspector General, General Accounting Office, and Federal Bureau of Investigation.

(f) *Program Operations Staff Offices*. (1) *Program Support Staff*. The Program Support Staff is responsible for providing architectural engineering, borrower accounting, land planning, appraisal, cost credit, sanitary engineering, and all other like technical services in support of the FHA functional programs. The Staff assures the use of acceptable practices, guidelines, standards and procedures.

(2) *Property Management Staff*. The

Property Management Staff is responsible for developing and implementing policies and plans for the management and loan servicing of all types of defaulted loans and acquired properties.

(g) *Management Divisions*.

(1) *Personnel Division*. The Personnel Division develops, recommends, and executes agencywide programs of classification, pay, organization analysis, position management, recruitment and placement, staffing patterns, equal employment opportunity, labor-management, employee relations, safety, employee suggestions and awards, employee development, foreign training, and training centers. It inspects and evaluates these programs and activities as performed through the Agency. It provides supervision and guidance to the personnel functions of the Finance Office.

(2) *Business Services Division*. The Business Services Division develops, recommends, and executes programs for the review and coordination of all Agency issuances, property, procurement and space management, forms management, printing, reproduction, communications and records management. This division performs liaison and servicing on Civil Defense. It inspects and evaluates these activities as performed by the Finance Office Business Services Branch, State and County Offices. It provides supervision and guidance to the Business Services Branch of the Finance Office which serves the field offices in connection with supplies, space, property and procurement.

(3) *Operations Evaluation and Improvement Division*. The Operations Evaluation and Improvement Division develops, recommends, and executes programs for management analysis, including management improvement and Agency work measurement. It develops criteria for and analyzes field office locations. It inspects and evaluates the activities in State and County Offices.

(4) *Budget Division*. The Budget Division develops, recommends, and executes budgeting, legislative review, debt management and budgetary reporting activities. It inspects and evaluates the activities performed by the State and County Offices.

(5) *Fiscal Division*. The Fiscal Division develops, recommends, and executes the implementation of accounting systems and procedures, and travel instructions. The Fiscal Division handles fiscal irregularities, insured note marketing, and is the treasury liaison and Central Voucher Payment Center liaison. It inspects and evaluates those activities performed in the State and County Offices.

(6) *Data Division*. The Data Division develops, recommends, and executes a system of reports analysis and control. It determines data requirements and arranges for data retrieval. This division administers the provisions of the Public Information Act.

(7) *Finance Office*. The Finance Office develops, recommends, and executes financial and program accounting, reporting requirements, the sale and re-

purchase of security instruments, and the servicing of field offices in connection with supplies, space, property and procurement. It inspects and evaluates these activities as performed by State and County Offices.

(h) *Rural Housing Program Divisions*.

(1) *Single Family Housing Loan Division*. The Single Family Housing Loan Division develops and recommends operating plans and procedures for rural housing loans to individuals (including funds for self-help housing) and conditional commitments to builders and sellers for single family dwellings. This division is responsible for overseeing the administration of these loans. It inspects and evaluates the administration of Agency programs executed by FHA State and County Offices.

(2) *Multiple Family Housing Loan Division*. The Multiple Family Housing Loan Division develops and recommends operating plans and procedures for rental and cooperative housing loans, labor housing loans and grants, technical assistance for self-help housing, and rural housing site loans to organizations. It inspects and evaluates the administration of such programs as executed by FHA State and County Offices.

(i) *Farmer Programs Divisions*. (1) *Farm Real Estate Loan Division*. The Farm Real Estate Loan Division develops and recommends operating plans and procedures for farm ownership loans, recreation loans to convert farms to outdoor recreation enterprises, land conservation and development loans to individuals in the Appalachia area, irrigation and drainage, shift in land use, grazing, timber development, Indian Tribal land acquisition, soil and water conservation loans to individuals, including the management of similar type loans made to predecessor Agencies and Rural Housing loans to farmers. It develops and recommends real estate appraisal procedures for farm properties. It inspects and evaluates the administration of such programs as executed by FHA State and County Offices.

(2) *Farm Production Loan Division*. The Farm Production Loan Division develops and recommends operating plans and procedures for farm operating loans, emergency loans, economic opportunity loans and loans to individuals, including management of similar type loans made by predecessor Agencies. It coordinates FHA Civil Defense Program activities with the Department and other Agencies.

(j) *Community Program Divisions*. (1) *Water and Waste Disposal Loan Division*. The Water and Waste Disposal Loan Division develops and recommends operating plans and procedures for water and waste disposal loans and grants including grants for comprehensive area plans including water and waste disposal and rural development and for other essential community facilities. It coordinates and works with other agencies, public interest groups, professional and business societies in promoting and managing all phases of these types of loans and grants in rural areas. It inspects and evaluates

the administration of such programs as executed by FHA State and County Offices.

(2) *Business and Industrial Loan Division.* The Business and Industrial Loan Division develops and recommends operating plans and procedures for providing loans to individuals and to public, private, or cooperative organizations for the development and operation of business and industrial enterprises in rural areas. This division services existing Co-Op loans. It coordinates and works with other agencies, public interest groups, professional and business societies in promoting and managing all phases of the business and industrial loan programs in rural areas. It inspects and evaluates the administration of such programs as executed by FHA State and County Offices.

(3) *Community Facilities Loan Division.* The Community Facilities Loan Division develops and recommends operating plans and procedures for watershed, resource conservation and development, community recreational facilities, and other community facility loans, including subdivisions and servicing of similar type loans made by predecessor agencies. It inspects and evaluates the administration of such programs as executed by FHA State and County Offices.

(Delegation of authority by the Secretary of Agriculture, 38 FR 14944, 14948, 7 CFR 2.23; delegation of authority by the Assistant Secretary for Rural Development 38 FR 14944, 14952, 7 CFR 2.70; delegations of authority by Director, Office of Economic Opportunity, 29 FR 14764, 33 FR 9850.)

Dated: February 5, 1974.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[FR Doc.74-3488 Filed 2-11-74; 8:45 am]

[FHA Instruction 011.1]

PART 1800—ADMINISTRATIVE PROVISIONS

Subpart B—Assignment of Functions

Subpart B of Part 1800, Title 7, Code of Federal Regulations (32 FR 9152) is revised to update the delegations of authority from the Assistant Secretary for Rural Development to the Administrator, Farmers Home Administration. These are the functions, powers, and duties assigned to this agency subject to certain reservations.

Inasmuch as the revision involves rules of agency procedures, organization, and practice, public comment is unnecessary.

Revised Subpart B reads as follows:

Subpart B—Assignment of Functions

- Sec.
1800.11 Functions assigned to the Administrator.
1800.12 Functions reserved to the Assistant Secretary for Rural Development.

AUTHORITY: The provisions of this subpart issued under 7 U.S.C. 1989; 42 U.S.C. 1480; 40 U.S.C. 442; 42 U.S.C. 2942; 5 U.S.C.

301; delegation of authority by the Secretary of Agriculture, 38 FR 14944, 14948, 7 CFR 2.23; delegation of authority by the Assistant Secretary for Rural Development, 38 FR 14944, 14952, 7 CFR 2.70; delegations of authority by Director, Office of Economic Opportunity, 29 FR 14764, 33 FR 9850.

Subpart B—Assignment of Functions

§ 1800.11 Functions Assigned to the Administrator.

Pursuant to 7 CFR 2.23(a), subject to reservations in 7 CFR 2.24(a), and subject to policy guidance and direction by the Assistant Secretary for Rural Development, the following delegations of authority have been made by the Assistant Secretary for Rural Development to the Administrator, Farmers Home Administration:

(a) Administration of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) except (1) with respect to loans for rural electrification and telephone facilities and service delegated to the Administrator, Rural Electrification Administration in 7 CFR 2.72 (a) (2); and (2) the authority contained in section 342 of said act, 7 U.S.C. 1013a. This delegation includes the authority to collect, service, and liquidate loans made or insured by the Farmers Home Administration or its predecessor agencies, the Farm Security Administration, the Emergency Crop and Feed Loans Offices of the Farm Credit Administration, the Resettlement Administration, and the Regional Agricultural Credit Corporations of Washington, D.C.

(b) Administration of title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), except those functions pertaining to research.

(c) Administration of the Rural Rehabilitation Corporation Trust Liquidation Act (40 U.S.C. 440 et seq.), and under trust, liquidation, and other agreements entered into pursuant thereto.

(d) Administration of section 8, and those functions with respect to repayment of obligations under section 4, of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1006a, 1004).

(e) Administration of the Resource Conservation and Development loan program to assist in carrying out Resource Conservation and Development projects in rural areas under section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)).

(f) Administration of loan programs in the Appalachian region under sections 203 and 204 of the Appalachian Region Development Act of 1965 (40 U.S.C. app. 204).

(g) Administration of Farmers Home Administration assets conveyed in trust under the Participation Sales Act of 1966 (12 U.S.C. 1717).

(h) Administration of the emergency loan programs and the rural housing disaster program under sections 232, 234, and 253 of the Disaster Relief Act of 1970 (Pub. L. 91-606), the Disaster Relief Act of 1969 (Pub. L. 91-79), and under Pub. L. 92-385 approved August 16, 1972.

(i) Administration of loans to homestead or desertland entrymen and purchasers of land in reclamation projects or to an entryman under the desertland law (7 U.S.C. 1006a and 1006b).

(j) Administration of loans to Indian tribes and tribal corporations (25 U.S.C. 488-492).

(k) Administer financial assistance programs under part A of title III and part D of title I and the necessarily related functions in title VI of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2763-2768, 2841-2855, 2942, 2943(b), 2961) delegated by the Director of the Office of Economic Opportunity to the Secretary of Agriculture by documents dated October 23, 1964 (29 FR 14764), and June 17, 1968 (33 FR 9850), respectively.

(l) Administer the Federal Claims Collection Act of 1966 and joint regulations issued pursuant thereto by the Attorney General and the Comptroller General with respect to claims of the Farmers Home Administration (31 U.S.C. 951, 953; 4 CFR, ch. II).

(m) Servicing, collection, settlement, and liquidation of:

(1) Deferred land purchase obligations of individuals under the Wheeler-Case Act of August 11, 1939, as amended (16 U.S.C. 590y), and under the item, "Water Conservation and Utilization Projects" in the Department of the Interior Appropriation Act, 1940 (53 Stat. 719, as amended).

(2) Puerto Rican hurricane relief loans under the act of July 11, 1956 (70 Stat. 525).

(3) Loans made in conformance with section 4 of the "Southeast Hurricane Disaster Relief Act of 1965." (79 Stat. 1301.)

§ 1800.12 Functions Reserved to the Assistant Secretary for Rural Development.

The following authorities are reserved to the Assistant Secretary for Rural Development: making and issuing notes to the Secretary of the Treasury for the purposes of the Agricultural Credit Insurance Fund and the Rural Development Insurance Fund as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1929, 1929 (a)) and the Rural Housing Insurance Fund as authorized by title V of the Housing Act of 1949 (41 U.S.C. 1487).

Date: February 5, 1974.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.74-3489 Filed 2-11-74; 8:45 am]

**Title 9—Animals and Animal Products
CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

PART 123—RULES OF PRACTICE

Miscellaneous and Technical Amendments

On August 19, 1972, the Civil Service Commission published in the FEDERAL REGISTER (37 FR 16787) a rule changing

the title of hearing examiner, as used in 5 CFR Part 930, Subpart B, to administrative law judge. By designation to the Office of Administrative Law Judges dated December 20, 1972 (37 FR 28475), as amended April 27, 1973 (38 FR 10795), the Secretary of Agriculture has provided for the issuance by the administrative law judges of initial decisions in adjudication proceedings subject to sections 556 and 557 of Title 5, United States Code, such decisions to become final without further proceedings unless there is an appeal to the Secretary by a party to the proceeding in accordance with applicable rules of practice. *Provided, however,* That no decision shall be final for purposes of judicial review except a final decision of the Secretary upon appeal. To incorporate these and other technical changes in the rules of practice (9 CFR Part 123) under the Virus Serum Toxin Act (37 Stat. 832, 833; 21 U.S.C. 151 *et seq.*) and section 2 of the Act of February 2, 1903, as amended (sec. 2, 32 Stat. 792; 21 U.S.C. 111) and pursuant to the authority contained in section 2, 32 Stat. 792, as amended; 21 U.S.C. 111, and 37 Stat. 832, 833; 21 U.S.C. 154, said rules of practice are hereby amended as follows:

1. Paragraphs (1) and (p) of § 123.1 is revised to read as follows:

§ 123.1 Definitions.

(1) *Administrative Law Judge.* "Administrative law judge" or "judge" means any administrative law judge appointed pursuant to 5 U.S.C. 3105, and assigned to the proceeding involved.

(p) *Initial decision.* "Initial decision" or "decision" means the initial decision of an administrative law judge and includes the administrative law judge's (1) findings of fact and conclusions with respect to all material issues of fact, law or discretion or as well as the reasons or basis therefore, (2) order, and (3) rulings on findings, conclusions, and orders submitted by the parties.

2. Revise § 123.3 to read as follows:

§ 123.3 Procedure prior to institution of formal proceedings.

In all cases except those involving willfulness or in which the public health, interest, or safety otherwise requires, prior to the institution of a formal proceeding under this part, the Deputy Administrator, in an effort to effect an amicable or informal adjustment of the matter, shall give written notice to the licensee, permittee, or other persons involved, of the facts or conduct which appear to warrant institution of such a proceeding and shall afford such person an opportunity, within a reasonable time fixed by the Deputy Administrator, to demonstrate or achieve compliance with the applicable requirements of the Virus-Serum-Toxin Act, section 2 of the Act of February 2, 1903, and the regulations.

3. Amend § 123.4(b) to read as follows:

§ 123.4 Stipulations and consent order.

(b) *Consent Order.* At any time after the issuance of the order to show cause and prior to the hearing in a proceeding, the Secretary, in his discretion, may allow the respondent to consent to an order. In so consenting, the respondent must submit, for filing in the record, a stipulation or statement in which he admits at least those facts necessary to the Secretary's jurisdiction and agrees that an order may be entered against him. Upon a record composed of the order to show cause and the stipulation or agreement consenting to the order, the judge may enter the order consented to by the respondent, which shall have the same force and effect as an order made after oral hearing.

§§ 123.5, 123.8, 123.9, 123.10, 123.11, 123.13, 123.18 [Amended]

4. Amend §§ 123.5, 123.8, 123.9, 123.10, 123.11, 123.13, 123.18, and 123.19 as follows: Wherever the term "examiner" (or the plural or possessive thereof) appears, the term "judge" (or plural or possessive thereof) is substituted.

5. Amend § 123.6(c) as follows:

§ 123.6 Answer.

(c) *Admission of Facts.* The admission, in the answer or by failure to file an answer, of all the material allegations of fact contained in the order to show cause shall constitute a waiver of hearing. Upon such admission of fact, complainant shall file in triplicate a proposed decision, along with a motion for the adoption thereof, which motion and proposed decision shall be served upon the respondent by the hearing clerk. Within twenty (20) days after the service of such motion and proposed decision, the respondent may file with the hearing clerk objections thereto. In not less than thirty (30) days after service of complainant's motion and proposed decision, a judge shall issue a decision without further procedure or hearing which shall become final as provided in § 123.12 (c). Absent a waiver by the parties of service of the judge's decision, it shall be served upon them by the hearing clerk. The parties shall be given opportunity to file appeals to the decision, to file briefs in support of such decision, and to make oral arguments thereon before the Secretary in accordance with §§ 123.14 and 123.15.

6. Amend § 123.7 to read as follows:

§ 123.7 Motions and Requests.

Any motion will be entertained except a motion to dismiss upon the pleadings. All motions and requests shall be filed in triplicate with the Hearing Clerk, except that those made during the course of an oral hearing may be filed with the judge or may be stated orally and made a part of the transcript. The judge shall rule upon all motions and requests filed or made prior to the issuance of the initial decision. The Secretary shall rule upon all motions and requests filed in con-

nection with an appeal of the initial decision to the Secretary. The submission or certification of any motion, request, objection, or other question to the Secretary prior to the issuance of an initial decision shall be in the discretion of the judge.

7. Make the following changes to § 123.10: paragraphs (b), (c) (2) (ii) and (e) (1) (i) are revised. The following paragraphs are amended: in paragraph (a) substitute the sentence below for the last two sentences of the paragraph; in (c) (1) change "Solicitor of the Department" to "General Counsel"; in (e) (7) change "examiner's report or tentative order" to "judge's initial decision"; and in (e) (8) change "examiner" or "examiner's" to "judge" or "judge's" as they correspond and by inserting the words "on appeal" after the word "if" in the last sentence.

§ 123.10 Oral hearing before administrative law judge.

(a) * * * Waiver of oral hearing shall not be deemed to be a waiver of the right to make oral argument before the Secretary upon appeal of the judge's initial decision.

(b) *Time and Place.* If and when the proceeding has reached the state where oral hearing is to be held, the judge, upon motion of any of the parties, jointly or individually, stating that the matter is at issue and is ready for hearing, shall set a time and place for hearing giving careful consideration to the convenience of the parties and shall file with the hearing clerk a notice stating the time and place of hearing. If any change in the time or place of the hearing becomes necessary it shall be made by the judge and notice of such change shall be served upon the parties.

(c) (1) [Amended]

(2) * * * (ii) Failure to appear at a hearing shall not be deemed to be a waiver of the right to be served with a copy of the judge's initial decision, to appeal therefrom to the Secretary, and to make oral argument before the Secretary with respect thereto.

(e) *Evidence*—(1) *In General.* (1) The testimony of witnesses at a hearing shall be on oath or affirmation, subject to cross-examination, and shall be reported verbatim.

(7) [Amended]

(8) [Amended]

8. Amend § 123.12 to read as follows:

§ 123.12 The judge's initial decision.

(a) *Corrections to and certification of the transcript.* (1) At such time as the judge may specify, but not later than the time fixed for filing proposed findings of fact, conclusions, and order, or briefs, as the case may be, the parties may file with the hearing clerk proposed corrections to the transcript.

(2) As soon as practicable the judge shall file with the hearing clerk a certificate indicating any corrections to be made in the transcript, and stating that, to the best of his knowledge and belief, the transcript, as corrected, is a true, correct, and complete transcript of the testimony given at the hearing, and that the exhibits are all the exhibits properly a part of the hearing record. The original of such certificate shall be attached to the original transcript and a copy of such certificate shall be served upon each of the parties by the hearing clerk who shall also enter onto the transcript (without obscuring the text) any correction noted in the certification.

(b) *Proposed findings, conclusions, orders and briefs.* Each party may file with the hearing clerk proposed findings of fact, conclusions and order, based solely on the record, and on matters subject to official notice, and a brief in support thereof. The judge shall announce at the hearing a definite calendar day as the time within which these documents may be filed.

(c) *Administrative law judge's initial decision.* The judge, within a reasonable time after the termination of the period allowed for the filing of proposed findings of fact, conclusions and order, and briefs in support thereof, shall prepare upon the basis of the record and on matters officially noticed, and shall file with the hearing clerk, his initial decision, a copy of which shall be served by the hearing clerk upon each of the parties. Such decision shall become final without further proceeding 35 days after the date of service thereof, unless there is an appeal to the Secretary by a party to the proceeding pursuant to § 123.14: *Provided, however,* That no decision shall be final for the purposes of judicial review except a final decision of the Secretary upon appeal.

9. Amend § 123.13 by changing the designation of paragraph (j) to (k), revising paragraphs (h) and (i), and inserting a new paragraph (j) as follows:

§ 123.13 The shortened procedure.

(h) *Waiver of right to file.* Failure to file, within the time prescribed, any statement or stipulation required or authorized under this section shall constitute a waiver of the right to file such statement or stipulation. In such case, the judge may prepare his decision upon the evidence contained in the record at the time of such failure to file, except that no determination, other than dismissal of the proceeding, shall be made if complainant fails to file an opening statement of the facts.

(i) *Briefs and proposed findings of fact, conclusions, and orders.* Except as otherwise may be directed by the judge, the filing of complainant's statement in reply, or the expiration of the time for such filing, will conclude the presentation of evidence. Promptly after the conclusion of the presentation of evidence, the judge shall file with the hearing clerk a notice that the parties may have

10 days after the service of such notice by the hearing clerk within which to file and proposed findings of fact, conclusions, and orders.

(j) *Administrative law judge's initial decision under the shortened procedure.* The procedure provided in § 123.12(c) shall apply to the judge's initial decisions under the shortened procedure.

10. Amend § 123.14 to read as follows:

§ 123.14 Appeal to Secretary.

(a) *Filing of petition.* Any party who disagrees with a judge's decision, or any part thereof, may appeal the decision to the Secretary by transmitting an appeal petition to the hearing clerk within 30 days after service of said decision upon said party. Each issue set forth in the appeal, and the arguments thereon, shall be separately numbered; shall be plainly and concisely stated; and shall contain detailed citations of the record, statutes, regulations and authorities being relied upon in support thereof. The appeal petition shall be served upon the other party to the proceeding by the hearing clerk.

(b) *Transmittal of record.* Whenever an appeal of an initial decision is filed and the response thereto has been filed or the time for filing a response has expired, the hearing clerk shall transmit to the Secretary the record of the proceeding. Such record shall include: the pleadings; motions and requests filed and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein; any statements filed under the shortened procedure; any documents or papers filed in connection with the prehearing conferences; such proposed findings of fact, conclusions and orders, and briefs in support thereof, as may have been filed in connection with the hearings; the judge's initial decision; and the appeal petition, briefs in support thereof and responses thereto as may have been filed in the proceeding.

(c) *Response to appeal petition.* Within 20 days after the service of an appeal brought by a party to the proceeding, any other party may file with the hearing clerk a response in support of or in opposition to such appeal which shall be served upon the applicant.

11. Amend § 123.15 as follows:

§ 123.15 Argument before Secretary.

(a) *Oral argument.* A party bringing an appeal may request, within the prescribed time period for filing such appeal, an opportunity for oral argument before the Secretary. Failure to make such request in writing, within the prescribed time period, shall be deemed a waiver of oral argument. The Secretary in his discretion, may grant, refuse, or limit any request for oral argument on appeal.

(b) *Briefs.* The Secretary may allow or refuse to allow briefs to be filed, either in lieu of or in addition to oral argument.

(c) *Scope of Argument.* Argument to be heard on appeal, whether oral or in a written brief, shall be limited to the is-

ssues raised in the appeal, except that if the Secretary determines that additional issues should be argued, the parties shall be given reasonable notice of such determination, so as to permit preparation of adequate arguments on all issues to be argued.

12. Amend § 123.16 to read as follows:

§ 123.16 Consideration of appeal by the Secretary and issuance of final order.

(a) *Decision of the Secretary on appeal.* As soon as practicable after the receipt of the record from the hearing clerk, or, in case oral argument was held, as soon as practicable thereafter, the Secretary, upon the basis of and after due consideration of the record, shall rule on the appeal. If the Secretary decides that no change or modification of the judge's decision is warranted, he may adopt the judge's decision as a final order of the Secretary, preserving any right of the party bringing the appeal to seek judicial review of such decision in the proper form.

(b) *Issuance of final order.* A final order issued by the Secretary shall be filed with the hearing clerk, who shall serve it forthwith upon the parties.

13. In § 123.19 amend paragraph (a) by substituting the word "triplicate" for the word "duplicate" in the first sentence; Amend paragraph (b) by substituting the phrase "by certifying or registering, and mailing" for the phrase "by registering and mailing" after number "(3)" on line 22, and by substituting the words "certified or registered" for the word "registered" in line 32 and revise paragraphs (c) and (f) to read as follows:

§ 123.19 Filing; service; extension of time; additional time for filing; and computation.

(a) [Amended]

(b) [Amended]

(c) *Extensions of time.* The time for the filing of any document or paper required or authorized under the rules of this part to be filed may be amended by the judge (before the judge's initial decision is filed) or by the Secretary (after the judge's initial decision is filed), if request for such extension of time is made prior to or on the final date allowed for such filing, and if, in the judgment of the judge or the Secretary, as the case may be, after notice to and consideration of the views of the other party, there is good reason for the extension.

(f) *Computation of time.* Saturdays, Sundays and holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided,* That, when such time expires on a Saturday, Sunday or legal holiday, such period shall be extended to include the next following business day.

Effective Date: The foregoing amendments and revisions shall become effective upon February 12, 1974.

(Sec. 2, 32 Stat. 792, 37 Stat. 832 to 833; 21 U.S.C. 111, 151-158.)

Done at Washington, D.C. this 7th day of February, 1974.

J. M. HEJL,
Acting Deputy Administrator,
Veterinary Services, Animal
and Plant Health Inspection
Service.

[FR Doc. 74-3492 Filed 2-11-74; 8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 140—FINANCIAL PROTECTION RE- QUIREMENTS AND INDEMNITY AGREEMENTS

Miscellaneous Amendments

Under the provisions of section 170 of the Atomic Energy Act of 1954, as amended, the holder of a license for a production or utilization facility is required to have and maintain financial protection to cover public liability claims, and the Atomic Energy Commission is required to indemnify the licensee and other persons indemnified against public liability claims in excess of the amount of financial protection required. Subsection 170b requires that for facilities designed for producing substantial amounts of electricity and having a rated capacity of 100 electrical megawatts or more, the amount of financial protection required shall be the maximum amount available from private sources. For other licensees, the Commission may require lesser amounts of financial protection. Financial protection may be in the form of private insurance, private contractual indemnities, self-insurance or other proof of financial responsibility, or a combination of such measures. Nonprofit educational institutions and Federal agencies are not required to obtain financial protection.

The insurers who provide the nuclear liability insurance, Nuclear Energy Liability Insurance Association and Mutual Atomic Energy Liability Underwriters, have advised the Commission that effective January 1, 1974, the maximum amount of privately available nuclear energy liability insurance will be increased from \$95 million to \$110 million. Pursuant to the provisions of subsection 170b of the Act, the amount of financial protection required for facilities having a rated capacity of 100 electrical megawatts or more will be increased to \$110 million, effective March 1, 1974. The following amendments to 10 CFR Part 140, Financial Protection Requirements and Indemnity Agreements, reflect this requirement.

Since the amendments set out below conform the Commission's regulations to a statutory requirement, the Commission has found that good cause exists for omitting public notice of proposed rule-making and public procedure thereon as unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code,

the following amendments to Title 10, Chapter I, Part 140, Code of Federal Regulations, are published as a document subject to codification, to be effective March 1, 1974.

1. Section 140.11(a) (4) is amended by deleting "\$95,000,000" and substituting therefor "\$110,000,000".

2. Section 140.91, Appendix A, Conditions, Paragraph 4, is amended by deleting footnote 1 and substituting therefor a new footnote 1 to read as follows: "For policies issued by Nuclear Energy Liability Insurance Association the amount will be \$85,250,000, for policies issued by Mutual Atomic Energy Liability Underwriters, the amount will be \$24,750,000."

3. Section 140.91 Appendix A, Optional Ammendatory Endorsement, Paragraph III, is amended by deleting footnote 1 and substituting therefor a new footnote 1 to read as follows: "For policies issued by Nuclear Energy Liability Insurance Association the amount will be \$85,250,000; for policies issued by Mutual Atomic Energy Liability Underwriters the amount will be \$24,750,000."

4. Section 140.92, Appendix B, Article II, Paragraph 8(a), is amended by deleting the number "\$73,625,000" wherever it appears and substituting therefor "\$85,250,000".

5. Section 140.92, Appendix B, Article II, Paragraph 8(b), is amended by deleting the number "\$21,375,000" wherever it appears and substituting therefor "\$24,750,000".

6. Section 140.92, Appendix B, Article II, Paragraph 8(c), is amended by deleting the number "\$95,000,000" wherever it appears and substituting therefor "\$110,000,000".

7. Section 140.92, Appendix B, Article III, Paragraph 4(b) (2), is amended by changing "\$95,000,000" to "\$110,000,000".

8. Section 140.93, Appendix C, Article II, Paragraph 8, is amended by deleting the number "\$95,000,000" wherever it appears and substituting therefor the number "\$110,000,000".

9. Section 140.93, Appendix C, Article III, Paragraph 4(b) (2), is amended by changing "\$95,000,000" to "\$110,000,000".

10. Section 140.94, Appendix D, Article II, Paragraph 6, is amended by changing "\$95,000,000" to "\$110,000,000".

11. Section 140.95, Appendix E, Article III, Paragraph 4(b) (2), is amended by changing "\$95,000,000" to "\$110,000,000".

(Sec. 161, Pub. Law 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 170, Pub. Law 85-256, 71 Stat. 576 (42 U.S.C. 2210))

Dated at Washington, D.C., this 6th day of February 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc. 74-3984 Filed 2-11-74; 8:45 am]

CHAPTER II—FEDERAL ENERGY OFFICE

[Ruling 1974-4]

APPENDIX RULINGS

Impact of State Tax on Gross Sales

FACTS. State H imposes a four percent "gross income tax" on the gross sales of retailers. The tax is applicable to retail gasoline dealers. Dealer G has sustained increases in the cost for gasoline since May 15, 1973 of \$.05 per gallon. Pursuant to the reseller price rule in 10 CFR 212.93, Dealer G will pass this product cost increase on to his customers. Because the tax is levied on gross sales revenues, however, the amount of tax owed by Dealer G will now increase as its selling price increases. In order to pass through the full amount of increased product cost (\$.05) and additional tax (\$.002080) Dealer G would have to increase the price of his gasoline by \$.052083 per gallon ($4\% \times \$.052080 = \$.002083$).

Issue. May Dealer G increase the price of his gasoline by an amount sufficient to recover the extra tax on the product cost passthrough allowed by 10 CFR 212.93?

Ruling. Yes. Section 212.93(a) states that "a seller may not charge a price for any item subject to this subpart which exceeds the weighted average price at which the item was lawfully priced by the seller in transactions with the class of purchaser concerned on May 15, 1973, plus an amount which reflects on a dollar-for-dollar basis, increased costs to the item."

The gross income tax imposed by State H has the same impact as a sales tax since it is in fact a tax imposed on the customer based on retail selling prices and collected by the retailer seller. State sales taxes collected under an agency arrangement would not be considered part of the price charged by Dealer G in retail sales subject to the pricing rule in § 212.93. Therefore, the increase in the amount of gross income tax of State H paid by Dealer G as a result of rising product costs may be passed through to the customer pursuant to § 212.93. A simple formula by which the total allowable cost may be computed is:

$$\frac{\text{Increase in Product Cost Implemented}}{1 - \text{gross income tax rate}}$$

This formula will result in a number which reflects the increase in price necessary to recover both the full product cost increases and the tax adjustment.

The increase in the price of gasoline necessary to collect the increased tax also does not need to be prenotified as a price increase if Dealer G is a refiner-retailer. Of course, since prices for gasoline may be increased only once in a calendar month, Dealer G must include the tax adjustment at the same time that product costs under § 212.93(a), and non-product costs under § 212.93(b) are passed through for that month's price increase. If in that month, Dealer G implements less than the full amount of increased product costs, he may only include the corresponding tax increase on

that amount for that month and must carryover the balance of the tax increment until a subsequent implementation of the product cost which was carried over under § 212.93(e).

WILLIAM N. WALKER,
General Counsel,
Federal Energy Office.

FEBRUARY 7, 1974.

[FR Doc.74-3516 Filed 4-8-74;11:03 am]

CHAPTER II—FEDERAL ENERGY OFFICE
PART 210—GENERAL ALLOCATION
AND PRICE RULES

Refusal To Sell Product

This amendment is issued today in an effort to end the growing practice of sellers providing preferential treatment to customers on the basis of longstanding relationships or for any other reason. The FEO has noted a serious alteration in established business practices—particularly with respect to gasoline and diesel fuel retail sales—which result in certain purchasers being served, while others are wholly excluded.

The amendment to § 210.62 concerning "normal business practices" is addressed to this situation as well as to other preferential sales devices. Sellers whose normal business practice has been to serve the public may not modify that practice to sell only to "regular customers" or otherwise arbitrarily discriminate among purchasers of an allocated product. The amendment is also aimed at outlawing new preferential volume purchase arrangements in which retail gasoline customers sign up to purchase for example, 1,000 gallons, or \$50 worth of gasoline, or this month's requirements in advance and thereby receive preferential treatment.

Because the purpose of these amendments is to provide immediate guidance and information with respect to the mandatory petroleum allocation and price regulations, the Federal Energy Office finds that normal rulemaking procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, E.O. 11748, 38 FR 33575; Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11730, 38 FR 19345; Cost of Living Council Order 47, 39 FR 24)

In consideration of the foregoing, Part 210 of Chapter II, Title 10 of the Code of Federal Regulations is amended as set forth below, effective immediately.

Issued in Washington, D.C., February 8, 1974.

WILLIAM N. WALKER,
General Counsel,
Federal Energy Office.

Section 210.62 is amended by redesignating the existing text as paragraph (a), and adding a new paragraph (b) to read as follows:

§ 210.62 Normal business practices.

(b) No supplier shall engage in any form of discrimination among purchasers of any allocated product. For purposes of this paragraph, "discrimination" means extending any preference or sales treatment which has the effect of frustrating or impairing the objectives, purposes and intent of this chapter or of the Act, and includes, but is not limited to, refusal by a retail marketer of motor gasoline or diesel fuel to furnish or sell any allocated product due to the absence of a prior selling relationship with the purchaser, or establishment of new volume purchase arrangements where customers of retailers agree in advance to purchase in excess of normal amounts of motor gasoline or diesel fuel and thereby receive preferential treatment.

[FR Doc.74-3657 Filed 2-11-74;12:41 pm]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION,
DEPARTMENT OF COMMERCE

SUBCHAPTER B—EXPORT REGULATIONS

PART 377—SHORT SUPPLY CONTROLS

Establishment of Further Quotas on Exports of Petroleum and Petroleum Products in First Quarter 1974

The FEDERAL REGISTER of January 29, 1974 set forth the method of licensing the export of petroleum and petroleum products during the first quarter of 1974 and established quota restrictions based on historical levels for some of these commodities. For purposes of administering the controls, the petroleum commodities listed in Supplement No. 1 to Part 377 were divided into nine groups: (1) crude oils (Group A) subject to licensing in accord with the policy expressed in the Alaskan Pipeline Act; (2) gasoline, distillates and residual fuel oils (Groups B, C, F, and G) subject to country quota restrictions based on the level of exports during the base period January 1971—June 1973; and (3) kerosene, jet fuel, carbon black feedstock oils, and butane, propane and natural gas liquids (Groups D, E, H and I) subject to 100% licensing as long as the rate of exports did not significantly increase.

The purpose of this issuance is to place kerosene, jet fuel, carbon black feedstock oils, and butane, propane and natural gas liquids (Groups D, E, H and I) under quantitative licensing restrictions. Recent export licensing of these commodities, except kerosene, has exceeded historic levels. Quota controls on kerosene are considered necessary because it is readily substitutable for jet fuel. An exporter who properly submitted a statement of past participation in accordance with § 377.6(a) will receive a letter of quota participation for the first quarter 1974, which shall specify, for these petroleum commodities (Schedule B Nos. 332.2010, 332.2020, 332.9160, 341.1025, 341.1030 and 341.1040) the total quanti-

ties on a country-by-country basis for which he is eligible to apply for validated licenses. As previously announced in the FEDERAL REGISTER for January 29, a quota set-aside of 5 percent of the total quota for each commodity group subject to quota restriction has been earmarked for use during the first quarter for contingencies.

Licenses issued under this quota system will expire 60 days from the date of issuance, but not later than April 30, 1974.

Accordingly, the Export Administration Regulations (15 CFR 377) are amended to read as follows:

§ 377.6 Petroleum and petroleum products.

(c) *Letters of Quota participation (Groups B,C,D,E,F,G,H, and I)*. Each exporter who submitted statements of past participation pursuant to the rules of paragraphs (a) and, as appropriate, (b) of this section shall be eligible to receive shares of the quotas for the first quarter 1974 against which he will be eligible to apply for licenses to export commodities from Petroleum Commodity Groups B,C, D,E,F,G,H, and I as established in Supplement No. 1 to this Part 377. Such shares shall be determined by the Office of Export Administration pursuant to the rules of § 377.2. The base period used for quota determinations is the period from January 1, 1971 to June 30, 1973. Quota shares are based on an exporter's base period exports to specific foreign destinations and, for destinations for which separate quotas have not been established, to "all other countries" (which are for this purpose treated as a single entity). Each eligible exporter shall, upon appropriate verification, be issued a letter of quota participation, and (if appropriate) a revised letter of quota participation pursuant to paragraph (b) of this section, for the first quarter 1974, which shall indicate for each of the petroleum commodity groups referred to above for which the exporter is eligible to apply for validated licenses, the total quantity (in barrels of 42 gallons) of his quota share for specific foreign country destinations and for "all other countries." A stated quota share for a specified foreign country destination may only be used for shipment to such country. A quota share for "all other countries" may only be used for shipment to a country or countries not specifically identified in Supplement No. 1 as a country for which a separate quota has been provided. All export licenses issued to an exporter on or after January 1, 1974, under 100% licensing system shall be charged against such exporter's quota shares.

(d) *Issuance of export licenses*—(1) *Group A*. An application for a validated license to export a commodity from Petroleum Commodity Group A as established in Supplement No. 1 to this Part 377 will be considered if submitted with supporting documentation as required by paragraph (e) (1) of this section by

RULES AND REGULATIONS

the date specified in Supplement No. 1, to the Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230.

(2) *Groups B, C, D, E, F, G, H, and I.* An application for a validated license to export a commodity from Petroleum Commodity Group B, C, D, E, F, G, H, or I as established in Supplement No. 1 to this Part 377 will be considered, but only to the extent of the exporter's quota share for such group, if submitted with supporting documentation as required by paragraph (e) (2) of this section by the date specified in Supplement No. 1, to the Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Supplement No. 1 to Part 377—Commodities Subject to Short Supply Licensing Controls

COUNTRY QUOTAS FOR GROUP D (SCHEDULE B No. 332.2010, KEROSENE, EXCEPT KEROSENE-TYPE JET FUEL)

Country	First Quarter 1974 Quota (barrels)
Australia	1,118
Brazil	150
Canada	1,667
Chile	122
Congo	56
Egypt	88
France	59
French Pacific Islands	3,046
Gabon	266
Holland	349
Israel	586
Italy	467
Japan	2,354
Mexico	72
Nigeria	740
Peru	71
Philippines	89
Singapore	442
South Africa	371
United Kingdom	9,391
Venezuela	454
West Germany	7,047
All Other	252

COUNTRY QUOTAS FOR GROUP E (SCHEDULE B No. 332.2020, JET FUEL)

Country	First Quarter 1974 Quota (Barrels)
Bahamas	31
Canada	42,797
Mexico	48,794

COUNTRY QUOTAS FOR GROUP H (SCHEDULE B No. 332.9160, CARBON BLACK FEEDSTOCK OIL)

Country	First Quarter 1974 Quota (Barrels)
Australia	268,673
Brazil	58,925
Canada	135,993
France	151,937
Holland	273,747
Israel	1,819
Italy	335,402
Philippines	28,899
South Africa	52,337
Spain	151,135
Sweden	28,427
United Kingdom	254,086
West Germany	8,199

COUNTRY QUOTAS FOR GROUP I (SCHEDULE B No. 341.1025, BUTANE) (SCHEDULE B No. 341.1030, PROPANE) (SCHEDULE B No. 341-1040, NATURAL GAS LIQUIDS)

Country	First Quarter 1974 Quota (Barrels)
Algeria	74
Australia	409
Bahamas	9,142
Barbados	6,151
Bermuda	92
Brazil	9,915
Canada	30,291
Chile	270
Colombia	221
Costa Rica	193
Denmark	176
Dominican Republic	3,173
Ecuador	116
Finland	72
France	2,722
French Pacific Islands	154
French West Indies	1,277
Guatemala	2,876
Guyana	1,845
Haiti	54
Holland	1,108
Honduras	68
India	97
Israel	145
Italy	296
Jamaica	54
Japan	123,758
Korea	55
Leeward & Windward Islands	4,163
Mexico	2,309,978
Netherlands Antilles	1,023
New Zealand	678
Nicaragua	120
Peru	91
South Africa	267
Spain	4,204
Surinam	4,204
Switzerland	204
Thailand	75
Trinidad & Tobago	395
United Kingdom	3,121
West Germany	170
All Other	324

Effective date of action: February 7, 1974.

RAUER H. MEYER,
Director, Office of
Export Administration.

[FR Doc.74-3504 Filed 2-11-74; 8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

SUBCHAPTER E—REGULATIONS UNDER THE NATURAL GAS ACT

[Docket No. R-464; Order No. 488, Amended]

PART 157—RATE SCHEDULES AND TARIFFS

Filing of Natural Gas Tariff Changes

FEBRUARY 5, 1974.

By order of July 17, 1973 (38 FR 20066, July 27, 1973), in this docket, the Commission ordered amendments to § 154.63 of the regulations under the Natural Gas Act. Among such amendments is a new schedule designated Schedule F(6), requiring that natural gas companies which file for a rate increase submit a Statement of Changes in Financial Position for the base period consisting of the 12 months of actual

experience utilized in the test year. Subsequently, the Commission has recognized that this amendment as phrased in the ordering paragraph of Order No. 488 inadvertently omits language requiring that companies required to file this schedule must also file the data required by this schedule for the nine-month adjustment period. Inclusion of such language would conform that of the ordering paragraph with statements made in the narrative of the order (page 5 of the order).

So as to take account of this inadvertent omission, the Commission shall amend its order of July 17, 1973, to include the language omitted.

The Commission finds:

Good cause has been shown to amend the Commission's order of July 17, 1973, to include the requirement that data to be submitted in Schedule F(6) under § 154.63 of the regulations must also include equivalent data for the 9 months adjustment period.

The Commission orders:

(A) The Commission's order of July 17, 1973, is hereby amended to read under ordering paragraph (b) as follows:

Schedule F(6)—Submit a Statement of Changes in Financial Position for the base period consisting of the 12 months of actual experience utilized in the test year and for the nine-month adjustment period.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3398 Filed 2-11-74; 8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 74-56]

PART 1—GENERAL PROVISIONS

Changes in the Customs Field Organization

On October 18, 1973, a notice of a proposal to revoke the Customs port of entry designation of Elkin, North Carolina, in the Wilmington, North Carolina, Customs district (Region IV) was published in the FEDERAL REGISTER (38 FR 28946). There were no comments received in response to the notice.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 9 (38 FR 17517), the designation of Elkin, North Carolina, as a Customs port of entry is hereby revoked.

To reflect this change, the table in § 1.2(c) of the Customs regulations is amended by deleting "Elkin (E.O. 10042, Mar. 10, 1949; 14 FR 1155)." from the column headed "Ports of entry" in the Wilmington, North Carolina, Customs district (Region IV).

(Sec. 1, 37 Stat. 434, Sec. 1, 38 Stat. 623, as amended; 19 U.S.C. 1, 2)

Effective date. This amendment shall be effective March 14, 1974.

Dated: February 1, 1974.

[SEAL] JAMES B. CLAWSON,
Acting Assistant Secretary
of the Treasury.

[FR Doc.74-3420 Filed 2-11-74; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

BOILER WATER ADDITIVES

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 3A2892) filed by Nalco Chemical Co., 180 N. Michigan Ave., Chicago, IL 60601, and other relevant material, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of sodium metabisulfite in the preparation of steam that will contact food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended in § 121.1088 (c) by alphabetically inserting a new item in the list of substances as follows:

§ 121.1088 Boiler water additives.

(c) List of substances:

	Limitations
Sodium metabisulfite

Any person who will be adversely affected by the foregoing order may at any time on or before March 14, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on February 12, 1974.

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

Dated: February 5, 1974.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.74-3424 Filed 2-11-74; 8:45 am]

PART 125—LABEL STATEMENTS CONCERNING DIETARY PROPERTIES OF FOOD PURPORTING TO BE OR REPRESENTED FOR SPECIAL DIETARY USES

Use of International Units for Vitamins A and D

In the FEDERAL REGISTER of August 2, 1973 (38 FR 20749), the Commissioner of Food and Drugs proposed to amend § 125.5(c)(5) of Part 125 to insert "International Units" in place of "U.S.P. Units" as the units of measurement for vitamins A and D. The present use of "U.S.P. Units" in § 125.5(c)(5) (21 CFR 125.5) does not conform to the final regulations for food for special dietary use published in the FEDERAL REGISTER of August 2, 1973 (38 FR 20708) which designated International Units as the unit of measurement for vitamins A and D. Since this proposal involved a technical change that would not require immediate label changes, it was also proposed that, when adopted, the revision be reflected in labeling when other labeling changes are made.

Interested persons were given 30 days in which to submit comments regarding the proposed regulation. No comments were received.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403, 701, 52, Stat. 1047-1048, 1055-1056, as amended; 21 U.S.C. 343, 371), and under authority delegated to the Commissioner (21 CFR 2.120), § 125.5(c)(5) of Part 125 is hereby amended by inserting "International Units" in place of "U.S.P. Units" as the unit of measurement for vitamins A and D.

Any person who will be adversely affected by the foregoing order may at any time on or before March 14, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and

shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on March 14, 1974. Labeling changes to conform to the provisions of this order shall be made when any other labeling change is made.

(Secs. 403, 701, 52 Stat. 1047-1048, 1055-1056, as amended (21 U.S.C. 343, 371))

Dated: February 5, 1974.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.74-3423 Filed 2-11-74; 8:45 am]

Title 31—Money and Finance

CHAPTER II—FISCAL SERVICE, DEPARTMENT OF THE TREASURY
SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

Increasing Annual Limitations on Holdings

The amendments below are made principally for the purpose of increasing the annual limitations on holdings of savings bonds.

Notice and public procedures are unnecessary and are dispensed with as the fiscal policy of the United States is involved. The changes were effected under authority of section 22 of the Second Liberty Bond Act, as amended, 48 Stat. 21, as amended (31 U.S.C. 757c); and 5 U.S.C. 301.

Dated: February 6, 1974.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

Sections 315.10, 315.30 and 315.32(a) of Department of the Treasury Circular No. 530, Tenth Revision, dated December 5, 1973 (31 CFR Part 315), are hereby revised and amended, effective as of January 1, 1974, to read:

§ 315.10 Amounts which may be held.

The amounts of savings bonds of Series E and H, issued in any one calendar year, which may be held by any one person at any one time, computed in accordance with the provisions of § 315.11, are limited as follows:

(a) *Series E—(1) General annual limitations.*

Issues dates	Limit
May 1941 through December 1947	\$5,000 (face amount).
January 1948 through December 1951	10,000 (face amount).
January 1952 through April 1957	20,000 (face amount).
May 1957 through December 1965	10,000 (face amount).
(A person holding \$10,000 (face amount) or more purchased between Jan. 1, 1957, and Apr. 30, 1957, was not entitled to additional holdings during the remainder of 1957.)	
January 1966 through November 1969	20,000 (face amount).
December 1969 through December 1973	5,000 (issue price).
(A person holding \$5,000 (issue price) or more purchased between Jan. 1, 1969, and Nov. 30, 1969, was not entitled to additional holdings during the remainder of 1969. \$5,000 (issue price) would purchase \$6,650 (face amount).)	
January 1974 and thereafter	10,000 (face amount).

(2) *Special limitation.*—Trustees of an employees' saving plan (as defined in Department of the Treasury Circular No. 653, current revision, 31 CFR Part 316) and trustees of an eligible savings and vacation plan may purchase \$2,000 (face

amount) multiplied by the highest number of employees participating in the plan at any time during the calendar year in which the bonds are issued.

(b) *Series H—(1) General annual limitations.*

Issue Dates	Limit
June 1952 through April 1957	\$20,000 (face amount).
May 1957 through December 1961 (A person holding \$10,000 (face amount) or more purchased between January 1, 1957, and April 30, 1957, was not entitled to additional holdings during the remainder of 1957.)	10,000 (face amount).
January 1962 through December 1965	20,000 (face amount).
January 1966 through November 1969	30,000 (face amount).
December 1969 through December 1973 (A person holding \$5,000 (face amount) or more purchased between January 1, 1969, and November 30, 1969, was not entitled to additional holdings during the remainder of 1969.)	5,000 (face amount).
January 1974 and thereafter	10,000 (face amount).

(2) *Special limitation.* \$200,000 (face amount) for the calendar year 1966 and each calendar year thereafter for bonds received as gifts by an organization which at the time of purchase was an exempt organization under the terms of 26 CFR 1.501(c)(3)-1.

§ 315.30 General.

The only savings bonds currently on sale are Series E and Series H bonds. Series E bonds are appreciation bonds issued at a discount and redeemable before or at final maturity at increasing redemption values. Series H bonds are current-income bonds, issued at par (face amount) and paying interest semiannually to extended maturity. Series H bonds are redeemable at par at any time after six months from issue date. Savings notes, the sale of which terminated at the close of business on June 30, 1970, have also been extended for ten years.¹

§ 315.32 Series H bonds.

(a) *Interest.* Interest on a Series H bond is paid semiannually by check, beginning six months from issue date. Interest will cease at the end of the extended maturity period, or if redeemed before the extended maturity date, at the end of the interest period next preceding the date of redemption. However, if the date of redemption falls on an interest payment date, interest will cease on that date. For example, if a bond on which interest is payable on January 1 and July 1 is redeemed on September 1, interest will cease on the preceding July 1, and no adjustment of interest will be made for the period from July 1 to September 1. The same rules apply in case of partial redemption with respect to the amount redeemed.

[FR Doc.74-3477 Filed 2-11-74;8:45 am]

¹ See Appendices to current revisions of Department of the Treasury Circulars Nos. 653 and 905 (31 CFR Parts 316 and 332) concerning extensions and investment yields for Series E and H bonds, respectively. See Department of the Treasury Circular, Public Debt Series No. 3-67, Revised, as amended (31 CFR Part 342), concerning extension and investment yields for savings notes (Freedom Shares).

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-189 R]

PART 110—ANCHORAGE REGULATIONS

Special Anchorage Area, North East, Maryland

On pages 32944-5 of the FEDERAL REGISTER of November 29, 1973, an amendment to Title 33 of the Code of Federal Regulations was proposed to establish a special anchorage area on the Northeast River approximately one and a half miles south of North East, Maryland. Interested persons were given until December 31, 1973 to submit comments concerning the proposed regulations. No comments were received.

In consideration of the foregoing, the proposed amendments are adopted without change, and are set forth below.

Effective date. This amendment is effective on March 8, 1974.

Dated: January 30, 1974.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

Part 110 of Title 33 of the Code of Federal Regulations is amended by adding a new § 110.70a to read as follows:

§ 110.70a Northeast River, North East, Md.

The water area west of North East Heights, Maryland enclosed by a line beginning on the shoreline at latitude 39°34'26" N., longitude 75°57'18" W.; thence westerly to latitude 39°34'26" N., longitude 75°57'29" W.; thence north-easterly to latitude 39°34'30" N., longitude 75°57'27" W.; thence easterly to the shoreline at latitude 39°34'30" N., longitude 75°57'18" W.; thence south-easterly following the shoreline to the point of beginning.

(Sec. 1, 30 Stat. 98, as amended, sec. 6(g)(1)(B), 80 Stat. 937, (33 U.S.C. 180), (49 U.S.C. 1655(g)(1)(B)), 49 CFR 1.46(c)(2).)

[FR Doc.74-3440 Filed 2-11-74;8:45 am]

[CGD 73-215R]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Puyallup River, Wash.

This amendment changes the regulations for the Chicago, Milwaukee, St. Paul and Pacific Railroad Company bridge across the Puyallup River at mile 0.9 to require that the draw open on signal if at least 24 hours notice is given. This amendment was circulated as a public notice dated October 3, 1973, by the Commander, Thirteenth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 73-215P) on October 3, 1973 (38 FR 27414). Four comments were received which offered no objection to the proposed change.

Accordingly, Part 117 of Title 33 of Code of Federal Regulations is amended by revising subparagraph (2) of paragraph (f) of § 117.785 to read as follows:

§ 117.785 Tacoma Harbor, Tacoma, Washington; bridges.

(f) * * *

(2) Puyallup Waterway and River, Washington.

(i) The Department of Highways bridge at East 11th Street need not be opened for the passage of vessels, and paragraphs (b) to (e) of this section shall not apply to this bridge. The bridge shall be returned to an operable condition within 6 months after notification by the Commandant to take such action.

(ii) Chicago, Milwaukee, St. Paul and Pacific Railroad bridge. The draw shall open on signal if at least 24 hours notice is given.

(Sec. 5, 28 Stat. 362, as amended; sec. 6(g)(2), 80 Stat. 937 (33 U.S.C. 499, 49 U.S.C. 1655 (g)(2)); 49 CFR 1.45(c)(5), 33 CFR 1.05-1 (c)(4).)

Effective date. This revision shall become effective on March 12, 1974.

Dated: February 5, 1974.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.74-3441 Filed 2-11-74;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Benefits

CHAPTER I—VETERANS ADMINISTRATION

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

APPROVAL OF EXTRA-SCHEDULAR EVALUATIONS IN PENSION CASES

The Administrator of Veterans' Affairs amends § 3.321, Title 38 of the Code of

Federal Regulations to authorize Adjudication Officers in regional offices to approve extra-schedular permanent and total disability ratings in any pension case where appropriate. For a veteran under age 65 a rating of permanent and total disability is a basic requirement for entitlement to disability pension. Extra-schedular disability ratings are appropriate when the claimant for disability pension has a disability or disabilities which, under the Schedule For Rating Disabilities, are not ratable as permanent and total but which, in fact, render him unemployable. Prior to this amendment Adjudication Officers were authorized to approve such ratings if the claimant was 40 years of age or older. If the claimant was under 40 years of age and the evidence of record indicated an extra-schedular rating was in order the case was submitted to Veterans Administration Central Office for approval or disapproval of the proposed rating. This regulatory change eliminates the requirement for submitting such cases to Central Office.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose since the amendment effects a change in internal jurisdiction but does not effect a change in benefits.

1. Preceding § 3.321, cross references are added to read as follows:

CROSS REFERENCES: Permanent and total disability ratings for pension purposes. See § 3.342. Special monthly dependency and indemnity compensation, death compensation and pension ratings. See § 3.351. Determination of permanent need for regular aid and attendance and "permanently bedridden." See § 3.352. Conditions which determine permanent incapacity for self-support. See § 3.356.

2. In § 3.321, paragraph (b) (2) is amended to read as follows:

§ 3.321 General rating considerations.

(b) *Exceptional cases.* * * *

(2) *Pension.* Where the evidence of record establishes that an applicant for pension who is basically eligible fails to meet the disability requirements based on the percentage standards of the rating schedule but is found to be unemployable by reason of his disability(ies), age, occupational background and other related factors, the following are authorized to approve on an extraschedular basis a permanent and total disability rating for pension purposes: the Adjudication Officer; or where regular schedular standards are met as of the date of the rating decision, the rating board.

Effective date. This VA regulation is effective February 5, 1974.

Approved: February 5, 1974.

By direction of the Administrator:

[SEAL] R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-3447 Filed 2-11-74; 8:45 am]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart A—Vocational Rehabilitation Under 38 U.S.C. Ch. 31

CHARGING OF ORDINARY LEAVE

On page 32519 of the FEDERAL REGISTER of November 26, 1973, there was published a notice of proposed regulatory development concerning § 21.261(b) (1) to define the term "ordinary school year" consistently with the use of the term in § 21.4200(b) (1) to allow for schools operating on a full year-around schedule. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulation.

Due to the fuel crisis, § 21.261(b) (1) was amended to provide for continued payment of educational benefits within a certified period of enrollment during which the schools are closed due to order of the President or for any emergency situation. These changes were published in final form in the FEDERAL REGISTER on December 11, 1973 (38 FR 34116) and are incorporated in this amendment.

No written objections have been received. The proposed regulation is hereby adopted and is set forth below.

Effective date. This VA regulation is effective February 5, 1974.

Approved: February 5, 1974.

By direction of the Administrator:

[SEAL] R. L. ROUDEBUSH,
Deputy Administrator.

In § 21.261, paragraph (b) (1) is amended to read as follows:

§ 21.261 Ordinary leave.

(b) *Charging of ordinary leave.* * * *

(1) For veterans enrolled in educational institutions, leave will not be charged for school holidays and short intermissions between successive terms or periods of instruction within an enrollment period. Leave will be charged for any period of 1 calendar month or more between terms or periods of instruction within an enrollment period and for any interval between enrollment periods. At the discretion of the Administrator, payment may be made for breaks, including intervals between terms, within a certified period of enrollment during which the school is closed under an established policy upon an order of the President or due to an emergency situation. Leave will not be charged for such breaks.

[FR Doc.74-3448 Filed 2-11-74; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 8—VETERANS ADMINISTRATION

PART 8-12—LABOR

Labor Standards in Construction Contracts

Subpart 8-12.4 is revoked as FPR 1-12.4 has been canceled and the appli-

cable portions transferred to FPR 1-18.7. Because of the expanded coverage in the new subpart 1-18.7, VA supplementation in subpart 8-18.7 will cover only internal agency matters.

Subpart 8-12.4 [Revoked]

Subpart 8-12.4, Labor Standards in Construction Contracts, is revoked.

Effective date. This revocation is effective March 8, 1974.

Approved: February 6, 1974.

By direction of the Administrator:

[SEAL] RICHARD L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-3445 Filed 2-11-74; 8:45 am]

Title 42—Public Health

CHAPTER 1—PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 50—POLICIES OF GENERAL APPLICABILITY

Sterilization Procedures in Federally Assisted Family Planning Projects; Deferral of Effective Date

This notice defers for 30 days the effective date of regulations published and effective on February 6, 1974, on sterilization restrictions in Federally funded programs and projects (39 FR 4730, 4733).

On February 6, 1974, applications for injunctive relief were filed in the U.S. District Court for the District of Columbia in Katie Relf, et al. v. Caspar Weinberger, et al., Civil Action No. 1557-73, and in National Welfare Rights Organization v. Caspar W. Weinberger et al., Civil Action No. 74-243, raising legal questions, including constitutional challenges, concerning the above referenced regulations.

Because of the Department's concern that the sterilization restrictions be initiated as free from serious legal doubt as possible, I have determined that their effective date should be delayed a reasonable time to permit the U.S. District Court to deal with the issues raised by the pending applications of the plaintiffs in the suits referred to above. Accordingly, notice is hereby given that the effective date of the regulations is delayed for 30 days until March 8, 1974, and the previous notice of the Department on Sterilization Guidelines—Departmental Policy, 38 FR 20903, is hereby reinstated.

Dated: February 8, 1974.

FRANK CARLUCCI,
Acting Secretary.

[FR Doc.74-3568 Filed 2-11-74; 8:45 am]

Title 43—Public Lands: Interior
CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5408]

[Wyoming 39457]

WYOMING

Withdrawal for North Platte River Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 28, 1952 (17 FR 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws including the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, for protection of the recreational, historical and geological values in the public lands along the North Platte River:

SIXTH PRINCIPAL MERIDIAN

- T. 31 N., R. 81 W.,
Sec. 6, lots 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$.
- T. 32 N., R. 81 W.,
Sec. 9, SW $\frac{1}{4}$;
Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Sec. 20, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 30 N., R. 82 W.,
Sec. 8, lots 1 thru 6;
Sec. 9, lots 5 thru 8.
- T. 31 N., R. 82 W.,
Sec. 1, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 11, lots 1 thru 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14, lots 1 thru 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, lots 1 thru 4, E $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 32 N., R. 82 W.,
Sec. 25, lots 1 thru 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate approximately 3,264.21 acres in Natrona County.

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

JACK O. HORTON,
Assistant Secretary
of the Interior.

FEBRUARY 6, 1974.

[FR Doc.74-3379 Filed 2-11-74;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

Sterilization Procedures in Federally Assisted Family Planning Projects; Deferral of Effective Date

CROSS REFERENCE: For a document issued jointly by the Public Health Service

and the Social and Rehabilitation Service see FR Doc. 74-3568 appearing under Title 42, Part 50, *supra*.

PART 233—COVERAGE AND CONDITIONS OF ELIGIBILITY II: PUBLIC ASSISTANCE PROGRAMS

Federal Sharing in Emergency Assistance

Part 233, Chapter II, Title 45 of the Code of Federal Regulations is amended to implement section 403(a)(5) of the Social Security Act, as amended by section 301(c) of Pub. L. 92-512, to provide that Federal sharing in emergency services shall be at the 50 percent rate.

Since this regulation merely sets forth the rate of Federal financial participation in expenditures for emergency assistance as required under section 403(a)(5) of the Act, as amended, notice and public comment thereon have been dispensed with.

Section 233.120(b)(2) is revised to read as set forth below:

§ 233.120 Emergency assistance to needy families with children.

(b) Federal financial participation.

(2) The rate of Federal financial participation in expenditures during a quarter as emergency assistance in accordance with the provisions of an approved State plan is 50 percent of the total amount of such expenditures which are (i) in the form of money payments, payments in kind, or such other payments as the State agency specifies, including loans and vendor payments, or medical or remedial care recognized under State law, with respect to or on behalf of individuals described in subparagraph (1) of this paragraph; (ii) for administration, including costs incurred in determining eligibility, in the payment process, and for other related administrative activities; and (iii) for the following services provided to individuals described in subparagraph (1) of this paragraph, directly by staff of the agency, or by purchase from other sources: Information, referral, counseling, securing family shelter, child care, legal services, and any other services that meet needs attributable to the emergency or unusual crisis situations.

Effective date. The amendment is effective July 1, 1972.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))
(Catalog of Federal Domestic Assistance Program No. 13.754, Public Assistance—Social Services; 13.761, Public Assistance—Maintenance Assistance (State Aid))

Dated: January 28, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and
Rehabilitation Service.

Approved: February 8, 1974.

FRANK CARLUCCI,
Acting Secretary.

[FR Doc.74-3587 Filed 2-11-74;9:20 am]

Title 47—Telecommunication
CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION
PART 87—AVIATION SERVICES

Order on Applications for Aircraft Radio Station License

1. By this Order, it is intended to place the rule requirements of § 1.924(b)(2) (vi) in Part 87 of the rules for the information and convenience of the public.

2. Accordingly, that rule provision will be added to § 87.29(a) as a new subparagraph 5 in accordance with the attached Appendix.

3. Authority for this amendment appears in section 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.231(d) of the Commission's rules and regulations. Since the amendment is editorial, the prior notice and effective date provisions of the Administrative Procedure Act, 5 U.S.C. § 553, do not apply.

4. In view of the above, it is ordered, That the rule amendment set forth in the attached Appendix shall be adopted effective February 15, 1974.

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

Adopted: February 5, 1974.

Released: February 6, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] JOHN M. TORBET,
Executive Director.

APPENDIX

Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Section 87.29(a) is amended by adding a new subparagraph (5) as follows:

§ 87.29 Application for aircraft radio station license.

(a) * * *

(5) FCC Form 703 shall be used for consent to transfer control of a corporation holding an aircraft radio station license.

[FR Doc.74-3461 Filed 2-11-74;8:45 am]

Title 50—Wildlife and Fisheries

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Back Bay National Wildlife Refuge, Virginia

The following special regulations are issued and are effective during the period from February 15, 1974 through December 31, 1974.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

VIRGINIA

BACK BAY NATIONAL WILDLIFE REFUGE

Entry on foot or by motor vehicle on designated travel routes in the public use

areas is permitted for the purpose of nature study, sightseeing, wildlife observation, photography, hiking, surf fishing, and bicycling during daylight hours. Swimming and surfing are permitted only on that portion of the beach lying between the north boundary of the refuge and the dune crossing at the field headquarters. No lifeguards are provided. Swimming and surfing will be at the visitor's own risk. The parking lot at the field headquarters is reserved for persons engaged in surf fishing and nature study. Surf fishing is permitted in accordance with applicable State regulations.

Open fires are not permitted. Portable grills with a contained fuel supply are permitted on the beach north of the field headquarters.

Pets on a leash not exceeding 10 feet in length are permitted on the refuge public use areas. Horses are not permitted.

Bicycles and registered motor vehicles are permitted on the refuge access road and parking area. Snowmobiles, air cushion, all-terrain, unregistered motorcycles, or other similar vehicles are not permitted on the refuge. No vehicles are permitted on the beach except as authorized by permit in accordance with special regulations.

The refuge, comprising approximately 4,600 acres, is delineated on a map available from the Refuge Manager, Back Bay National Wildlife Refuge, Pembroke #2 Bldg., Suite 218, 287 Pembroke Office Park, Virginia Beach, Virginia 23462 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1974.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

FEBRUARY 4, 1974.

[FR Doc.74-3432 Filed 2-11-74; 8:45 am]

PART 33—SPORT FISHING

**Erie National Wildlife Refuge,
Pennsylvania**

The following special regulation is issued and is effective during the period February 15, 1974 through December 31, 1974.

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

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Sport fishing on the Erie National Wildlife Refuge, Pennsylvania, is permitted on areas designated by signs as open to fishing in accordance with State regulations. Boats are permitted in Lake Creek above Sugar Lake and above and

below the Pool 9 dike where designated by signs. Fishing in Pools 9 and K is permitted from July 1 to September 15 only. Pools 9 and K will be open to ice fishing at the discretion of the refuge manager by daily permit only. All fishing areas are delineated on maps available at refuge headquarters or from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

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

WILLARD M. SPAULDING, JR.,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 5, 1974.

[FR Doc.74-3443 Filed 2-11-74; 8:45 am]

**Title 6—Economic Stabilization
CHAPTER I—COST OF LIVING COUNCIL
PART 150—PHASE IV PRICE
REGULATIONS**

**PART 152—PHASE IV PAY REGULATIONS
Exemption of Reconditioned Steel Drums
and Barrels**

The purpose of these amendments is to add an exemption under the Phase IV price regulations applicable to the prices charged for reconditioned steel drums and barrels and to add a parallel exemption under the Phase IV pay regulations.

The steel drum reconditioning industry is a small one. It is comprised of about 200 firms that have combined annual revenue of about \$300 million. Over 90 percent of the firms in this industry are exempt from Phase IV price controls under the small business exemption, and the remainder which are not so exempt account for only about \$75 million in annual sales.

There is a traditional differential between the prices charged for new and reconditioned drums. Currently, reconditioned drums are priced at about \$7 apiece, while new drums are priced at about \$9 apiece. Any significant increase in the prices charged for reconditioned drums would tend to undercut the pricing advantage they enjoy, and this would increase the demand for new drums. Therefore, it is expected that price increases for reconditioned drums will be held at reasonable levels since prices for new drums remain subject to Phase IV controls.

Under §§ 150.11(e) and 150.161(b), a firm remains subject to the profit margin constraints and reporting provisions of the Phase IV program unless in its most recent fiscal year it derived both less than \$50 million in annual sales or revenues from the sale or lease of nonexempt items and 90 percent or more of its sales and revenues from the sale of exempt items or exempt sales.

As a complementary action to the exemption from price controls, the Council has also exempted pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry. The exemption is set forth in new § 152.40e.

This exemption is inapplicable to any such employee who receives an item of incentive compensation, or who is a member of an executive control group. This exemption is also inapplicable to any such employee whose duties and responsibilities are not of a type exclusively performed in or related to the steel drum reconditioning industry and whose pay adjustments are historically related to the pay adjustments of employees performing such duties outside the industry and are not related to the pay adjustments of other employees that are within the exemption. This exemption is further inapplicable to employees who are part of an appropriate employee unit where 25 percent or more of the members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry or in support thereof.

In cases involving uncertainty as to the application of this exemption to pay adjustments, inquiries concerning the scope of coverage should be addressed to the Administrator, Office of Wage Stabilization, P.O. Box 672, Washington, D.C. 20044.

The Council retains the authority to reestablish price and wage controls over any of the industries exempted by these amendments if price or wage behavior is inconsistent with the policies of the Economic Stabilization Program. The Council also has the power, under §§ 150.162 and 152.6, to require firms to file special or separate reports setting forth information relating to the Economic Stabilization Program in addition to any other reports which may be required under the Phase IV controls program.

Because the purpose of these amendments is to grant an immediate exemption from the Phase IV price and pay regulations, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street, N.W., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489)

In consideration of the foregoing, Parts 150 and 152 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective February 11, 1974.

Issued in Washington, D.C., on February 11, 1974.

JAMES W. McLANE,
Deputy Director,
Cost of Living Council.

1. In 6 CFR Part 150, § 150.54 is amended to add a new paragraph (gg) to read as follows:

§ 150.54 Certain price adjustments.

(gg) *Reconditioned steel drums and barrels.* The prices charged for reconditioned steel drums and barrels are exempt.

2. In 6 CFR Part 152, Subpart D is amended by adding thereto a new § 152.40e to read as follows:

§ 152.40e Steel Drum Reconditioning Industry.

(a) *Exemption.* Pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry or in support of such operation are exempt from and not limited by the provisions of this title.

(b) *Establishment in the steel drum reconditioning industry.* For purposes of this section, "Establishment in the steel drum reconditioning industry" means an establishment primarily engaged in the purchase of used steel drums and barrels for the purposes of reconditioning or resale or an establishment primarily engaged in the reconditioning of used steel drums and barrels.

(c) *Covered employees.* For purposes of this section, an employee is considered to be engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry or in support of such operation only if such employee is employed at an establishment in the steel drum reconditioning industry and only if such employee is employed by the firm which operates such establishment.

(d) *Limitation.* The exemption provided in paragraph (a) of this section shall not be applicable to—

(1) An employee who receives an item of incentive compensation subject to the provisions of §§ 152.124, 152.125, or 152.126;

(2) An employee who is a member of an executive control group (determined pursuant to § 152.130);

(3) Employees whose occupational duties and responsibilities are of a type not exclusively performed in or related to the steel drum reconditioning industry and whose pay adjustments are—

(i) Historically related to the pay adjustments of employees performing such duties outside the steel drum reconditioning industry; and

(ii) Not related to pay adjustments of another unit of employees engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry or in support of such operation within the meaning of paragraph (c) of this section; or

(4) Employees who are members of an appropriate employee unit if 25 percent or more of the employees who are members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the steel drum reconditioning industry or in support of such operation.

(e) *Effective date.* The exemption provided in this section shall be applicable to pay adjustments with respect to work performed on and after February 12, 1974.

[FR Doc.74-3592 Filed 2-11-74;9:30 am]

PART 150—PHASE IV PRICE REGULATIONS

Marine Cargo Handling Exemption

Section 150.54 is amended by adding a new paragraph (ii) to exempt prices charged for marine cargo handling services by firms engaged in activities described in Industry No. 4463 of the Standard Industrial Classification Manual, 1972 edition. Activities affected by this amendment include stevedoring, waterfront terminal operations, port terminals subject to 46 CFR Part 533 and all other activities directly related to the loading and unloading of ships.

This amendment modifies Cost of Living Council Phase IV Price Ruling 1973-6, 38 FR 31165. Under that ruling rates for services listed under group No. 446 of the Standard Industrial Manual are not exempt as public utility rates. Services in Industry No. 4463 are specifically exempt; however, services classified in the remaining two Industry Nos. of group No. 446 are subject only to the public utility rate exemption as provided in Phase IV Price Ruling 1973-6.

The affected firms are in an industry which has been in a chronic low profit situation. They compete with firms which are exempt as government-owned and operated entities, (roughly one-third of the marine terminals are government-owned and operated). This amendment puts all marine cargo handling firms on an equal footing. All elements of the marine shipping industry (i.e., international ocean shipping, domestic water transportation and marine cargo handling) are now exempt from the Phase IV price regulations.

Under §§ 150.11(e) and 150.161(b), a firm remains subject to the profit margin constraints and reporting provisions of the Phase IV program unless in its most recent fiscal year it derived both less than \$50 million in annual sales or revenues from the sale or lease of non-exempt items and 90 percent or more of its sales and revenues from the sale of exempt item or exempt sales.

The Council retains the authority to reestablish price controls over any of the industries exempted by this amendment if price behavior is inconsistent with the policies of the Economic Stabilization Program. The Council also has the power, under § 150.162, to require firms to file special or separate reports

setting forth information relating to the Economic Stabilization Program in addition to any other reports which may be required under the Phase IV controls program.

Because the purpose of this amendment is to grant an immediate exemption from the Phase IV price regulations, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street, N.W., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489)

In consideration of the foregoing, Part 150 of Title 6 of the Code of Federal Regulations is amended as set forth below, effective February 11, 1974.

Issued in Washington, D.C., on February 11, 1974.

JAMES W. McLANE,
Deputy Director,
Cost of Living Council.

Section 150.54 is amended by adding a new paragraph (ii) to read as follows:

§ 150.54 Miscellaneous.

(ii) *Marine cargo handling.* Prices charged for marine cargo handling services by firms primarily engaged in activities described in Industry No. 4463 of the Standard Industrial Classification Manual, 1972 edition are exempt.

[FR Doc.74-3593 Filed 2-11-74;9:30 am]

PART 152—PHASE IV PAY REGULATIONS

Authority for Exemption of Pay Adjustments

Section 152.37 is amended in paragraph (a). This section, originally issued December 10, 1973, exempts pay adjustments of employees engaged in the operation of an establishment primarily engaged in the manufacturing or assembling of motor vehicles, if the sales of such vehicles are exempt under 6 CFR § 150.54(w). That section exempted sales of vehicles by price category I firms that had prenotified the Council of price increases for both passenger cars and trucks prior to November 9, 1973. The Council expects to consider exemption requests from other manufacturers in the motor vehicle industry and may grant exemptions by order rather than by issuance of further regulations, if appropriate. The amendment to § 152.37(a) will operate to exempt pay adjustments of the firms whose sales are exempted by order. The effective date of the pay exemption in each case will be the date of the price exemption granted by order.

Further, the order granting price exemption may specify additional terms and limitations that may be attached to the complementary pay exemption.

Because the immediate implementation of Executive Order No. 11730 is required, and because the purpose of this amendment to the regulations is to provide immediate guidance as to Cost of Living Council decisions, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street NW., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489)

In consideration of the foregoing Part 152 of Title 6 of the Code of Federal Regulations is amended as set forth herein, effective February 11, 1974.

Issued in Washington, D.C., on February 11, 1974.

JAMES W. McLANE,
Deputy Director,
Cost of Living Council.

In 6 CFR Part 152, § 152.37 is amended to read as follows:

§ 152.37 Manufacture and assembly of motor vehicles.

(a) *Exemption.* Pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment primarily engaged in the manufacturing or assembling of motor vehicles, the sales of which are exempt under § 150.54(w) of this chapter or by order of the Council, or working in support of such operation, and who are employed by the firm which operates such establishment, are exempt from and not included in the coverage of this title.

(b) *Definitional rules.* For purposes of this section—

(1) "Establishment primarily engaged in the manufacturing or assembling of motor vehicles" means an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under SIC Industry Number 3711.

(2) Employees engaged on a regular and continuing basis in the operation of

an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under SIC Industry Number 3465 (Automotive Stampings), the products of which are used in the operation of an establishment primarily engaged in the manufacturing or assembling of motor vehicles, are considered to be among those employees working in support of the operations of the establishment primarily engaged in the manufacturing or assembling of motor vehicles, if both establishments are operated by the same firm.

(c) *Limitations.* The exemption provided in paragraph (a) of this section shall not be applicable to—

(1) An employee who receives any item of executive or variable compensation subject to the provisions of subpart K of this part, other than an item of executive or variable compensation pursuant to a plan or program subject to § 152.127; or

(2) An employee who is a member of an executive control group (determined pursuant to § 152.130).

(d) *Effective date.* The exemption provided in paragraph (a) of this section shall be applicable to pay adjustments with respect to work performed on and after December 10, 1973.

[FR Doc.74-3591 Filed 2-11-74;9:30 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 TREASURY § 6.7 Documents for entry.

Customs Service

[19 CFR Part 6]

AIR COMMERCE REGULATIONS

Duty on Cost of Foreign Repairs to Certain United States-Registered Aircraft Engaged in Trade

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), sections 624, 644, 46 Stat. 759, 761, as amended (19 U.S.C. 1624, 1644), and section 1109, 72 Stat. 799, as amended (49 U.S.C. 1509), it is proposed to amend § 6.7(e) of the Customs Regulations pertaining to the conditions under which certain United States-registered aircraft engaged in trade are exempted from the requirement of making entry and depositing duty (or giving a bond in lieu thereof) with respect to equipment purchased for or repairs made to such aircraft in a foreign country.

Under existing regulations, such exemptions are provided if either of two conditions exists: (1) Such equipment or repairs were made necessary by reason of stress of weather or other casualty occurring since the aircraft last left the United States and were required to secure the safety and airworthiness of the aircraft in accordance with Federal Aviation Administration regulations to enable the aircraft to continue its flight; or (2) such equipment installed and materials used in making the repairs were of the growth, produce, or manufacture of the United States and the work incident to such installation or repairs was performed by the regular crew of the aircraft or by residents of the United States.

The proposed amendment identifies alternate situations where entry and deposit of duty (or the filing of a bond therefor) shall not be required with respect to equipment purchased for or repairs made to United States-registered aircraft belonging to a scheduled airline or to an air carrier generally authorized to operate contract passenger or cargo flights between the U.S. and foreign territory by establishing four separate conditions, the occurrence of any one of which will exempt the aircraft commander or an authorized person from the requirements of filing entry and depositing duty. The proposed amendment recognizes the special safety requirements of modern, fast-turnaround aircraft operations and more closely conforms application of the statutes to Congressional intent.

Accordingly, it is proposed to amend § 6.7(e) of the Customs regulations to read as follows:

(e) A scheduled airline or an air carrier generally authorized to operate contract passenger or cargo flights and operating between the United States and foreign territory shall not be required to file a declaration on Customs Form 3415 or an entry on Customs Form 7535 or deposit duty or give a bond therefor for equipment purchased for or repairs made to the aircraft when:

(1) Such equipment or repairs were made necessary by reason of stress of weather or other casualty occurring since the aircraft's last departure from the United States;

(2) Such equipment or repairs were necessary to secure the safety and airworthiness of the aircraft, provided the necessity of such equipment or repairs was unforeseen prior to the time of the aircraft's last departure from the United States;

(3) Such equipment or repairs were necessary to comply with regulations of the Federal Aviation Administration or other Agency of the United States or of a foreign government, provided the necessity for such equipment or repairs was unforeseen prior to the time of the aircraft's last departure from the United States; or

(4) Such equipment installed and materials used in making the repairs were manufactured or produced in the United States and the work incident to such installation or repairs was performed by the regular crew of the aircraft or by residents of the United States.

Whenever entry is not required in any of the foregoing circumstances, the following statement shall be included on the general declaration or attached air cargo manifest:

Entry for equipment purchased or repairs made to this aircraft while in a foreign country not required under § 6.7(e) of the Customs Regulations.

In all cases where entry is not required the district director shall be satisfied from an inspection of the journey log book and such further investigation as he may deem necessary that the facts with respect to the installation of the equipment and making of repairs were as set forth in subparagraphs (1), (2), (3), or (4) of this paragraph.

Data, views, or arguments with respect to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To insure consideration of such communications, they must be received on or before March 14, 1974.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

Approved: February 1, 1974.

[SEAL]

VERNON D. ACREE,
Commissioner of Customs.

JAMES B. CLAWSON,
Acting Assistant Secretary
of the Treasury.

[FR Doc.74-3421 Filed 2-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 927]

[Docket No. AO-99-A3]

CERTAIN PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Proposed Limitation of Handling

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the First Floor Conference Room, Washington Building, 1218 S.W. Washington Street, Portland, Oregon, beginning at 9 a.m., local time, February 26, 1974, with respect to proposed further amendment of the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California. The proposed amendment has not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic, marketing, and other conditions which relate to the proposed amendment, hereinafter set forth, and to any appropriate modifications thereof.

The Control Committee, the administrative agency established pursuant to the amended marketing agreement and order, submitted the following amendatory proposals and requested a hearing thereon.

1. Revise § 932.47 to read:

§ 927.47 Research and development.

The Control Committee, with the approval of the Secretary, may establish or provide for the establishment of production research, and marketing research and development projects, designed to assist, improve or promote the marketing, distribution and consumption or efficient production of pears. The expense of such projects shall be paid from funds collected pursuant to § 927.41.

2. Amend § 927.51 by adding a new paragraph (a) (3) to read:

§ 927.51 Issuance of regulations; and modification, suspension, or termination thereof.

(a) Whenever the Secretary finds, from the recommendation and information submitted by the Control Committee, or from other available information, that regulation, in the manner specified in this section, of the shipment of pears would tend to effectuate the declared policy of the act, he shall so limit the shipment of pears during a specified period or periods. Such regulation may:

(1) Limit the total quantity of any grade, size, quality, or combinations thereof, of any variety of pears grown in any district and may prescribe different requirements applicable to shipments to different export markets;

(2) Prescribe minimum standards of quality for any variety of pears and limit the shipment thereof to those meeting such minimum standards;

(3) Fix the size, capacity, weight, dimensions, or pack of the container, or containers, which may be used in the packaging or handling of pears.

The Fruit and Vegetable Division, Agricultural Marketing Service has proposed that consideration be given to making such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice may be obtained from the Portland Marketing Field Office, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, 1218 S.W. Washington Street, Portland, Oregon 97205.

Dated: February 7, 1974.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc. 74-3491; Filed 2-11-74; 8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 113]

SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, SPECIAL PROGRAMS AND PROJECTS

Proposed Funding Criteria for Fiscal Year 1974

Pursuant to the authority contained in Title III of the Elementary and Sec-

ondary Education Act of 1965, as amended (20 U.S.C. 841 et. seq.), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to establish funding criteria set forth in the Appendix below for Fiscal Year 1974 applications for grants under Section 306 of Title III of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 844b).

Program Purpose. The Commissioner is authorized to make grants to a local educational agency or agencies in a State from the amount allotted, but determined by the Commissioner not to be required for that or another State under Title III, ESEA. These grants may be made for projects which make "a substantial contribution to the solution of critical educational problems common to all or several States," and have one or more of the following purposes: (a) planning for and taking other steps leading to the development of programs designed to: establish or expand exemplary and innovative educational programs which will stimulate the adoption of such programs in the schools of the State; or establish, maintain, operate or expand programs designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to students of varying talents and needs by providing supplementary services and activities, especially through new and improved approaches; and (b) testing students and improving guidance and counseling services in the public and private elementary and secondary schools and in junior colleges and technical institutes in the State.

Interested parties are invited to submit written comments, suggestions, or objections regarding the proposed funding criteria to the Director, ESEA, Title III, Section 306, Room 3682, Regional Office Building Three (ROB3), 7th and D Streets, SW., Washington, D.C. 20202. Comments and suggestions or objections submitted in writing will be available for review in the above office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday of each week.

All relevant material received on or before March 4, 1974 will be considered.

Dated: January 7, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: February 7, 1974.

FRANK CARLUCCI,
Acting Secretary of Health,
Education, and Welfare.

(Catalog of Federal Domestic Assistance Program No. 13.516, Special Programs and Projects of the Elementary and Secondary Education Act of 1965, as amended, Title III, Sec. 306)

APPENDIX

I. TYPES OF APPLICATIONS

A. Many innovative approaches to national educational problems have been developed in past years with Title III funds and other monies. Emphasis for

Section 306 grants for fiscal year 1974 has been placed on the dissemination and diffusion of successful educational programs and practices in areas of national concern. Therefore, applications for the following four types of projects will be given priority in the award of grants:

1. **Developer-Demonstration Projects.** Projects in which a local educational agency that has successfully implemented an exemplary approach to the solution of an educational problem common to all of several States undertakes to aid other local educational agencies (through such activities as training and dissemination activities) in adopting that approach.

2. **Statewide Facilitator Projects.** Projects in which a local educational agency in cooperation with the State educational agency assists other local agencies within its own State to find an appropriate exemplary program selected under category I.A.1 above to meet their educational needs.

3. **Replication Projects.** Projects in which a local educational agency selects and replicates an exemplary program which has not been developed by such agency.

4. **Replication of projects validated by Office of Education.** Projects in which a local educational agency having large numbers or proportions of children with deficiencies in reading and mathematics undertakes to replicate compensatory education programs which have been validated by the Office of Education and which are appropriate to the demonstrated needs of the district.

B. In addition, the Commissioner has identified educational problems associated with child abuse and neglect as a national educational problem. Therefore, priority will also be given to applications for projects in which a local educational agency implements a comprehensive demonstration program to provide more effective educational services to victims of child abuse and neglect enrolled in elementary and secondary schools.

C. Pursuant to section 306(b) of the Act, grants will be made to local educational agencies to develop, implement or aid in the adoption of programs designed to meet the special educational needs of handicapped children. Priority will be given to projects holding promise of having a favorable early impact upon the education of handicapped children.

(20 U.S.C. 841, 843(b), 844(b); S. Rep. No. 634, 91st Cong., 2d Sess. 27-28 (1970))

II. GENERAL CRITERIA FOR THE SELECTION OF APPLICATIONS

In addition to considering the review criteria found in 45 CFR 100a.26(b) (38 FR 30664, published November 6, 1973), the Commissioner shall evaluate applications requesting a Federal grant for supplementary elementary and secondary school centers and services by considering the extent to which the proposed project involves:

A. documentation that in the planning of the project there has been, and

in the operation and evaluation of the project there will be:

1. Utilization of the best available talents and resources; and

2. Participation of teachers, students, parents, school administrative personnel, private nonprofit school representatives, and other persons (including those with low income) who are broadly representative of the cultural and educational resources of the area to be served;

B. Evidence that the project is designed to demonstrate solutions to identified critical educational needs and will substantially increase the educational opportunities of children in the area to be served;

C. Provisions for the development of concepts, practices, and techniques which are recognized as unique, original, innovative or exemplary and can be adapted or adopted in all or several States; and

D. An awareness of information concerning similar programs, relevant research findings, and views of recognized experts.

(20 U.S.C. 843 (b), 844, 844(b))

III. ADDITIONAL CRITERIA FOR EACH TYPE OF APPLICATION

The following criteria will be used in judging the specific type of project application indicated:

A. Developer-Demonstration Projects. Activities supportable with project funds will include the development and dissemination of a variety of information packages about the exemplary approach being demonstrated, the refinement of training materials for use with school districts planning to adopt the approach, the maintenance of a small staff to provide training to potential adopters at the development site and limited technical assistance at adoption sites, and other activities clearly related to the demonstration nature of the project. The developer-demonstration project will not cover the operational costs of the approach which is the subject of the demonstration (such as teachers and materials), if such approach continues to be carried out in the school district of the applicant.

1. The approach to be demonstrated will be judged by its degree of exemplariness as characterized by:

a. The extent to which the project constitutes a comprehensive means of meeting a critical national educational need or a problem common to all or several States;

b. The extent of the availability of the components required to implement the approach, including material products, training, detailed documentation regarding needs addressed, target population characteristics, staffing, institutional setting, parent and community involvement, objectives, procedures and activities, evaluation design and outcomes, and costs;

c. The extent to which a wide range of school districts would find the approach practicable for adoption relative to instructional methodology, materials,

equipment and facilities, management scheduling, and assessment;

d. The degree of innovativeness of the approach; and

e. Availability of statistically significant evidence as to the result of at least two previous implementations of the approach with comparable groups (either in the same year or two succeeding years) that the approach has demonstrated a high degree of success in the achievement of its major objectives in essential components.

2. The project will also be judged by the extent to which the application sets forth procedures for

a. Disseminating information about the approach in a variety of ways and levels of specificity;

b. Making readily available material products to potential adopters; and

c. Providing them with training and other kinds of technical assistance required to implement the approach in a new location.

B. Statewide Facilitator Projects. A statewide facilitator will be furnished with a list of and information about exemplary approaches selected under I.A.1 above (Developer-Demonstration Projects) by the Office of Education. The facilitator will then assist local educational agencies in its own State to select programs for replication from among the selected developer-demonstration approaches, as follows:

1. Funds will be made available to support a small core staff who will perform a variety of activities such as

a. Providing detailed information about the available demonstration approaches selected under I.A.1 above to interested school districts within the State;

b. Assisting local school districts to match needs with the most appropriate developer-demonstration approach; and

c. Making available limited project resources to help defray costs of sending interested adopters to demonstration sites or of introducing the new approach in the adoption site, and who will work in close cooperation with appropriate State educational agency personnel.

2. The application will be judged by the extent to which it presents a cohesive plan for

a. Providing detailed information about the demonstration projects selected under section I.A.1 to local education agencies within the State;

b. Assisting local school districts to determine their local needs so as to enable the selection of the appropriate project for adoption; and

c. Implementing the project with a small experienced staff who will seek to promote actual adoption within their State of the exemplary approaches before the end of the 1974-1975 school year or at the beginning of the next school year.

C. Replication Projects. The project funds will provide support for such start-up costs as staff training, specialized personnel materials, technical assistance from the developer, and evaluation of the new program in the local setting. Title

III, Section 306 funds will not be awarded to applicants under this category for such operational costs as teacher salaries and supplies.

1. The project selected by the applicant will be judged by its degree of exemplariness as characterized by the factors described in section III.A.1 above under Developer-Demonstration Projects.

2. In addition, the application will be judged by the extent to which it

a. Presents a cohesive plan to install the project;

b. Meets a demonstrated need of the applicant agency's school district; and

c. Presents a plan to continue the implementation of the project with State and local funds beyond the period for which Section 306 funds are being provided.

D. Replication of projects validated by the Office of Education. It is anticipated that the Office of Education will identify not more than eight exemplary compensatory education programs "Project Information Packages" (hereinafter referred to as PIPs) which have been validated. Local educational agencies which have had applications approved under this category will replicate at least one such program consistent with local educational needs as determined by the Office of Education.

1. Grant funds will provide support for a full-time project director with support services, technical assistance from districts and persons involved in the development and implementation of the successful approach, materials and supplies referenced or included in the PIP, and for a locally designed evaluation.

2. The following criteria will be used to select applicants who will replicate a PIP approach:

a. The extent to which the applicant local educational agency provides evidence that it has a high concentration of students with severe deficiencies in reading or mathematics;

b. The extent to which the district can provide the necessary human and material resources using State and local funds to implement an exemplary program; and

c. The extent to which the application sets forth a cohesive plan to initiate evaluation on the effect, implementation, and design of the PIPs. The evaluation should include establishment by the applicant district of two comparison groups, one of which would serve as the experimental group using testing, interviews, questionnaires, and continuous classroom monitoring.

E. Child Abuse and Neglect Project. School districts may apply for support to implement a comprehensive program which will prepare teachers to

1. Identify children who are victims of child abuse and neglect;

2. Make proper referral of these children to other individuals or agencies for help; and

3. Work more effectively with such children in their classrooms and with the children's parents.

The criteria used to review these applications are as follows:

1. The extent to which the critical nature of the child abuse and neglect problem to be attacked by the project is supported by specific data collected systematically in the local school district;

2. The extent to which the proposed project builds upon local experiences in attempting to prepare teachers to identify and provide appropriate services to victims of child abuse and neglect enrolled in their classroom;

3. The extent to which the project represents an innovative comprehensive strategy for enabling the schools to contribute effectively to reducing the incidence and effects of child abuse and neglect; and

4. The extent to which the application reflects a knowledge of State and local laws which affect the school's role in coping with child abuse and neglect.

F. Projects Aiding Handicapped Children. Projects will be judged by the same criteria as the Developer-Demonstration and Replication Projects as described under III.A.1 and 3 above. In addition, priority will be given local school districts which apply for funds for one-year developmental projects which hold promise of having a favorable early impact upon the education of handicapped children in the following areas of focus: early childhood education, education of the severely handicapped (severely emotionally disturbed—schizophrenic and autistic, profoundly and severely mentally retarded, those having two or more serious handicapping conditions—mentally retarded-deaf and mentally retarded-blind, etc.), career education, and questions involving the placement of handicapped children in the regular classroom. Those projects may be new efforts or may represent a development of an operating program.

(20 U.S.C. 843(b), 844(b); S. Rep. No. 634, 91 Cong., 2d Sess. 27-28 (1970))

[FR Doc. 74-3459 Filed 2-11-74; 8:45 am]

Social and Rehabilitation Service

[45 CFR Part 234]

FINANCIAL ASSISTANCE TO INDIVIDUALS

Joint Payee Procedures

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations are responsive to the energy crisis. They would permit States to provide for a joint payee procedure under which the recipient may request that a portion of his assistance grant be paid by check or warrant made payable jointly to himself and a provider designated by him. The procedure would be available only at the voluntary written request of the recipient and could be used only for payment of rent, utilities, or heating fuel.

The primary statutory provision defines "aid to families with dependent children" as meaning, among other things, "money payments with respect to * * * a dependent child" (section 406(b) of the Social Security Act). Since enactment of the Social Security Act it has been Federal policy to construe "money payments" as meaning only unrestricted money payments. From time to time the Act has been amended to permit restricted money payments, but only in limited circumstances. For instance, the AFDC statute was amended in 1962 to permit payments on behalf of a child or relative to a person "furnishing food, living accommodations, on other goods, services, or items to or for such child * * * or relative" (section 406(b)(2)). But this procedure is strictly limited: the number of individuals for whom these payments can be made in any month cannot exceed 10 percent of the recipients for that month (section 402(a)) and the payments can be made only if the State plan provides for a determination of inability by the relative of the child to manage money and the undertaking of efforts to improve that relative's money management ability (section 406(b)). Similar provisions exist for titles I, X, XIV, and XVI.

However, these and similar amendments to the Act were to allow State agencies to make restricted money payments without regard to the wishes of the recipient and not, as is the case with this regulation, to permit the State to perform a necessary service on behalf of the recipient. The changes made by these regulations will allow payments to be made to the recipient and another only at the option of the recipient. Financial assistance under a State plan will in no way be conditioned upon a recipient's consent to such an arrangement.

The principal reason for this change in long-standing Federal policy is the energy crisis, which may affect recipients of public assistance more harshly than others in our society. Every indication is that the home heating fuel business will be on a strictly cash basis this winter rather than credit as a result of the shortage of fuel. Unless public assistance recipients can guarantee payment to their suppliers, they may not receive any fuel. One way to guarantee that payment is the joint payee system these regulation changes will permit. States will also be able to use the joint payee system for other utilities and rent. Those items are closely related to the energy crisis, particularly when rent includes the cost of utilities.

Due to the emergency nature of the energy problem, the comment period has been shortened. Consideration will be given to any comments, suggestions, or objections thereto which are received in writing by the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, Post Office Box 2382, Washington, D.C. 20013, on or before February 27, 1974. Comments received will be available for public in-

spection in Room 5224 of the Department's offices at 330 C Street SW., Washington, D.C., on Monday through Friday of each week from 8:30 a.m. to 5:00 p.m. (area code 202-245-0365).

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

(Catalog of Federal Domestic Assistance Program No. 13.761, Public Assistance—Maintenance Assistance (State Aid))

Dated: February 1, 1974.

JAMES S. DWIGHT, JR.,
Administrator, Social and
Rehabilitation Service.

Approved: February 6, 1974.

CASPAR W. WEINBERGER,
Secretary.

1. Part 234, Chapter II, Title 45 of the Code of Federal Regulations is amended by adding a new § 234.25 and by revising §§ 234.11 and 234.120 to read as set forth below:

§ 234.25 Joint payee procedures.

(a) A State plan under Title I, IV-A, X, XIV, or XVI of the Social Security Act may provide for a joint payee procedure which complies with the following requirements:

(1) The procedure shall be used only for payment of rent, utilities, or purchase of heating fuel.

(2) The procedure shall be voluntary on the part of the recipient of public assistance and may be used only upon receipt by the agency of his written request;

(3) The procedure shall not apply to recipients who are subject to the protective payment provisions of § 234.60;

(4) The recipient shall designate the name of the individual or entity to be the joint payee;

(5) The agency shall issue a check or warrant in the amount designated by the recipient, made payable jointly to both the recipient and the designated individual or entity;

(6) The agency shall not honor any check or warrant issued pursuant to this procedure unless endorsed both by the recipient and the designated individual or entity;

(7) The procedure shall be terminated as soon as administratively feasible after the agency receives notice of termination from the recipient.

(b) A State which adopts this procedure may:

(1) Establish reasonable requirements regulating the period of time for which this procedure may be used, the amount of money that a recipient may designate, and the number of checks or warrants that may be issued each month for each recipient; and

(2) If it makes public assistance payments more frequently than monthly, prorate payments among the payment periods or limit them to once a month.

§ 234.11 Assistance in the form of money payments; deduction of food stamp costs.

(a) Federal financial participation is available in money payments made under a State plan under title I, IV-A, X, XIV,

or XVI of the Social Security Act to eligible families and individuals. Money payments are (1) payments in cash, checks, or warrants immediately redeemable at par, made to the grantee or his legal representative with no restrictions imposed by the agency on the use of funds by the individual or (2) joint payee payments made pursuant to § 234.25.

(b) Amounts deducted for the purchase of food stamps are part of the money payments when the deductions are made (1) under arrangements between the State agency and the U.S. Department of Agriculture, (2) on a voluntary basis at the specific written request of individuals, and (3) in accordance with methods approved by and safeguards established by the Social and Rehabilitation Service.

§ 234.120 Federal financial participation.

Federal financial participation is available in assistance payments made under a State plan under title I, IV-A, X, XIV, or XVI of the Social Security Act to any family or individual for periods beginning with the month in which they meet all eligibility conditions under the plan and in which an application has been received by the agency. Such assistance payments include:

(a) Money payments, including joint payee payments made pursuant to § 235.25. (titles I, IV-A, X, XIV, and XVI, see § 234.11 of this chapter);

(b) Protective and vendor payments for dependent children (title IV-A, see § 234.60 of this chapter);

(c) Protective payments for the aged, blind, or disabled (titles I, X, XIV, and XVI, see § 234.70 of this chapter);

(d) AFDC foster care payments (title IV-A, see § 233.110 of this chapter);

(e) Vendor payments for institutional services in intermediate care facilities (titles I, X, XIV, and XVI), but only in a State that did not, as of January 1, 1972, have an approved plan under title XIX of the act, and only until such State has such a plan in effect (see § 234.130 of this chapter);

(f) Emergency assistance to needy families with children (title IV-A, see § 233.120 of this chapter);

(g) Vendor payments for home repairs (titles I, IV-A, X, XIV, and XVI, see § 233.20(c) of this chapter); and

(h) Rent payments to public housing agencies (titles I, X, XIV, and XVI, see § 234.75 of this chapter); and

[FR Doc.74-3425 Filed 2-11-74;8:45 am]

[45 CFR Part 250]

MEDICAL ASSISTANCE PROGRAMS

Utilization Review; Extension of Comment Period

This notice extends the period for comments provided in the notice published January 9, 1974 (39 FR 1500) proposing requirements for the review of utilization of care and services under the Medicaid program. The time for comment is hereby extended from February 8, 1974 to March 11, 1974.

Comments should be submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, P.O. Box 2372, Washington, D.C. 20013. They will be available for public inspection in Room 5224 of the Department's offices at 330 C Street SW., Washington, D.C., on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-245-0365).

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program.)

Dated: February 1, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and
Rehabilitation Service.

Approved: February 8, 1974.

FRANK CARLUCCI,
Acting Secretary.

[FR Doc.74-3589 Filed 2-11-74;9:20 am]

Social Security Administration

[20 CFR Part 405]

[Regulations No. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Conditions of Participation—Hospitals and Skilled Nursing Facilities—Utilization Review; Extension of Comment Period

This notice extends the period for comments provided in the notice published January 9, 1974 (39 FR 1447) in which comments were solicited on proposed amendments to Part 405 (Regulations No. 5) relating to utilization review in hospitals and skilled nursing facilities under the Medicare program.

Comment was invited on or before February 8, 1974. In view of the great amount of interest in the proposed regulations, the time for comment is hereby extended to March 11, 1974.

Comments on the proposed regulation of the Social Security Administration (20 CFR Part 405) should be submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before March 11, 1974.

Copies of all comments received will be available for public inspection during regular 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.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged and Disabled—Hospital Insurance.)

Dated: February 4, 1974.

ARTHUR E. HESS,
Acting Commissioner
of Social Security.

Approved: February 8, 1974.

FRANK CARLUCCI,
Acting Secretary of Health,
Education, and Welfare.

[FR Doc.74-3588 Filed 2-11-74;9:20 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Proposed Revision to State of Virginia Implementation Plan

On December 5, 1973, the Commonwealth of Virginia Air Pollution Control Board adopted amendments to the State Air Pollution Control Regulations. These revisions were subjected to a public hearing, held in Richmond, Virginia, on November 26, 1973. The amendments expand the procedures for review of buildings or other facilities prior to construction or modification in order to include consideration of the air quality impact not only of pollutants emitted directly from stationary sources, but also of pollution arising from mobile source activity associated with such buildings or facilities (termed indirect sources). These revisions were received by EPA on December 13, 1973.

These changes constitute a proposed revision to the State of Virginia Implementation Plan pursuant to § 51.18 of this chapter. This notice is issued to advise the public of the receipt of this proposed change and to request public comment on it. The Administrator's decision to approve or disapprove revisions to a plan is based on whether they meet the requirements of section 110(a)(2)(A)-(H) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption and Submittal of State Implementation Plans.

All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania, 19106. Only comments received by March 14, 1974 will be considered. Copies of the proposed revision to the State of Virginia Implementation Plan are available for public inspection during normal business hours at the Offices of EPA, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania, 19106; the Freedom of Information Center, EPA, 401 M Street SW., Washington, D.C., 20460; and at the Commonwealth of Virginia Air Pollution Control Board, Room 1106, Ninth Street State Office Building, Richmond, Virginia, 23219.

(42 U.S.C. 1857c-5(a))

Dated: February 7, 1974.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.74-3471 Filed 2-11-74;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 74-53]

FEDERAL SAVINGS AND LOAN SYSTEM Proposed Amendment Authorizing State Housing Corporation Investment

JANUARY 30, 1974.

The Federal Home Loan Bank Board considers it advisable to propose to

amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545), by adding a new § 545.6-25, for the purpose of authorizing and encouraging investment by Federal associations in state housing corporations pursuant to section 5 of Public Law 93-100. By a companion Resolution (Resolution No. 74-54; January 30, 1974) the Board proposes a collateral amendment to Part 563 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 563) and to issue a Statement of Policy at § 571.8 of the rules and regulations for Insurance of Accounts (12 CFR 571.8).

Section 5(b) of Public Law 93-100 (87 Stat. 342; August 16, 1973) amended section 5(c) of the Home Owners' Loan Act of 1933 to permit investment in state housing corporations by Federal savings and loan associations. Paragraph (a) of proposed new § 545.6-25 sets out the eligibility requirements for Federal associations wishing to make such investments. It restates the statutory net worth eligibility requirement of 5 percent of withdrawable accounts and the statutory provisions which restrict investments, loans and loan commitments to state housing corporations incorporated in the State where the Federal association's home office is located and to investments which State-chartered savings and loan associations are authorized to make.

Paragraph (a) of proposed new § 545.6-25 further contains a proviso setting forth the extent of permissible investment by Federal associations in state housing corporations. It restates the statutory limitation of one-fourth of one percent of assets for aggregate outstanding direct investment in equity securities, and sets a limitation of 5 percent of net worth for aggregate outstanding investment in loans and loan commitments made under the authority of proposed new § 545.6-25. Loans and loan commitments to a state housing corporation made under authority other than proposed new § 545.6-25 would not be included within such 5 percent limitation.

Paragraph (b) of proposed new § 545.6-25 implements the statutory direction to exempt investments in state housing corporations made under the proposed new § 545.6-25 from the existing percentage limitations found in § 545.6-7 (12 CFR 545.6-7).

Accordingly, the Federal Home Loan Bank Board hereby proposes to amend Part 545 by adding a new section, § 545.6-25, immediately following § 545.6-24 thereof, to read as set forth below.

Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by February 28, 1974, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential

treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

§ 545.6-25 Investment in State housing corporations.

(a) A Federal association whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts may invest in, lend to, or commit itself to lend to any state housing corporation incorporated in the State in which the home office of such association is located, in the same manner and to the same extent as the statutes of such State authorize a savings and loan association organized under the laws of such State to make such loans and investments: *Provided*, That the aggregate outstanding direct investment in equity securities made by such association under this section shall not exceed one-fourth of one per centum of its assets as of the time of such investment, and the aggregate outstanding investment in loans and loan commitments made by such association under this section shall not exceed 5 per centum of its net worth as of the time of such investment.

(b) Investments, loans and loan commitments made under this section shall not be subject to the provisions of § 545.6-7.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc. 74-3463 Filed 2-11-74; 8:45 am]

[12 CFR Parts 563, 571]

[No. 74-54]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Proposed Amendments Relating to State Housing Corporation Investment

JANUARY 30, 1974.

The Federal Home Loan Bank Board considers it advisable to propose to amend Parts 563 and 571 of the rules and regulations for Insurance of Accounts (12 CFR Parts 563 and 571) by adding a new § 563.9-5, for the purpose of regulating and encouraging investment by insured institutions in state housing corporations pursuant to section 5 of Public Law 93-100 (87 Stat. 342; August 16, 1973) and by adding a new Statement of Policy on investment in state housing corporations at § 571.8. By a companion Resolution (Resolution No. 74-53; January 30, 1974), the Board proposes a collateral amendment to Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545).

Section 5(d)(1) of Public Law 93-100 provide, in part, that the "Federal Savings and Loan Insurance Corporation with respect to insured institutions * * * shall by appropriate rule, regulation, order or otherwise regulate investment in State housing corporations". Pursuant to this provision, the Board, as the operating head of the Federal Savings and Loan Insurance Corporation, proposes to issue a regulation and policy statement to regulate such investment.

Paragraph (a) of proposed new § 563.9-5 sets out the statutory eligibility requirements for insured institutions wishing to invest in state housing corporations. An insured institution must have a net worth in excess of 5 percent of withdrawable accounts, investment is limited to state housing corporations incorporated in the State where the insured institution has its principal office, and the investment must be authorized under State law.

Paragraph (a) also sets forth investment limitations: one-fourth of one percent of assets for aggregate outstanding direct investment in equity securities, and 5 percent of net worth for aggregate outstanding investment in loans and loan commitments. These investment limitations are also proposed by the Board for investment in state housing corporations by Federal savings and loan associations (Resolution No. 74-53).

Paragraph (b) of proposed new § 563.9-5 restates section 5(d)(2) of the statute, which provides that state housing corporations in which insured institutions invest under the authority of the new statute shall make available such information as the Corporation considers "necessary to insure that investments are properly made". Pursuant to paragraph (b), insured institutions desiring to invest in state housing corporations would have to see to it that such information as the Board required would be made available by the corporation.

The proposed new statement of policy of § 571.8 recites the statutory definition of state housing corporations and states that the statute exempts an investment in such corporation from the percentage limitations otherwise applicable to Federal savings and loan associations. It then sets out an interpretation of this new lending authority which relates to the civic and community nature of the investment, and encourages such investment within the regulatory framework. Recognizing that state housing corporations may engage in housing projects whose risk as investments appear greater than usual, the proposed statement of policy provides that investments in state housing corporations shall not be negatively reported (for example, being made the subject of special appraisals) on the quality of their investment grade alone, by the Board's Office of Examinations and Supervision. However, should such an investment fall into default, it would be placed in the scheduled-item category as would any other defaulted loan.

Accordingly, the Federal Home Loan Bank Board hereby proposes to amend said Parts 563 and 571 by adding thereto new §§ 563.9-5 and 571.8 to read as set forth below. Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue, NW., Washington, D.C. 20552, by February 28, 1974, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

§ 563.9-5 Investment in State housing corporations.

(a) An insured institution whose general reserves, surplus, and undivided profits aggregate a sum in excess of 5 per centum of its withdrawable accounts may, to the extent that it has legal authority to do so, invest in, lend to, or commit itself to lend to any state housing corporation incorporated in the State in which such insured institution has its principal office: *Provided*, That the aggregate outstanding direct investment in equity securities made by such institution under this section shall not exceed one-fourth of one per centum of its assets as of the time of such investment, and the aggregate outstanding investment in loans and loan commitments made by such institution under this section shall not exceed 5 per centum of its net worth as of the time of such investment.

(b) Each state housing corporation in which an insured institution invests under the authority of this section shall make available to the Corporation such information as the Corporation may consider to be necessary to insure that investments are properly made under this section.

§ 571.8 Investment in State housing corporations.

Sections 545.6-25 and 563.9-5 of this chapter authorize investment by Federal associations, and regulate the investment by State-chartered federally-insured institutions, in state housing corporations pursuant to section 5 of Public Law 93-100. A "state housing corporation" is defined in section 5(e) (3) of that law as "a corporation established by a State for the limited purpose of providing housing and incidental services, particularly for families of low or moderate income". Section 5(b) of the statute exempts an investment in such a corporation from the percentage limitations otherwise applicable to Federal association investments. The Federal Home Loan Bank Board believes that this preferential treatment indicates that the new investment authority is meant to be limited to investment in corporations which engage in housing and housing services projects whose objectives and purposes

are primarily of a civic or community nature and seem socially desirable to the savings and loan association's board of directors, and which bear investment risks which may seem greater than usual. The Board further believes that such investment constitutes a worthy effort and therefore holds that investments made pursuant to §§ 545.6-25 and 563.9-5 will not be subject to adverse comment on the quality of their investment grade by the Office of Examinations and Supervision, in the absence the default of such investments.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc.74-3464 Filed 2-11-74;8:45 am]

VETERANS ADMINISTRATION

**[41 CFR Parts 8-2, 8-18]
PROCUREMENT OF CONSTRUCTION**

Notice of Proposed Rule Making

The Veterans Administration proposes regulatory revision of Parts 8-2 and 8-18, 41 CFR, to relocate material on the procurement of construction to conform with the arrangement of Federal Procurement Regulations, and to add to Part 8-18 material formerly contained in internal agency regulations.

Interested persons are invited to submit written comments, suggestions, or objections regarding these proposals to the Administrator of Veteran Affairs (27H), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All relevant material received before March 14, 1974, will be considered. All comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make these regulatory changes effective the date of publication in the FEDERAL REGISTER.

It is proposed to amend Parts 8-2 and 8-18, 41 CFR to read as follows:

PART 8-2—PROCUREMENT BY FORMAL ADVERTISING

§ 8-2.205-4 [Revoked]

1. Section 8-2.205-4, Excessively long bidders mailing lists, is revoked.

2. In § 8-2.407-1, paragraph (e) is revoked.

§ 8-2.407-1 General.

(e) [Revoked.]

PART 8-18—PROCUREMENT OF CONSTRUCTION

3. Section 8-18.202 is added to read as follows:

§ 8-18.202 Preinvitation notices.

An SF 19, Invitation, Bid and Award (Construction, Alteration, or Repair), or SF 20, Invitation for Bids (Construction Contract), modified as necessary to include the information required by § 1-18.202, may be used as a preinvitation notice. When so used, it will be submitted to prospective bidders at least 14 days prior to the date on which the drawings and specifications will be issued. When preinvitation notices are not used, see §§ 8-2.203-1 and 8-18.203-2.

4. Section 8-18.203-1 is revised to read as follows:

§ 8-18.203-1 Preparation of invitations for bids.

In addition to complying with the provisions of FPR 1-2.201 and 1-18.203, the following referenced provisions and clauses will be included in the invitations for bids, to the extent applicable:

- (a) Small business set-asides. (§ 8-1.706-5)
- (b) Aggregate award. (§ 8-2.201(f))
- (c) Bid samples. (FPR 1-2.202-4)
- (d) Buy American Act. (FPR 1-18.604 and § 8-18.604)
- (e) Contract clauses. (FPR 1-7.6, Subpart 8-7.6)
- (f) Bid guarantees. (§ 8-10.103)
- (g) Performance bonds. (§ 8-10.104)
- (h) Payment bonds. (FPR 1-10.105)
- (i) Federal, State, and local taxes. (FPR 1-11.401-1)
- (j) Liquidated damages. (FPR 1-18.110 and § 8-1.315)
- (k) Revisions to prescribed forms. (FPR 1-16.401)
- (l) Termination clauses. (§ 8-8.700-2)

5. Sections 8-18.203-2 and 8-18.203-3 are added to read as follows:

§ 8-18.203-2 Distribution of invitations for bids.

(a) On the issue date shown on SF 19 or SF 20, specifications, drawings, and all other material necessary to prepare a bid will be issued to each eligible prospective bidder and other agencies who request them in writing and who meet the qualifications stated in the invitation.

(b) On the issue date, two copies of the drawings and specifications for station level projects funded from construction appropriations will be furnished to the Assistant Administrator for Construction.

(c) Distribution of specifications and drawings on Central Office projects will be in accordance with that established by the Project Director.

(d) Invitations should also be sent to Chambers of Commerce, Builders Exchanges, various trade journals, and

other organizations which make a practice of publishing such information for the benefit of the construction industry.
§ 8-18.203-3 Amendment of invitations for bids.

Amendments will be sent to holders of drawings and specifications by certified mail, return receipt requested.

Approved: February 4, 1974.

By direction of the Administrator.

[SEAL] RICHARD L. ROUEBUSH,
 Deputy Administrator.

[FR Doc.74-3446 Filed 2-11-74; 8:45 am]

[41 CFR Part 8-7]

FIXED-PRICE CONSTRUCTION CONTRACTS AND COST REIMBURSEMENT TYPE CONTRACTS

Proposed Clauses

The Veterans Administration proposes regulatory revision of §§ 8-7.650, 8-7.651 and 8-7.652 relating to fixed-price construction contracts and Subpart 8-7.51 relating to cost reimbursement type contracts for education and rehabilitation. Contract clauses have been revised and new clauses added to conform to the Federal Procurement Regulations. Section 8-7.650-21 (e) and (f) is revised to increase the number of allowable tiers of subcontractors who can apply fees for overhead and profit for the purpose of pricing change orders. The revision of §§ 8-7.5100 and 8-7.5101 updates organization title and cross references.

Interested persons are invited to submit written comments, suggestions, or objections regarding these proposals to the Administrator of Veterans Affairs (27H), Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420. All relevant material received before March 14, 1974, will be considered. All comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make these regulatory changes effective the date of publication in the FEDERAL REGISTER.

It is proposed to amend Part 8-7, 41 CFR, to read as follows:

1. In Part 8-7, § 8-7.650-21 (e) and (f) is amended to read as follows:

§ 8-7.650-21 Contract changes.

Clause 3, Changes, and Clause 4, Differing Site Conditions, of General Provisions SF 23A, are supplemented as follows:

(e) The Prime Contractor's or upper-tier subcontractor's fee on work performed by lower-tier subcontractors will be based on the net increased cost to the Prime Contractor or upper-tier subcontractor, as applicable. Allowable fee on changes will not exceed the following: 10 percent fee on first \$20,000; 7½ percent fee on next \$30,000; and 5 percent fee on balance over \$50,000.

(f) Not more than four percentages, none of which exceed the percentages shown above, will be allowed regardless of the number of tiers of subcontractors.

2. Section 8-7.651-4 is revised to read as follows:

§ 8-7.651-4 Reference to "Standards."

Insert the clause set forth in § 8-7.650-8. Modification of paragraph (b) of the clause is authorized to identify the office issuing the solicitation and at which specifications may be seen.

3. Section 8-7.651-6 is revised to read as follows:

§ 8-7.651-6 Safety requirements.

Insert the clause set forth in § 8-7.650-20.

4. Section 8-7.651-8 is revised to read as follows:

§ 8-7.651-8 Payrolls and basic records.

Insert the clause set forth in § 8-7.650-16.

5. Section 8-7.651-12 is added to read as follows:

§ 8-7.651-12 Bonds.

Insert the clause set forth in § 8-7.650-4.

6. Section 8-7.652-2 is revised to read as follows:

§ 8-7.652-2 Reference to "Standards."

Insert the clause set forth in § 8-7.650-8. Modification of paragraph (b) of the clause is authorized to identify the office issuing the solicitation and at which specifications may be seen.

7. Section 8-7.652-4 is revised to read as follows:

§ 8-7.652-4 Safety requirements.

Insert the clause set forth in § 8-7.650-20.

8. Section 8-7.652-5 is added to read as follows:

§ 8-7.652-5 Protection of property.

Insert the clause set forth in § 8-7.651-11.

9. The title of Subpart 8-7.51 is changed to read as follows:

Subpart 8-7.51—Cost Reimbursement Type Contracts for Education and Rehabilitation

10. In § 8-7.5100, paragraphs (a) and (d) are amended to read as follows:

§ 8-7.5100 Scope of subpart.

(a) This subpart sets forth contract clauses for use in cost reimbursement type

contracts relating to education and rehabilitation.

(d) Clauses inconsistent with those listed in this subpart, but considered essential to the procurements of training and education may be used as provided in the deviation procedure set forth in § 8-1.109.

11. Section 8-7.5101 is revised to read as follows:

§ 8-7.5101 Clauses to be used when applicable.

The clauses contained in this section will be included in contracts relating to education and rehabilitation under the conditions set forth in connection with each clause.

12. Sections 8-7.5101-3 and 8-7.5101-4 are revised to read as follows:

§ 8-7.5101-3 Disputes.

Insert the clause set forth in FPR 1-7.102-12.

§ 8-7.5101-4 Notice and assistance regarding patent and copyright infringement.

Insert the clause set forth in FPR 1-7.103-4 if the contract is expected to exceed \$10,000.

13. Section 8-7.5101-7 is revised to read as follows:

§ 8-7.5101-7 Contract Work Hours and Safety Standards Act—overtime compensation.

Insert the clause set forth in FPR 1-12.303 under the conditions contained in FPR 1-12.302.

14. Sections 8-7.5101-9 and 8-7.5101-10 are revised to read as follows:

§ 8-7.5101-9 Officials not to benefit.

Insert the clause set forth in FPR 1-7.102-17.

§ 8-7.5101-10 Inspection.

Insert the following clause in contracts entered into with educational institutions and training establishments for education and rehabilitation:

INSPECTION

The contractor will permit the duly authorized representative of the Veterans Administration to visit the place of instruction as may be necessary and examine the training facilities and work of the veterans in training under this contract.

15. Section 8-7.5101-11 is revised to read as follows:

§ 8-7.5101-11 Extension of contract period.

The following clause will be included in contracts where appropriate pertaining to services for education and rehabilitation:

EXTENSION OF CONTRACT PERIOD

This contract may be extended from year to year if agreeable to both parties

provided the agreement for extension is consummated 30 days prior to the expiration date, and further provided that there is no change in the provisions, terms, conditions, or rate of payment. Any extension made hereunder is subject to the availability of funds during the period covered by the extension.

16. Sections 8-7.5101-12 and 8-7.5101-13 are added to read as follows:

§ 8-7.5101-12 Examination of records by Comptroller General.

Insert the clause set forth in FPR 1-7.103-3.

§ 8-7.5101-13 Listing of employment openings.

Insert the clause set forth in FPR 1-12.1102-2.

Approved: February 5, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-3444 Filed 2-11-74; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1953]

[Docket No. SP-2]

CHANGES TO STATE PLANS

Proposed Definitions and Procedures

Notice is hereby given that under the authority of sections 8(g)(2) and 18 of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 657(g)(2) and 667), it is proposed to add Subpart C where it was reserved in 29 CFR Part 1953 published September 7, 1973 (38 FR 24361).

The new Subpart C contains definitions and procedures for the submission and consideration of State change supplements in response to Federal program changes, in order to assure that the States fulfill the assurances upon which plan approval under section 18(c) of the Act was based.

Foremost among these assurances are those given by the States under § 1902.3(c)(1) and (2) of this chapter that the State plans shall include, or provide for the development or adoption of, standards and that the State will continue to develop or adopt standards which are, or will be, at least as effective as those promulgated under section 6 of the Act as required under § 1902.4(a)(1) or (2) of this chapter; and those assurances required under § 1902.3(d)(1) of this chapter that the State plans shall provide a program for the enforcement of the State standards which is, or will be, at least as effective as that provided in the Act, and that the State enforcement program will continue to be at least as effective as the Federal program as required in § 1902.4(a)(1) or (2) of this chapter.

It is the purpose of 29 CFR Part 1953, Subpart C, to set out procedures by which the Assistant Secretary for Occupational

Safety and Health (hereinafter referred to as the Assistant Secretary) under a delegation of authority from the Secretary of Labor (Secretary's Order 12-71, 36 FR 8754) will require submission and review of State supplements in response to Federal program changes that impact on the effectiveness of State programs. Whenever the change relates to occupational safety and health standards, the Assistant Secretary in accordance with § 1953.4 of this chapter has delegated his authority for review and approval of standards supplements to the Assistant Regional Directors for Occupational Safety and Health.

Interested persons are given until March 14, 1974, to submit written comments, suggestions or objections regarding the proposed Subpart C to the Office of the Director, Federal and State Operations, Docket No. SP-2, Room 850, 1726 M Street, NW., Washington, D.C. 20210.

Comments received will be available for public inspection and copying during normal business hours at the above address. The proposed rule may be revised prior to final publication to reflect suggestions made by the public comments.

Subpart C—Federal Program Change Supplements

Sec.	
1953.20	Definitions.
1953.21	Standards supplements.
1953.22	Emergency temporary standards.
1953.23	Submission and consideration of Federal program changes.

Subpart C—Federal Program Change Supplements

§ 1953.20 Definitions.

When any alteration in the Federal program could have and adverse impact on the "at least as effective as" status of the State program, a program change supplement to a State plan would be required. Examples of Federal program changes that would require a supplement include promulgation or modification of standards, including emergency temporary standards; revisions in enforcement policies or procedures; and legislative or regulatory changes in the Federal program, including record-keeping and reporting requirements. A Federal program change that would either not affect or result in no diminution of the effectiveness of a State plan, would not require action by the States.

§ 1953.21 Standards supplements.

(a) (1) In accordance with section 18(c) of the Act, § 1902.3(c)(1) and (2) and § 1902.4(b)(2)(i) through (vii) of this chapter, and the assurances contained in an approved plan, each State has agreed that its standards, including emergency temporary standards, will continue to be identical to or "at least as effective as", Federal standards promulgated under section 6 of the Act relating to issues covered by the approved plan. The requirement to be at least as effective includes modifications, revisions, or revocations of standards. Since a State may include standards in addition to Federal standards within an issue covered by an approved plan, it would

generally not be necessary for a State to revoke a standard when the comparable Federal standard is revoked and no substitute Federal standard is promulgated unless revocation is determined to be essential to the effectiveness of the program.

(2) In the case of product standards where section 18(c)(2) of the Act requires that State plans meet certain tests before more stringent standards can be adopted or retained by the States, the modification or revision of the Federal product standard would necessitate the modification or revision of the comparable State standard unless the State product standard is required "by compelling local conditions and [does] not unduly burden interstate commerce."

(b) The procedures in § 1953.22 are applicable to the submission of emergency temporary standards. The procedures in § 1953.23 apply to submission of supplements for permanent standards. When an emergency temporary standard is adopted as a permanent standard the procedure in § 1953.23 is applicable.

§ 1953.22 Emergency temporary standards.

(a) (1) Immediately upon publication of the emergency temporary standard in the FEDERAL REGISTER, the Assistant Regional Director shall advise the State of the standard and the reason why a Federal program change supplement may be required. The notification shall also state that the State has 30 days after the effective date or notification of the Federal standard change whichever is sooner, to adopt, under the emergency procedures contained in the plan as required under § 1902.4(a)(1) or (b)(2)(v) of this chapter, a State emergency temporary standard if the State plan covers that issue.

(2) Within 10 days after receipt of the notice of the Federal emergency temporary standard from the Assistant Regional Director, the State shall advise the Assistant Regional Director, of the action it will take and any estimated date of promulgation. The State should advise whether: (i) It plans to adopt the Federal standard, (ii) it plans to adopt an "at least as effective as" State standard, (iii) the State has an existing standard that is at least as effective, or (iv) the Federal standard is not within an issue covered by the State plan.

(3) The State may also request a finding from the Assistant Secretary that there is good cause why the State is not required to adopt the standard on an emergency basis. The request must be supported by relevant data as provided under § 1902.2(c)(2) and (3) of this chapter to show that there is no occupational exposure to the hazard within the State such as to warrant an emergency standard. The provisions in this section will be applicable to such a request.

(b)(1) The emergency temporary standard shall be submitted to the Assistant Regional Director within 5 days following its adoption by the State. The

Assistant Regional Director shall review the supplement and if examination discloses that the State standard is identical to the Federal standard, the Assistant Regional Director shall publish a notice to that effect approving the State change.

(2) If examination discloses that the State standard differs from the Federal standard, the Assistant Regional Director shall cause to be published in the FEDERAL REGISTER a notice that the question of approval or rejection of the State emergency temporary standard is in issue before him. Because of the emergency nature of the standard, the comment period may be limited to 15 days. After consideration of the State submission and public comments, the Assistant Regional Director shall cause to be published in the FEDERAL REGISTER a decision approving or rejecting the State standard. The Assistant Regional Director may, in his discretion, hold an informal hearing on rejection of the State emergency standard.

§ 1953.23 Submission and consideration of Federal program changes.

(a) Within 15 days after the occurrence of a Federal program change, other than promulgation of emergency temporary standards, the Assistant Regional Director shall advise the State of the Federal program change and the reason why a State supplement may be necessary. The notification shall also contain a time period for submission of the Federal program change supplement, or a timetable for such change, generally not to exceed 30 days.

(b) (1) An authorized representative of the State agency or agencies designated under section 18(c) (1) of the Act to administer the plan shall submit the supplement with 6 copies to the Assistant Regional Director. The supplement shall contain the change as well as a timetable for completion of the change where necessary. Whenever the State change differs from the Federal program change, the supplement shall contain documentation on how the change maintains the "at least as effective as" status of the plan.

(2) The State may show cause why a supplement should not be required on the grounds that the State program is already the same as or "at least as effective as" the Federal program change, or that the failure to adopt the Federal program change would not diminish the effectiveness of the State program. The procedure in this section would be applicable thereto.

(c) Upon receipt of the Federal program change supplement submitted by the State, the Assistant Regional Director shall make a preliminary review of the change. If his examination reveals any defect in the supplement, the Assistant Regional Director shall offer assistance to the State and shall provide the agency with an opportunity, generally not to exceed 30 days, to cure such defect. After the preliminary review and

after affording the State such opportunity to cure any defects, the Assistant Regional Director shall submit the Federal program change supplement promptly to the Assistant Secretary except as provided in § 1953.4 of this part for review of standards supplements.

(d) (1) Upon receipt of the Federal program change supplement from the Assistant Regional Director, the Assistant Secretary shall examine the change and supporting material. If examination discloses that the State change is identical to the Federal program change the Assistant Secretary may publish notice to that effect approving the State change. If examination discloses that the Federal program change supplement submitted by the State differs from the Federal change or when the timetable for an identical Federal change supplement might require revision, the procedures provided in §§ 1902.11 and 1902.12 of this chapter shall be followed.

(2) If examination discloses cause for rejecting the change or when the State declines to submit a change without sufficient reasons the Assistant Secretary shall provide the State with a reasonable time, generally not to exceed 30 days, to submit to the Assistant Regional Director, for review and submission to the Assistant Secretary, a revised supplement or to show cause why a proceeding should not be commenced for rejection of the change or for failure to submit a change, in accordance with the procedures in § 1902.17 of this chapter.

(e) A Federal program change supplement will be reviewed in the context of the entire plan to determine its impact on the "at least as effective as" status of the plan. The decision shall reflect the Assistant Secretary's determination as to whether the change meets those requirements.

(Sec. 18 Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Washington, D.C., this 6th day of February 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-3387 Filed 2-11-74; 8:45 am]

Wage and Hour Division

[29 CFR Parts 601, 613, 657, 673, 675, 678, 690, 699, 720, 727, 728, 729]

[Administrative Order No. 629]

INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment To Investigate Conditions and Recommend Minimum Wage Rates; Notice of Hearings

1. Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby appoint the following industry committees for the industries indicated:

Committee No.:	Industry
116-A-----	Nonrubber footwear
116-B-----	Rubber and plastics footwear
117-----	Textile mill products
118-----	Food and kindred products
119-A-----	Rubber and plastics products
119-B-----	Jewelry and miscellaneous products
120-A-----	Furniture and wood products
120-B-----	Stone, clay and glass products
121-A-----	Tobacco products
121-B-----	Hotels
121-C-----	Restaurants
122-----	Agriculture

2. These industries are defined as follows:

(a) The nonrubber footwear industry in Puerto Rico is defined as follows: The manufacture of footwear, except rubber and plastics footwear or footwear made by knitting and crocheting; and the manufacture of cut stock and findings for footwear, except that of rubber and plastics: *Provided, however,* That the industry shall not include any activity included in the rubber and plastics footwear industry or the rubber and miscellaneous plastics industry.

The industry encompasses, but is not limited to, shoes, slippers, moccasins, boots, boot tops, sandals, and athletic footwear, including footwear of leather, artificial leather, and vinyl. The industry does not include footwear made by vulcanizing or molding soles to fabric uppers, plastic footwear molded to shape, or rubber and plastics protective footwear, sandals, and slippers. Also included are cut stock and findings for footwear from all materials except rubber and plastics; boot and shoe patterns; and ornaments and trimmings designed primarily for use on shoes.

(b) The rubber and plastics footwear industry in Puerto Rico is defined as follows: The manufacture of footwear made by vulcanizing soles to fabric uppers, footwear made by molding plastic soles to fabric uppers, rubber and plastics protective footwear, plastic footwear molded to shape, and rubber and plastics sandals and slippers: *Provided, however,* That the industry shall not include any activity included in the non-rubber footwear industry or the rubber and miscellaneous plastics products industry.

(c) The textile mill products industry in Puerto Rico is defined as follows: The preparation of textile fibers, including the ginning and compressing of cotton; the manufacture of batting, wadding, filling; the manufacture, including dyeing and finishing of yarn, thread, cordage, twine, felt, woven and knitted fabrics, and lacemachine products from cotton, jute, sisal, coir, maguey, silk, rayon, nylon, wool, or other vegetable, animal, or synthetic fiber or from mixtures of these fibers; and the manufacture of blankets, textile bags, quilts, pillows, hairnets, oilcloth, and artificial

leather containing a textile or paper base, woven carpets and rugs, and hooked or punched rugs and carpeting: *Provided, however,* That the industry shall not include any product or activity included in the chemical, petroleum, and related products industry; the furniture and fixtures and lumber and wood products industry; or in any apparel or needlework industry in Puerto Rico for which a separate Wage Order has been issued.

(d) The food and kindred products industry in Puerto Rico is defined as follows: The canning, preserving (including freezing, drying, curing, pickling, and similar processes), or other manufacturing or processing, and the packaging in conjunction therewith, of foods, ice, alcoholic and nonalcoholic beverages, the handling, grading, packing, or preparing in their raw or natural state of fresh vegetables, fresh fruits, or nuts, and the gathering of wild plant or animal life; the production of raw sugar, cane juice, molasses, and refined sugar, and incidental by-products, and all railroad transportation activities carried on by a producer of any of these products (or by any firm owned or controlled by, or owning and controlling such producer, or by any firm owned or controlled by the parent company of such producer) where the railroad transportation activities are in whole or in part used for the production or shipment of the products of the industry, and any transportation activities by truck, vessel, or other vehicle performed by a producer of products of such producer: *Provided, however,* That the industry shall not include any product or activity included in the chemical, petroleum, and related products industry or any transportation activity covered by the wage order for the communications, utilities, and transportation industry, or any transportation activity in which the agricultural exemption contained in section 13(a) of the Act was applicable prior to February 1, 1967.

The industry includes, but is not limited to, the manufacture or processing of meat animal products, poultry and poultry products, milk and dairy products, fish and seafood products, fruit and vegetable products, grains and grain products, sugar and confectionery products, fats and oils, bakery products, beverages, and miscellaneous food preparations and kindred products.

(e) The rubber and miscellaneous plastics products industry in Puerto Rico is defined as follows: The manufacture from natural, synthetic, or reclaimed rubber or latex rubber products such as, but not limited to, tires and tubes, reclaimed rubber, rubber and plastics hose and belting, industrial and mechanical rubber goods, rubberized fabrics, miscellaneous rubber specialties and sundries, recapped and retreaded tires, rubber and plastics cut stock and findings for footwear, and miscellaneous fabricated plastic products: *Provided, however,* That the industry shall not include any activity in the rub-

ber and plastics footwear industry; the chemical, petroleum and related products industry; the leather, leather goods and related products industry, the gloves and mittens industry; the corsets, brassieres and clothing and related products industry; the women's outerwear, needlework and miscellaneous fabricated textile products industry; the textile mill products industry; and the jewelry and miscellaneous products manufacturing industry.

(f) The jewelry and miscellaneous products manufacturing industry in Puerto Rico is defined as follows: The manufacture of jewelry and jewelry products including the processing of natural or synthetic stone for jewelry or industrial use; the manufacture of artificial flowers except those made of molded plastic, party favors and similar products, straw, hair and related products; and all other manufacturing activities which are not included in the definitions of other manufacturing industries in Puerto Rico for which wage orders have been issued: *Provided, however,* That the industry shall not include any activity carried on by an establishment primarily engaged in another industry in Puerto Rico for its own use.

This industry includes, but is not limited to, the manufacture of jewelry and jewelry findings, rosaries, beads, buttons, buckles, and hair ornaments and accessories; the processing of stones for jewelry or industrial use; the manufacture of flowers, buds, berries, foliage, leaves, fruits, plants, stems, and branches which are made from materials other than molded plastic and which are commonly or commercially known as artificial; the manufacture of party favors and ornaments and decorations for holidays except those made of molded plastics or metal other than metallic chenille, foil or tinsel; and the manufacture of products made wholly or chiefly of straw, raffia, sisal, maguay, palm leaves, rushes, grasses, hair bristles, feathers and similar materials.

(g) The furniture and fixtures and lumber and wood products industry in Puerto Rico is defined as follows: The manufacture of household, office, public building, and restaurant furniture, and office and store fixtures; and the manufacture of products made from lumber, wood and related materials; and logging and wood preserving: *Provided, however,* That the industry shall not include any product or activity in the metal, machinery, transportation equipment and allied products industry; the jewelry and miscellaneous products manufacturing industry; the construction industry; or the paper, paper products, printing, and publishing industry.

The industry includes, without limitation, furniture, office and store fixtures, mattresses and bedsprings, boxes and containers, cooperage, window and door screens and blinds, caskets and coffins, matches, sawmill products, planing and plywood mill products, charcoal; trays,

bowls, and other woodenware; excelsior, cork, bamboo, rattan, and willow-ware articles.

(h) The stone, clay and glass products and nonmetallic mining industry in Puerto Rico is defined as follows: The manufacture from nonmetallic mineral products such as, but not limited to, structural clay products, china, pottery, tile and other ceramic products and refractories; glass and glass products (except lenses); dimension and cut stone; crushed stone; sand and gravel; hydraulic cement; abrasives, lime, concrete, gypsum, mica, plaster, and asbestos; and the mining, quarrying, or other extraction and further processing of nonmetallic minerals, except chemical and fertilizer minerals and fossil fuels: *Provided, however,* That the industry shall not include any product or activity included in the jewelry and miscellaneous products manufacturing industry; the construction industry; the metal, machinery, transportation equipment, and allied products industry; or the chemical, petroleum and related products industry.

(i) The tobacco manufactures industry in Puerto Rico is defined as follows: The processing of leaf tobacco including, but without limitation, the grading, fermenting, stemming, chopping, packing, storing, drying, and handling of tobacco; and the manufacture of cigarettes, cigars, cheroots, little cigars, snuff, chewing tobacco, and smoking tobacco.

(j) The hotel and motel industry in Puerto Rico is defined as follows: The operation of hotels, motels, apartment hotels which provide accommodations for transients, and tourist courts, engaged in providing lodging, with or without meals, for the general public, including all activities incidental to any of the foregoing: *Provided, however,* That the hotel and motel industry in Puerto Rico shall not include any activity to which the Fair Labor Standards Act of 1933 would have applied prior to the Fair Labor Standards Amendments of 1966.

(k) The restaurant and food service industry in Puerto Rico is defined as follows: The operation of restaurants and other food service establishments engaged in the preparation or offering of food or beverages for human consumption either on the premises, or by such other services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of club: *Provided, however,* That the restaurant and food service industry in Puerto Rico shall not include food service in retail establishments: *Provided, further,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1933 would have applied prior to the Fair Labor Standards Amendments of 1966.

(l) The agriculture industry in Puerto Rico is defined as follows: Farming in all its branches, including the cultivation

and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur bearing animals, or poultry, and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including the preparation for market, delivery to storage or to market or to the carriers for transportation to market: *Provided, however,* That the agricultural industry shall not include any activities included in the food and related products industry in Puerto Rico, the tobacco industry in Puerto Rico, and the communications, utilities, and transportation industry in Puerto Rico: *And provided further,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

3. Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene the above-appointed industry committees;

(b) Refer to the industry committees the question of reviewing the minimum wage rates that are below \$1.60 for the above-mentioned industries in Puerto Rico as these industries are herein defined; except agriculture where minimum rates below \$1.30 will be the only rates considered.

(c) Give notice of the hearings to be held by the several committees at the times and place indicated below. The committees shall investigate conditions in the industries and the committees, or any authorized subcommittee thereof, shall hear witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act.

(1) Industry Committee No. 116-A will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, March 11, 1974. Following this hearing, Industry Committee No. 116-B will immediately convene to conduct its investigation and to hold its hearing.

(2) Industry Committee No. 117 will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, March 18, 1974.

(3) Industry Committee No. 118 will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, April 15, 1974.

(4) Industry Committee No. 119-A will meet in executive session to commence

its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, April 22, 1974. Following this hearing, Industry Committee No. 120-B will immediately convene to conduct its investigation and to hold its hearing.

(5) Industry Committee No. 120-A will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, May 20, 1974. Following this hearing, Industry Committee No. 121-B will immediately convene to conduct its investigation and to hold its hearing.

(6) Industry Committee No. 121-A will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, June 10, 1974. Following this hearing, Industry Committee No. 121B will immediately convene to conduct its investigation and to hold its hearing. Following this hearing, Industry Committee No. 121-C will immediately convene to conduct its investigation and to hold its hearing.

(7) Industry Committee No. 122 will meet in executive session to commence its investigation at 9:30 a.m. and begin its public hearing at 10:30 a.m. on Monday, June 24, 1974.

4. The hearings will take place in the offices of the Wage and Hour Division on the seventh floor of the Condominio San Alberto Building, 1200 Ponce De Leon Avenue, in Santurce, Puerto Rico.

5. Each industry committee shall recommend to the Administrator of the Wage and Hour Division of the Department of Labor the highest minimum wage rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, or American Samoa. However, no industry committee shall recommend minimum wage rates in excess of \$1.60 an hour; nor shall Industry Committee No. 122 recommend minimum rates in excess of \$1.30 an hour for any classification in the general agriculture industry.

6. Whenever an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities in the industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein and in 29 CFR 511.10 which will not

give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, each industry committee shall consider, among other relevant factors, the following: (a) Competitive conditions as affected by transportation, living, and production costs; (b) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (c) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

7. The Administrator shall prepare an economic report for each industry committee containing such data as he is able to assemble pertinent to the matters referred to them. Copies of such reports may be obtained at the national and Puerto Rican offices of the Wage and Hour Division of the U.S. Department of Labor as soon as they are completed and prior to the hearings. The industry committees shall take official notice of the facts stated in the economic reports to the extent that they are not refuted at the hearing.

8. The procedure of industry committees shall be governed by 29 CFR Part 511. Interested persons wishing to participate in any of the hearings shall file prehearing statements, as provided in 29 CFR 511.8 containing the data specified in that section not later than 10 days before the first hearing date set for each committee as set forth in this notice of hearing, i.e., March 1, 1974, for matters to be considered by Industry Committees No. 116-A and 116-B; March 8, 1974 for matters to be considered by Industry Committee No. 117; April 5, 1974 for matters to be considered by Industry Committee No. 118; April 12, 1974 for matters to be considered by Industry Committee Nos. 119-A and 119-B; May 10, 1974 for matters to be considered by Industry Committee Nos. 120-A and 120-B; May 31, 1974 for matters to be considered by Industry Committee Nos. 121-A, 121-B, and 121-C; and June 14, 1974 for matters to be considered by Industry Committee No. 122.

Signed at Washington, D.C. this 6th day of February 1974.

PETER J. BRENNAN,
Secretary of Labor.

[FR Doc.74-3389 Filed 2-11-74;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.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order 140 (Rev. 2)]

ASSISTANT COMMISSIONER (STABILIZATION) ET AL.

Delegation of Authority in Stabilization Matters

1. The authority granted the Commissioner of Internal Revenue by Cost of Living Council Order Number 37, and Amendments 1 and 2, and Treasury Department Orders No. 150-82 and No. 150-82 (Rev. 1) is hereby redelegated to the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization) and District Directors and also to Key District Directors to exercise in and for the related Associate Districts. Key District Directors will exercise functional supervision over Stabilization activities in related Associate Districts.

2. This authority may be redelegated by the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization) and District Directors and may not be further redelegated.

3. Delegation Order Number 140 (Rev. 1), issued December 7, 1973 is superseded.

Issued: February 1, 1974.

Effective date: February 1, 1974.

[SEAL] DONALD C. ALEXANDER,
Commissioner.

[FR Doc.74-3385 Filed 2-11-74;8:45 am]

[Order 145]

ASSISTANT COMMISSIONER (STABILIZATION) ET AL.

Delegation of Authority for Compliance and Enforcement in Energy Matters

1. Pursuant to the authority vested in the Commissioner of Internal Revenue and the authority delegated to him by Treasury Department Order No. 228 and Federal Energy Office Order No. 3, there is hereby redelegated to the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization), and District Directors, and also Key District Directors to exercise in and for the related Associate District, the authority to perform compliance and enforcement functions on behalf of the Federal Energy Office. Key District Directors will exercise functional supervision over energy activities in related Associate Districts.

2. The authority hereby delegated, to be exercised subject to the general policy guidance and direction of the Administrator of the Federal Energy Office, includes, but is not limited to, the following:

The authority to:

(a) Conduct investigations to determine compliance with the Federal Energy Office's regulations and orders issued pursuant to such regulations.

(b) Notify persons and/or business entities of probable violations of the regulations and orders of FEO, issue remedial orders, monitor remedial activities and approve compliance actions with respect thereto.

(c) Sign and enforce subpoenas for the attendance and testimony of witnesses and the production of relevant documents, including books and papers, and to administer oaths, all in accordance with section 206 of the Economic Stabilization Act of 1970, as amended, with respect to functions delegated by this order and, subject to the concurrence of the General Counsel of FEO, seek judicial enforcement of such subpoenas.

(d) Collect civil penalties and compromise or settle cases involving civil penalties for violations of the regulations and orders of FEO. This authority is subject to review by the Administrator, FEO.

3. This authority may be redelegated by the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization), and District Directors and may not be further redelegated.

Issued: February 1, 1974.

Effective as of December 26, 1973.

[SEAL] DONALD C. ALEXANDER,
Commissioner.

[FR Doc.74-3386 Filed 2-11-74;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR CHEMISTRY

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given of a meeting of the Advisory Panel for Chemistry to be held at 9 a.m. on February 14 and 15, 1974, in Room 338 at 1800 G Street, NW., Washington, D.C. 20550.

The purpose of this Panel is to provide advice and recommendations concerning support for research in chemistry.

The agenda for this meeting shall include:

FEBRUARY 14

9:00—Review and evaluation of specific research proposals.

12:00—Recess for Lunch.

1:30—Discussion of Current Status of NSF Budget: Division Director, Mathematical and Physical Sciences.

2:30—Discussion of Criteria for Allocation of Resources: Head, Chemistry Section.

5:30—Adjourn.

FEBRUARY 15

9:00—Discussion of Future Directions of Chemistry: Head, Chemistry Section.

12:00—Recess for Lunch.

1:30—Continued Discussion of Future Directions of Chemistry: Head, Chemistry Section.

5:00—Adjourn.

The morning portion of the session on February 14 (9 a.m. to 12 p.m.) is concerned with matters which are within the exemptions of 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of P.L. 92-463.

The remainder of this meeting shall be open to the public. Individuals who wish to attend should inform Dr. M. Kent Wilson, Head, Chemistry Section by telephone (202-632-4262) or by mail (Room 346, 1800 G Street, NW., Washington, D.C. 20550) prior to the meeting. Persons requiring further information concerning this Panel should contact Dr. M. Kent Wilson at the above address. Summary minutes relative to the open portion of this meeting may be obtained from the Management Analysis Office, Room K-270, 1800 G Street, NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director
for Administration.

JANUARY 29, 1974.

[FR Doc.74-3438 Filed 2-11-74;8:45 am]

ADVISORY PANEL FOR SOCIAL PSYCHOLOGY

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given of a meeting of the Advisory Panel for Social Psychology to be held at 9 a.m. on February 28 and March 1, 1974, in Room 517 at 1800 G Street, NW., Washington, D.C. 20550.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects. The agenda will be devoted to the review and evaluation of research proposals.

This meeting is concerned with matters which are within the exemptions of 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of P.L. 92-463.

For further information concerning this Panel, contact Ms. Nancy G. Allin-

son, Assistant to Program Director for Social Psychology, Room 205, 1800 G Street, NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director
for Administration.

JANUARY 29, 1974.

[FR Doc.74-3439 Filed 2-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service COOPERATIVE FORESTRY RESEARCH ADVISORY BOARD

Notice of Meeting

The Cooperative Forestry Research Advisory Board will meet February 13, 1974, 9 a.m., Room 3132 Auditors Building, USDA, Washington, D.C.

The meeting is open to the public. The Advisory Board will consider recommendations for the allocation of McIntire-Stennis Cooperative Forestry Research funds and special grants as a part of the program.

The names of Board members and agenda are available upon request to the Recording Secretary, R. L. Lovvorn, USDA, CSRS, Washington, D.C. 20250. Written statements may be filed with the Board before or after the meeting.

R. L. LOVVORN,
Administrator.

[FR Doc.74-3419 Filed 2-11-74;8:45 am]

Animal and Plant Health Inspection Service

ANIMAL WELFARE

List of Licensed Exhibitors

Pursuant to the provisions of the Act of August 24, 1966, as amended by the Animal Welfare Act of 1970 (7 U.S.C. 2131 et seq.), and the regulations thereunder (9 CFR Part 2), notice is hereby given that the following exhibitors are licensed under said Act:

ALABAMA

Birmingham Zoo
2630 Cahaba Road, Birmingham 35223
Weaver, M. G., dba Canyonland Park, Inc.
Box 158, Leesburg 35983

ARKANSAS

Holiday Island Animal Park
Route 2, Eureka Spring 72632
Little Rock Zoological Gardens
Room 108, City Hall, Little Rock 72201

CALIFORNIA

Allen, Charles
P.O. Box 91, Pixley, 93256
Alpine Village
833 West Torrance Boulevard, Torrance
90502
Baby Zoo, Inc.
1384 Graff Avenue, San Leandro 94577
Berwick, Ray, Universal Studio Tours
Universal City 91608
Big John A. Strong and Sons Circus
275 Oakwood Drive, Thousand Oaks 91360
Blaszak, Klaudiusz and Ada Smieja
P.O. Box 1, Fillmore 93015
Burke Malcom, Inc.
6348 Los Gatos Highway, Santa Cruz 95060
California Alligator Farm
7671 LaPalma Avenue, Pomona 91766

Child's Estate Foundation
P.O. Box 4758, Santa Barbara 93103

City of Folsom
50 Natoma Street, Folsom 95630

City of Oakland, Office of Parks and Recreation
1520 Lakeside Drive, Oakland 94612

Department of Parks and Recreation
155 West Washington Boulevard, Los Angeles 90015

Frank Inn, Inc.
12265 Branford Street, Sun Valley 91352

Holter, Gene, dba Movieland Animals, Inc.
10940 Riverside Avenue, Bloomington 92316

International Animal Menagerie, Inc.
P.O. Box 76, San Anselmo 94960

Jett, Alma
11025 Cypress Avenue, Fontana 92335

Johnson, Ronald C. and Carl L., dba Ron's
Tropical Fish Pet and Pet Supplies
Miniature Zoo, CN366Z, 7788 Cypress Avenue,
Riverside 91503

Kaye, Paul V., dba Entertainment Enterprises
and Kay Continental Circus
1680 North Vine Street, Suite 519, Hollywood
90028.

Kellner, S. J., dba George Matthews Great
London Circus
604 Ferry Street, Martinez 94553

Kennard, A. W.
P.O. Box 764, Thousand Oaks 91360

Knott's Berry Farm
8039 Beach Boulevard, Buena Park 90620

Lion Country Safari, Inc.
8800 Moulton Parkway, Laguna Hills 92653

Los Angeles Zoo
5333 Zoo Drive, Los Angeles 90027

Lybarger, Ted DeWayne
P.O. Box 9621, North Hollywood 91609

Magie Mountain, Inc.
26101 Magic Mountain Parkway, P.O. Box
5500, Valencia 91355

Meredith, Gordon W.
12137 Lopez Canyon Road, San Fernando
91342

Micke Grove Park and Zoo
11793 North Micke Grove Road, Lodi 95240

Mount Wilson Skyline Park
6121 Santa Monica Boulevard, Hollywood
90038

Orphans of the Wild
P.O. Box 1865, Buellton 93427

Parks and Recreation Department
c/o City Hall, Roseville 95678

Real Fun Corporation
5423 East Laurel Street, Fresno 93737

Robertson, Clyde E.
1193 4th Street, Norco 91760

Roeding Park Zoo
892 West Belmont Avenue, Fresno 93728

Sacramento Zoo
3930 W. Land Park Drive, Sacramento 95822

San Francisco Zoological Gardens
Zoo Road and Skyline Boulevard, San Fran-
cisco 94132

San Luis Obispo County Department of
Parks and Beaches
1009 Monterey Street, San Luis Obispo 93401

Sequoia Park and Zoo
P.O. Box 1018, Eureka 95501

Shapiro, Jim, dba Perris Zoo
2055 A Street, Perris 92370

Snyder, Fay E., dba Yvette's Mini Circus
Revue
P.O. Box 5343, Station #1, North Hollywood
91605

Universal Studio Tours—Tour Operations
P.O. Box 8620, Universal City 91608

Weinhart, John, dba Jungle Cat World
P.O. Box 331, Rialto 92376

Zoological Society of San Diego
P.O. Box 551, San Diego 92112

COLORADO

Cheyenne Mountain Zoological Park
Box 158, Colorado Springs 80901
Denver Zoological Foundation
c/o Denver Zoological Gardens, Denver 80205

CONNECTICUT

Beardsley Park Zoo
Noble Avenue, Bridgeport 06610

Commerford-Shea, 41 Chestnut Drive, Wol-
cott 06716

Emerson, Ralph L., dba Emerson's Wild
Animal Farm

132 Tryon Street, South Glastonbury 06033

Schulten, John, dba Old MacDonald's Farm,
Inc.

768 Connecticut Avenue, Norwalk 06854

Waterman, H. Earl, Jr., dba Grand Game
1380 Mountain Road, West Suffield 06093

Wawrzynowicz, Peter V., dba Born Free Game
Farm

P.O. Box 11, Montville 06353

FLORIDA

Crandon Park Zoo
4000 Crandon Boulevard, Key Biscayne 33149

Del Rio Cristiani, dba Consolidated Amuse-
ment Co.

P.O. Box 877, Riverview 33569

Godwin's Gatorland, Inc.

U.S. 17-92-441, Kissimmee 32741

Housers Zoo

9230 New Haven Avenue, Melbourne 32901

Hoxie Brothers Circus

9140 S.W. 59th Avenue, South Miami 33156

Jacksonville Zoological Society

8605 Zoo Road, Jacksonville 32218

Lion Country Safari, Inc.

P.O. Box 16066, West Palm Beach 33406

Monkey Jungle, Inc.

14805 S.W. 216 St., Miami 33170

Rainbow Springs Corporation, Inc.

P.O. Box 98, Dunnellon 32630

Salisbury, David L., dba Royal Panthers

1519 Cambridge Drive, Cocoa 32922

Santa Fe Teaching Zoo, Santa Fe Community
College

3000 N.W. 83rd Street, Gainesville 32601

Sebolt, Dennie, dba Snake-A-Torium

P.O. Box 9253, Panama City Beach 32401

Zoological Society of the Palm Beach, Inc.,
Dreier Park Zoological Gardens

P.O. Box 6597, West Palm Beach 33405

GEORGIA

Atlanta Zoological Park
518 Atlanta Avenue, SE., Atlanta 30315

Lion Country Safari

Route 3, Box 579, Stockbridge 30281

Snowden, R. V. dba Chico's Monkey Farm

Highway 17, Route 1, Box 118, Richmond Hill
31324

Stone Mountain Game Ranch, Inc.

1 Robert E. Lee Boulevard, Stone Mountain
30083

Tift Zoological Park

1314 North Montee Street, Albany 31705

HAWAII

Honolulu Zoo, Parks and Recreation Depart-
ment

151 Kapahulu Avenue, Honolulu 96815

Onekahakaha Beach Park

25 Aupuni Street, Hilo 96720

IDAHO

Boise City Zoo

1104 Royal Boulevard, Boise 83706

Deer Farm

Box 711, Post Falls 83854

NOTICES

Ferdinand, M. Carol, dba Cowboy Joe and his
Animal Show
P.O. Box 303, Nampa 83651
Ross Park Zoo
Box 4169, Pocatello 83201
Santa's Reindeer, Inc.
1414 Spruce Avenue, Twin Falls 83301
Tautphaus Park Zoo
P.O. Box 220, Idaho Falls 83401

ILLINOIS

Chicago Zoological Park
3300 South Golf Road, Brookfield 60513
Frisco, Joe T., dba Wonderful World of
Animals
R.R. 2, Box 329, Peoria 61614
Glen Oak Zoo
2500A Prospect Road, Peoria 61614
Lincoln Park Zoological Garden
100 West Webster Avenue, Chicago 60614
Miller Park Zoo
109 East Olive Street, Bloomington 61701
Watson, Lee G.
Route 4, Box 151, Elgin 60120

INDIANA

Biggs, Michael and Donald Jester, dba Safari
Animal Farms
Box 18, Russellville 46175
Buck Lake Ranch, Inc.
Post Office Box 270, Angola 46703
Fort Wayne Children's Zoological Gardens
3411 Sherman Street, Fort Wayne 46808
Free, Curtis, dba Mystery Forrest Route 2,
Angola 46703
Glen Miller Park
City of Richmond Zoo, Richmond 47374
Harding, Warren and Marjorie
382 West Main, Peru 46970
Indianapolis Zoological Society
3120 East 30th Street, Indianapolis 46218
Mesker Park Zoo
Bement Avenue, Evansville 47712
Michigan City Parks and Recreation Depart-
ment
Washington Park Zoological Gardens
Washington Park, Michigan City 46360
North America Wildlife Park Foundation,
Inc.
Battle Ground 47920
Tandy, Edwin, dba Working Children's Magic
Circus
Little Bridge Kennels, Sheldon 60966
Wood, Heabert B.
Route 4, Box 450, Alexandria 46001

KANSAS

Lee Richardson Zoo
Finnup Zoo, Garden City 67836
Leonard, Robert E.
P.O. Box 332, Manhattan 66502
Sedgwick County Zoological Society
555 Zoo Boulevard, Wichita 67212
Topeka Zoological Park
635 Gage Boulevard, Topeka 66604
Trowbridge, Don and Larry Discoll, dba Bear
House
Bunker Hill 67626

KENTUCKY

Abrams, Boy P.
P.O. Box 56, Flatlick 40935
Louisville Zoological Garden
1100 Trevillian Way, Louisville 40213

LOUISIANA

Alexandria Zoo
P.O. Box 71, Alexandria 71301
Audubon Park Zoo
Audubon Park, New Orleans 70118
Greater Baton Rouge Zoo
P.O. Box 458, Baton Rouge 70821
Louisiana Purchase Gardens and Zoo
P.O. Box 11, Monroe 71201

MAINE

Fraser, Clayton H.
Route 1, Houlton 04730

MARYLAND

Ambrose, Earl L. and Evelyn H.
Route 2, Box 1138, Hagerstown 21740
Gibson, Joan E., dba Little Big Horn Farm
R.R. 1, Box 192, Brandywine 20613

MASSACHUSETTS

Capron Park Zoo
County Street, Attleboro 02703
Forest Park Zoological Society, Inc.
P.O. Box 295, Forest Park Station, Spring-
field 01108
Franklin Park Zoological Gardens
Dorchester 02121
Town of North Attleboro, Park Department
Attleboro 02703
Worcester Science Center
222 Harrington Way, Worcester 01604

MICHIGAN

Deer Forest Co., Inc.
P.O. Box 817, Coloma 49038
Detroit Zoological Park Commission
P.O. Box 39, Royal Oak 48068
Dutch Village, Inc.
Box 703, Holland 49423
Heide Kurt, dba Game Haven
13750 Shire Road, Wolverine 49799
Jourden Roger, dba Deer Park
4750 Whitehall Road, Muskegon 49445.
Plank Road Farm, dba Cowbell Seeds, Inc.
156 West Superior Street, Wayland 49348

MINNESOTA

Hochmayr, Frank
Deer Forest, Nisswa 56468
Loss, Ted dba Total Loss Game Farm
Rt. 6, Brainerd 56401.
Oberle, Donald
Comfrey 56019
Tank Irving H. & Gene A., dba Deerland En-
terprises
Rt. 7, Brainerd 56401.

MISSISSIPPI

Jackson Zoological Park
2918 West Capitol Street, Jackson 39209

MISSOURI

African Lion Safari, Inc.
Rt. 1, Linn Creek 65052
Anheuser-Busch, Inc.
721 Pestalozzi Street, St. Louis 63118
Elkano Kennels
P.O. Box 1326, Joplin 64801.
Kansas City Zoo
Swope Park Kansas City 64132
Rees, Raymond, dba Rays Ark
Rt. 1 Holcomb 63852
St. Louis Zoological Park
Forest Park, St. Louis 63110
Springfield Public Park Board, dba Dick-
erson Park Zoo
1536 East Division Street, Springfield 65803

MONTANA

The Trap Inc.
Rt. 1A, Box 173, Columbia Falls 59912.

NEBRASKA

Lincoln Children's Zoo
2800 A Street, Lincoln 68502

NEW HAMPSHIRE

Benson Wild Animal Farm, Inc.
Hudson 03050
Natureland, Inc.
Rt. 3, Lincoln 03251

NEW JERSEY

Animal Kingdom Talent Services
197 Morristown Road, Gillette 07933
Animal Management of New Jersey, Inc.
P.O. Box Tiger, West Milford 07480
Dietch, Bob
4123 Geiges Place, Fairlawn 07410
Rose's Animal Farm
Hobson Street, Trenton 08610
Space, Fred, dba Space Wild Animal Farm,
Inc.
R.D. 3, Bemmerville Road, Sussex 07461
Ward, John W. Jr., dba North Eastern Breed-
ing Farm
526 W. Saddle River Road, Ridgewood 07450

NEW MEXICO

Fur, Fin and Feather Pet Center
1404 North Sullivan, Farmington 87401

NEW YORK

Animal Land
Lake George 12845
Burnet Park Zoo
412 Spencer Street, Syracuse 13204
Catskill Game Farm, Inc.
R.D. 1, Catskill 12414
City of Utica and Utica Zoological Society
Steele Hill Road, Utica 13501
City of Watertown, dba Thompson Park Zoo
Municipal Bldg., Washington Street, Water-
town 13601
Fox's Zoo, Inc.
Rt. 152, West Sand Lake 12146
Frontier Town Productions, Inc.
North Hudson 12855
Gabler, Dr. John H. dba Fort Rickey Game
Farm
408 N. George St., Rome 13440
Malkin, Louis S.
98-17 Horace Harding Expressway, Corona
11368
McCormick, Robert S.
Box 175, Felts Mills 13638
Museum of the Hudson Highlands
Cornwall-on-Hudson 12520
New York Zoological Park
185th St. and Southern Blvd., Bronx 10460
Palsades Interstate Park Commission
Bear Mountain 10911
Parks, Recreation and Cultural Affairs
Adm.
830 Fifth Avenue, New York 10021
Santa's Workshop, Inc.
North Pole 12946
Santinelli, Emil, dba Birch Hill Game Park
Horsepound Road, Carmel 10512
Seneca Park Zoo
2222 St. Paul St., Rochester 14621
Smith, Frank M. dba Adirondack Game Farm
R.D. 1, Route 29, Dolgeville 13329
Snyder-Darlen Corp., dba Snyder-Darlen
Lake Children's Zoo
9993 Allegheny Road, Corfu 14036
Southern Tier Zoological Society, Inc.
Box 1513, Binghamton 13902
Sterling Alaska Fur and Game Farms, Inc.
Saranac Avenue, Lake Placid 12946
Sterling Forest Gardens Corporation
P.O. Box 608, Tuxedo 10987
Wood, Charles R., dba Storytown, U.S.A.
Box 511, Lake George 12845
Zoological Society of Buffalo, Inc.
Buffalo Zoological Gardens, Buffalo 14214

NORTH CAROLINA

The Carowinds Corporation
P.O. Box 15514, Charlotte 28210
Jett's Petting Zoo, Inc.
1200 West Road, Kinston 28501
Mitchell, S. H. dba Circle M Zoo
2734 Robinhood Road, Winston-Salem 27106

Soco Gardens
Rt. 1, Box 355, Maggie 28751
Tote-Em-In-Zoo
Rt. 2, Box 368, Wilmington 28401

NORTH DAKOTA

Dakota Zoological Society, Inc.
Box 711, Bismarck 58501
Gold Seal Co.
Medora 58645
Minot Park District, dba Roosevelt Park Zoo
P.O. Box 538, Minot 57801
Spring Lake Zoo
P.O. Box 1306, Williston 58801
Wahpeton Zoo
Rt. 2, Wahpeton 58075

OHIO

Bischoff, Robert J., dba Highway Animal Farm
P.O. Box 118, Ada 48510
City of Akron (Parks & Recreation Bureau)
960 Evans Avenue, Akron 44305
The Cleveland Aquarium
601 E. 72nd Street, Cleveland 44103
Cleveland Zoological Society
P.O. Box 09040, Cleveland 44109
Columbus Zoological Gardens
9990 Riverside Drive, Powell 43065
Dayton Museum of Natural History
2629 Ridge Avenue, Dayton 45414
Lipko, Col. Jerry
P.O. Box 2276, Zanesville 43701
Toledo Zoological Gardens
2700 Broadway, Toledo 43609
Weidner, Thomas O.
Rt. 1, Weidner's Corners, Baltimore 43105
Zoological Society of Cincinnati
3400 Vine St., Cincinnati 45220

OKLAHOMA

Carson & Barnes Circus, Inc.
P.O. Box J, Hugo 74743
Mohawk Park Zoo
5701 E. 36th St. N., Tulsa 74115
Oklahoma City Zoo
Rt. 1, Box 478, Oklahoma City 73111
Reptile Village, Inc.
Rt. 1, Box 52, Erick 73645

OREGON

City of Klamath Falls (Moore Park)
City Hall 226 South 5th, Klamath Falls 97601
Follis, Dr. Thomas B., dba World Wildlife Safari
P.O. Box 600, Winston 97496
Gilbert, Lloyd W., dba West Coast Deer Park
Rt. 1, Box 759C, Bandon 97411
Holland, Lloyd D., dba Deerland Park
Box 77, Chiloquin 97624
Indian Forest, Inc.
Rt. 1, Box 654, Florence 97439
Kabat, Roy G.
13260 Highway 238, Jacksonville 97530
Portland Zoological Gardens
4001 S.W. Canyon Road, Portland 97221
Miller, Whitney & Deana J.
Rt. 4, Box 125, Milton-Freewater 97862
Woodland Deer Park
27893 Redwood Highway, Cave Junction 97523

PENNSYLVANIA

Bare's Esso Service Center
R.D. 4., Waynesboro 17268
Brubaker, Rufus M.

Penryn Road, Manhelm 17545
Chukar Hill Wild Animal Ranch
R.D. 1, East Earl 17519
Elmwood Park Zoo
Norristown 19401
Erie Zoological Society
653 Shunpike Road, Erie 16508
Flaherty, Peter F., Mayor (Highland Park Zoo)
City-County Building, Pittsburgh 15219
Hannum, Fred A., dba Green Acres
R.D. 3, Coatesville 19320
Holmberg, William C., dba Frontier Zoo
Box C, Ligonier 15658
Kiracofe, Jack M., dba Boiling Springs Zoo Park
Boiling Springs 17007

Lake Tobias Animal Haven
R.D. 1, Halifax 17032
Mercersburg Sportsmen's Association, Inc.
Box 33, Mercersburg 17236
Muller, Ralph P. & John Lowris, dba Pocono Animal World, Inc.
R.D. 1, East Stroudsburg 18301
Peeling, Clyde R., dba Clyde Peeling's Reptiland
Box 66, Allenwood 17810
Pocono Snake Country, Inc.
Box 238, Rt. 209, Marshalls Creek 15335
Pocono Wild Animal Farm
R.D. 1, Stroudsburg 18360
Richard, William H., dba Bill's Place
Box 117, Mercersburg 17236
Simpson, Ralph R.
Rt. 5, Gettysburg 17325
Trexler-Lehigh County Game Preserve Commission
455 Hamilton St., Allentown 18105
Wampler, Glen R., dba Wild Animals, Breeders and Dealers
R.D. 2, Box 354, Annville 17003
Waynesboro Fish and Game Protective Association, Inc.
Box 368, Waynesboro 17268
Zimmerman, Richard J., dba Gettysburg Game Park
R.D. 1, Fairfield 17320

Zoological Society of Philadelphia
34th Street and Girard Avenue, Philadelphia 19104

PUERTO RICO

Amador, Felix Jimenez, dba El Area de Noe
Box 294, Quebradillas 00742
Familandia, Inc.
Box 633, Uauco 00768
Hernandez, Juan Vargas, c/o Manuel Gomez
Box 171, Moco 00716

RHODE ISLAND

Slater Memorial-Park Zoo
City of Pawtucket, Armistice Blvd., Pawtucket 02865

SOUTH DAKOTA

Aberdeen Parks and Recreation Department
Municipal Building, Aberdeen 57401
Bear Country, USA
South Highway, 16 Keystone Rt., Rapid City 57701

City of Watertown (Bramble Zoo)
Watertown 57201
Holm, James C.
615 East Dakota Avenue, Pierre 57501
Johnson, Carl J.
3510 S. Western Avenue, Sioux Falls 57105
Sioux Falls Park and Recreation Department (Great Plains Zoo)
224 West 9th St., Sioux Falls 57102

TENNESSEE

Knoxville Municipal Zoo
P.O. Box 1631, Knoxville 37901
Tytlandsvik, Lloyd and Leonard H. Peterson, dba Tennessee Game Farm
Rt. 2, Box 192, Joelton 37080

TEXAS

Ablene Zoological Society
Box 60, Abilene 79604
Amarillo Parks and Recreation Division (Amarillo Storyland Zoo)
Box 1971, Amarillo 79186
Caldwell Schools, Inc., dba Caldwell Children's Zoo
P.O. Box 428, Tyler 75701
Central Texas Zoological Society
P.O. Box 3245, Waco 76707
City of Arlington, Texas, Seven Seas Sea Life Park
P.O. Box 777, Arlington 76010
City of Gainesville (Frank Buck Zoo)
P.O. Drawer J, Gainesville 76240
City of Lufkin (Ellen Trout Park Zoo)
P.O. Drawer 100, Lufkin 75901
City of Midland (Cole Park Zoo)
P.O. Box 1152, Midland 79701
Commanche Trails Museum and Zoo
P.O. Box 839, Kermit 79745
Dallas Zoo
621 East Clarendon Drive, Dallas 75203
El Paso Zoological Park
Washington Park, El Paso 79905
Fort Worth Zoological Park
2727 Zoological Drive, Fort Worth 76110
Gladys Porter Zoo
500 Ringgold Street, Brownsville 78520
Gustin, Lula Belle, dba Texas Snake Farm
Rt. 1, Box 487, New Braunfels 78130
Houston Zoological Gardens
P.O. Box 1562, Houston 77001
Lion Country Safari, Inc.
601 Lion Country Parkway, Grand Prairie 75050
The Lynch Manufacturing Company, Inc.
Olton Route, Plainview 79072
San Antonio Zoological Society (San Antonio Zoological Gardens & Aquarium)
3903 No. St. Mary's Street, San Antonio 78212
Sea Arama Marineworld
Box 3068, Galveston 77550
Six Flags Over Texas
Box 191, Arlington 76010
Spring Lake Park Zoo
P.O. Box 1967, Texarkana 75501
Tanglewood-on-Texoma, Inc.
P.O. Box 265, Pottsboro 75076
Town of Pecos City
P.O. Box 929, Pecos 79772
Victoria Zoological Park
Box 2426, Victoria 77901

UTAH

Hogle Zoological Gardens
P.O. Box 2337, Salt Lake City 84110
Sun International Movie Animal Haven
Box 231, Springdale 84767

VIRGINIA

City of Roanoke, dba Mill Mountain Childrens Zoo
Dept. of Parks & Recreation, 714 13th St. S.W., Roanoke 24016

Mogensen, Karl E., dba Natural Bridge Zoological Park
Box 72, Natural Bridge 24578

WASHINGTON

Lynch, W. J. & M. D., dba Loboland USA
P.O. Box 344, Gardiner 98339
Point Defiance Zoo
Point Defiance Park, Tacoma 98407
Woodland Park Zoological Gardens
5500 Phinney Avenue, North, Seattle 98103

WISCONSIN

Fawn-Doe-Rosa
St. Croix Falls 54024
Seldon, Arlan, dba Murray Hill Enterprises
Rt. 5, Box 9, Burlington 53105
(Sec. 3, 80 Stat. 351, as amended, 84 Stat. 1561, 7 U.S.C. 2133; 37 FR 28464, 28477; 38

Done at Washington, D.C., this 6th day of February 1974.

J. M. HEJL,
Acting Deputy Administrator,
Veterinary Services, Animal
and Plant Health Inspection
Service.

[FR Doc.74-3368 Filed 2-11-74; 8:45 am]

HUMANELY SLAUGHTERED LIVESTOCK
Identification of Carcasses; List of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 391.1, the following table lists the establishments operating under Federal inspection, pursuant to the Federal Meat Inspection Act, as amended (21 U.S.C. 601 et seq.) which were officially reported as humanely slaughtering and handling the species of livestock respectively designated for such establishments in the table. Additions to and deletions from this list will be made from time to time as the facts may warrant, by notices published in the Federal Register. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Armour & Co.	2C	(*)					
Do.	2H					(*)	
Do.	2W					(*)	
Do.	2AT					(*)	
Do.	2CC	(*)					
Do.	2SA			(*)			
Do.	2SD					(*)	
Do.	2SI	(*)					
Do.	2WN	(*)					
Swift & Co.	3C					(*)	
Do.	3G	(*)					
Do.	3H	(*)					
Do.	3L					(*)	
Do.	3N	(*)					
Do.	3R	(*)					
Do.	3S					(*)	
Do.	3Y	(*)					
Do.	3Z	(*)					
Do.	3AE					(*)	
Do.	3BW			(*)	(*)		
Do.	3CN			(*)			
Do.	3GI	(*)					
Do.	3GW					(*)	
Do.	3TA					(*)	
Do.	8	(*)					
Lyke Brothers, Inc., of Georgia	8B	(*)					
Lykes Brothers, Inc.	10	(*)					
Pauly Packing Co., Inc.	11	(*)	(*)				
The Evans Packing Co.	12A		(*)	(*)			
Hygrade Food Products Corp.	12P	(*)					
Do.	12FW	(*)					
Do.	17A	(*)				(*)	
John Morrell & Co.	17D	(*)		(*)			
Do.	17E	(*)				(*)	
Do.	17U	(*)					
Do.	18	(*)					
C. Finkbeiner, Inc.	20A	(*)				(*)	
Wilson Certified Foods, Inc.	20H					(*)	
Wilson-Sinclair Co.	20I	(*)				(*)	
Wilson Certified Foods, Inc.	20L					(*)	
Wilson-Sinclair Co.	20N	(*)	(*)	(*)		(*)	
Wilson Certified Foods, Inc.	20Q	(*)				(*)	
Do.	20U	(*)				(*)	
Wilson & Co.	20Y	(*)	(*)	(*)		(*)	
Wilson-Sinclair Co.	20AI				(*)		
Wilson Beef & Lamb Co.	20MO					(*)	
Wilson & Co., Inc.	23	(*)		(*)			
Swift & Co.	25	(*)					
Coast Packing Co.	28	(*)					
Patrick Cudahy, Inc.	30	(*)					
Kreinberg & Krasny, Inc.	31	(*)		(*)			
Superior's Brand Meats, Inc.	32	(*)					
Roegelstein Provision Co.	32A	(*)					
Do.	34	(*)					
Valleydale Packers, Inc.	36	(*)	(*)				
Kenton Packing Co.	43	(*)					
Sunnyland Foods, Inc.	45	(*)					
Linden Packing Co., Inc.	46	(*)					
Idaho Meat Packers	53	(*)					
Midwestern Beef, Inc.	54	(*)	(*)	(*)	(*)		
Insel & Insel	56	(*)					
Sunnyland Packing Co. of Alabama	56A	(*)					
Do.	59	(*)					
Weimer Packing Co., Inc.	60	(*)					
Glover Packing Co. of Amarillo	60A	(*)	(*)	(*)	(*)		
Glover Packing Co.	61	(*)					
Gooch Packing Co., Inc.	62	(*)					
Sunflower Beef Packers, Inc.	63	(*)					
Sandusky Dressed Beef Co.	65	(*)					
Selkirk Realty Co.	71	(*)					
Auburn University Meats Laboratory	72	(*)	(*)	(*)			
Minch's Wholesale Meats, Inc.	73	(*)					
Brown Thompson & Sons	E74	(*)					(*)
Baltic Corp.	75	(*)		(*)	(*)		
Armour & Co.	79A	(*)					
Dinner Bell Foods, Inc.	79B	(*)					
Do.	E83	(*)					(*)
Riviana Foods, Inc.—Hill's Division	84	(*)					
Edgar Packing Co.	86	(*)					
Kansas Beef Industries, Inc.	86A	(*)					
Do.	88	(*)					
Utica Veal Co., Inc.	89	(*)	(*)				
The E. Kahn's Sons Co.	90	(*)					
Peel Packing Co.	91	(*)					
Laredo Packing Co.	92	(*)					
Sugardale Foods, Inc.	93	(*)					
Lane Packing Inc.	95	(*)					
The Val Decker Packing Co.	96	(*)					
Central Packing Co., Inc.	98	(*)					
A. Koch's Sons	100	(*)	(*)	(*)			
Armour & Co.	101	(*)					
Liberty Packing Co.	107	(*)					
J. Lynn Cornwell, Inc.	111	(*)					
Wilson-Sinclair Co.	E113	(*)					(*)
The Morris Packing Co.	114	(*)					
Farmland Foods, Inc.	116	(*)					
Fine Burr Packing Co.	117	(*)	(*)	(*)	(*)		
West Coast Meat	121	(*)					
Marhoefer Packing Co., Inc.	126	(*)					
John Morrell & Co.	127	(*)	(*)	(*)			
Cash Brothers Packing Co., Inc.							

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
John Roth & Son, Inc.	130	(*)					
Tobin Packing Co., Inc.	133					(*)	
Ferrara Meat Co., Inc.	134	(*)	(*)				
Nebraska Beef Packers, Inc.	135	(*)					
Kuener Packing Co.	142	(*)					
R. B. Rice Sausage Co., Inc.	144					(*)	
Silver Falls Packing Co., Inc.	153	(*)	(*)				
Dallas City Packing, Inc.	156	(*)					
Cornland Dressed Beef, Inc.	157	(*)					
Beefland International, Inc.	158	(*)					
Missouri Farmers Association Packing Division	159	(*)					
New York State College of Agriculture	165	(*)	(*)	(*)	(*)		
E. W. Kneip, Inc.	169	(*)					
Bub Davis Packing Co.	171	(*)					
American Meat Packing Corp.	180					(*)	
The Rath Packing Co.	186					(*)	
Do	186F					(*)	
Kent Packing Co.	187	(*)	(*)				
Carl's Sausage Co.	188						
Cudahy Co.	191					(*)	
Krey Packing Co.	192					(*)	
Hynes Packing Co.	197	(*)	(*)	(*)			
United Packing Co.	198	(*)					
George A. Hormel & Co.	199	(*)					
Do	199A	(*)					
Do	199D	(*)					
Do	199H	(*)					
Do	199I	(*)					
Do	199N	(*)					
Caviness Packing Co., Inc.	200	(*)					
Cudahy Co.	202					(*)	
Platte Valley Packing Co.	203						
Emge Packing Co., Inc.	205	(*)					
National Beef Packing Co.	208A	(*)					
Penn Packing Co.	212					(*)	
E. W. Kneip, Inc.	213	(*)					
Marshall Meat Products, Inc.	215	(*)					
Lincoln Meat Co.	217	(*)					
York Packing Co., Inc.	220					(*)	
ITT Gwaltney, Inc.	221A					(*)	
Armour & Co.	222	(*)					
De Jong Packing Co.	223	(*)	(*)				
Hygrade Food Products Corp.	224					(*)	
Do	224B					(*)	
John Morrell & Co.	234	(*)					
Walt Schilling & Co., Inc.	235	(*)					
Texas Technological College—Animal Husbandry	236			(*)			
Raskin Packing Co.	237	(*)					
Shreveport Packing Co., Inc. of Kansas	239	(*)					
P. D. & J. Meats	240	(*)					
Greenwood Packing Plant	242						
I. Klayman & Co.	243					(*)	
Iowa Beef Processors, Inc.	244	(*)					
Do	245	(*)					
Do	245A	(*)					
Do	245B	(*)					
Do	245C	(*)					
Do	245D	(*)					
John Morrell & Co.	246	(*)					
Harget Realty Corp.	247					(*)	
Federal Packing Co., Inc.	249	(*)					
Metro Meat Packing, Inc.	253	(*)					
Magic Valley Packing, Co.	258					(*)	
Hyp Plains Dressed Beef, Inc.	262	(*)					
The Jones Dairy Farm	263					(*)	
Farm Pac Kitchens, Inc.	266	(*)					
Pacific Meat Co., Inc.	267	(*)	(*)			(*)	
Golden Valley Packing Co.	271	(*)					
Tog Packing Co. Inc.	273	(*)					
Alpha Beta Acme Markets, Inc.	279	(*)					
Momence Pork Packers Co.	282					(*)	
Farnett Packing Corp.	283						
Solano Meat Co.	285	(*)	(*)				
Western Packing Co.	288	(*)					
Arbogast & Bastian Co.	289					(*)	
The H. H. Meyer Packing Co.	290					(*)	
San Jose Meat Co., Inc.	291	(*)					
Armour & Co.	292	(*)					
Iowa Beef Processors, Inc.	292A	(*)					
S. Schweid	295	(*)	(*)				
Gus Juengling & Son, Inc.	298						
Waldoek Packing Co.	299					(*)	
Great Falls Meat Co.	301					(*)	
Commercial Packing Co., Inc.	302	(*)					
Union Packing Co.	305	(*)					
Star Packing Co.	306	(*)					
Rudy's Farm Co.	315					(*)	
Dutterer's of Manchester	316A	(*)					
Estes Packing Co.	319		(*)				
Stadler Packing Co., Inc.	320					(*)	
Rudnick Packing Co., Inc.	325						
Frisco Packing Co.	327						
C & M Meat Packing Corp.	329						
Royal Packing Co.	331A						
Shapiro Packing Co., Inc.	332						
Great Western Packing Co., Inc.	334						
Noble's Meat Co.	335						
Chino Valley Meat Packing Co., Inc.	336						
Sam Kane Packing Co.	337		(*)				
Green & Oliver Sausage Co.	338					(*)	
Midland Empire Packing Co., Inc.	339						
Bookey Packing Co.	340						
Puckett Packing Co.	343						
Gold-Pac Meat Co., Inc.	344						
Anza Packing Co.	345						

NOTICES

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Union Packing Co.	351	⊙					
Fresno Meat Packing Co.	354	⊙					
Hernando Packing Co., Inc.	355	⊙					
St. Paul Dressed Beef, Inc.	357	⊙					
Clougherty Packing Co.	360	⊙					
Meyer's Packing Co.	363	⊙					
James Allan & Sons.	365	⊙		⊙		⊙	
Wilson & Co.	374	⊙	⊙				
Cross Brothers Meat Packers, Inc.	376	⊙	⊙				
Beeville Packing Co.	377	⊙	⊙				
Fallins Meat Co.	378	⊙	⊙				
Engle Packing Co., Inc.	380	⊙	⊙			⊙	
Smithfield Packing Co., Inc.	382	⊙				⊙	
Acme Markets, Inc.	384	⊙					
Freeman Brothers Packing Co.	387	⊙					
Durndale Packing Co.	390	⊙					
Oldham's Farm Sausage Co., Inc.	392	⊙				⊙	
Robert L. Runtz, Inc.	395	⊙					
Boneless Meat Co.	395B	⊙					
Dubuque Packing Co.	396	⊙		⊙		⊙	
Do.	396C	⊙					
Do.	396D	⊙					
Logan Packing Co.	397	⊙					
Watsonville Dressed Beef, Inc.	398	⊙					
Los Banos Abattoir Co.	400	⊙	⊙				
Oakridge Smokehouse	401	⊙	⊙	⊙			
Owens Country Sausage, Inc.	403	⊙				⊙	
Williston Packing Co., Inc.	405	⊙				⊙	
Neuhoff Brothers	406	⊙	⊙				
Green Bay Dressed Beef, Inc.	410	⊙					
Alpine Packing Co.	412	⊙	⊙				
The Lundy Packing Co.	413	⊙				⊙	
Do.	413A	⊙				⊙	
Frosty Morn Meats	414	⊙					
Minden Beef Co.	417	⊙					
S. Bonaccorso & Sons, Inc.	418	⊙		⊙			
Murray Packing Co., Inc.	421	⊙					
E. W. Kneip, Inc. of Iowa	422	⊙					
The Collins Packing Co.	423	⊙				⊙	
Kenosha Packing Co., Inc.	425	⊙					
Fineberg Packing Co.	428	⊙		⊙		⊙	
Schneider Packing Co.	430	⊙					
Omaha Dressed Beef Co., Inc.	441	⊙		⊙	⊙	⊙	
Del Curto Meat Co.	445	⊙					
A. Diello & Sons, Inc.	448	⊙	⊙				
Dewitt Packing Corp.	456	⊙					
Morris Rifkin & Sons, Inc.	460	⊙					
Pioneer Boneless Beef, Inc.	461	⊙					
Lancaster Packing Co.	462	⊙					
Litvak Packing Co.	465	⊙		⊙		⊙	
Beowar Packing Co.	467	⊙					
Cornhusker Packing Co.	468	⊙					
Missouri Beef Packers, Inc.	473	⊙					
Do.	473A	⊙					
Do.	473B	⊙					
Armour & Company	477	⊙					
Gotham Provision Co., Inc.	481	⊙	⊙				
Saint Croix Abattoir	482	⊙		⊙	⊙	⊙	
Robel Beef Packers	485	⊙					
East Tennessee Packing Co.	487	⊙				⊙	
Memphis Butchers Association, Inc.	488	⊙					
E. W. Kneip, Inc.	489	⊙					
Gold Ring Packing Co.	490	⊙		⊙			
Fairbank Farms, Inc.	492	⊙					
Mid-State Meat Packers, Inc.	494	⊙					
Bartel's Meat Co.	497	⊙		⊙			
Heim Brothers Packing Co.	499	⊙				⊙	
The Hull & Dillon Packing Co.	510	⊙					
Shen-Valley Meat Packers, Inc.	511	⊙					
Snider Brothers, Inc.	512	⊙					
Averich Packing Co., Inc.	513	⊙					
Charles Miller & Co.	517	⊙				⊙	
Pork Packers International, Inc.	520	⊙					
Oklahoma State University—Meat Laboratory	526	⊙	⊙	⊙	⊙	⊙	
Sebastopol Meat Co., Inc.	527	⊙					
Armour & Co.	528	⊙					
Smallwood Packing Co., Inc.	529	⊙					
Marysville Meat Packing Co., Inc.	533	⊙					
Pepper Packing Co.	536	⊙					
Oscar Mayer & Co., Inc.	537A	⊙				⊙	
Do.	537B	⊙				⊙	
Do.	537C	⊙				⊙	
Do.	537E	⊙				⊙	
Midwest Packing Co.	538	⊙					
Growers Meat Co., Inc.	548	⊙		⊙		⊙	
Pride Packing Co., Inc.	549	⊙					
Salter Packing Co.	551	⊙					
Black Hills Packing Co.	554	⊙					
Mid-South Packers, Inc.	557	⊙				⊙	
D & W Packing Co.	560	⊙					
Charles Rubin Meat Co.	561	⊙					
Packerland Packing Co., Inc.	562	⊙					
Packerland Packing Co.	562A	⊙					
Texas Meat Packers, Inc.	565C	⊙					
Elmer Bender & Son, Inc.	569	⊙		⊙			
Perretta Packing Co., Inc.	571	⊙					
Coil, Inc.	575	⊙					
Frosty Morn Meats, Inc.	576	⊙					
Armour & Co.	579	⊙					
Colfeysville Packing Co., Inc.	583	⊙					
Frederick & Herrud, Inc.	586	⊙				⊙	
Dawson-Baker Packing Co., Inc.	588	⊙	⊙	⊙			
Carr Packing Co., Inc.	593	⊙					
Elk Grove Meat Co.	601	⊙					
San Antonio Packing Co.	602	⊙		⊙	⊙		
Wright Packing Co.	603	⊙		⊙			

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Wilson-Sinclair Co.	606					()	
Eastern Oregon Meat Co., Inc.	611	()		()		()	
Donner Packing Co.	614	()					
Kummer Meat Co., Inc.	617	()		()		()	
Doskocil Sausage, Inc.	623					()	
Lumberjack Meats, Inc.	626					()	
Big Foot Packing Co., Inc.	627	()					
E. A. Miller & Sons Packing Co.	628	()					
H. H. Keim Co.	630	()					
Ebner Bros. Packers	633	()					
United Packing Co., Inc.	635	()					
Auburn Packing Co., Inc.	636	()					
Carteret Abattoir, Inc.	639		()	()	()		
Planery Meat, Inc.	643						
Long Creek Meat Co.	645	()					
Transcontinent Packing Co.	E646						()
Bird Provision Co.	647					()	
Spencer Foods, Inc.	648	()					
Schluderberg-Kurdle Co., Inc.	649					()	
John Morrell & Co.	650					()	
Wilson Beef & Lamb Co.	655	()		()			
Batum's Bologna, Inc.	657	()					
McCook Packing Corp.	660	()					
Quality Meat Packing Co.	661	()					
Colorado West Packers, Inc.	662	()				()	
Globe Packing Co.	663	()					
Webber Farms, Inc.	665					()	
Crown Packing Co.	666					()	
Scottsbluff Packing Co.	667	()					
Union Packing Co., Inc.	673						
S & S Packing Co., Inc.	674			()		()	
Caviness Packing Co., Inc.	675						
Jacob Bauer's Sons, Inc.	678		()				
Caldwell Packing Co., Inc.	683	()					
Do.	688						
Pierce Packing Co.	691					()	
Wilhelm Foods, Inc.	692						
Bryan Meat Co.	693	()					
Kansas State University—Animal Science and Industry	694	()	()	()		()	
Kramer Beef Co.	695						
Gulf Packing Co.	696	()					
Triolo Brothers	706					()	
Central Nebraska Packing Co.	E713						()
Davenport Packing Co., Inc.	716	()		()			
Farmiland Foods, Inc.	717					()	
Do.	717A					()	
A. Darlington Strode	718					()	
K-M Co.	719	()					
Swift & Co.	726	()	()	()		()	
Decker & Son	727					()	
Roode Packing Co., Inc.	729	()					
Frosty Morn Meats, Inc.	731	()					
Pacific Meat Co.	732	()	()	()		()	
Western Packers	733	()					
Ohio Packing Co.	736	()				()	
Parnell's Packing Co.	738	()				()	
The Jacob Schlaechter's Sons Co.	739	()		()		()	
Mid-State Meat Co.	741	()					
The OK Packing Co.	749	()					
Monroe Packing Co., Inc.	755	()					
Seitz Foods, Inc.	756A	()					
The American Meat Packing Corp.	760						
Schaake Packing Co., Inc.	761	()				()	
Karler Packing Co.	767	()	()	()			
Sheridan Meat Co., Inc.	768	()		()		()	
Earl C. Gibbs, Inc.	770	()					
Hanford Meat Packing Co.	773	()					
Atlas Packing Co.	775	()					
Central Packing Co.	777	()					
The Cudahy Co.	779	()	()				
Bryan Packing Co.	780	()	()			()	
Diamond Meat Co., Inc.	783	()					
Granite State Packing Co.	785	()	()				
Aurora Packing Co., Inc.	788	()					
Hatfield Packing Co.	791	()				()	
Baum's Meat Packing Co.	792	()	()				
Rod Barnes Packing Co.	798	()					
American Beef Packers, Inc.	807	()					
Do.	807A						
Amco-Pac Corp.	809	()	()	()	()		
The G. Erhardt Sons, Inc.	810	()	()				
United Packing of Iowa, Inc.	812					()	
Rochester Independent Packer, Inc.	817	()					
J. H. Routh Packing Co.	818					()	
Sterling Colorado Beef Co.	823	()					
Foremost Packing Co.	824					()	
Superior Packing Co., Inc.	825			()			
Berchem's Meat Co.	830						
Lee-Johnson, Inc.	835	()					
Frederick County Products, Inc.	838	()	()	()		()	
Reelfoot Packing Co.	840	()					
G. Bartusch Packing Co.	843	()				()	
The Allen Packing Co.	845	()		()			
Arena Dressed Beef Co.	853	()					
Sioux City Dressed Beef	857	()					
Siouxland Dressed Beef Co.	857F	()					
Sioux Beef Co.	857O	()					
Jordan Meat & Livestock Co., Inc.	858	()	()	()	()	()	
Wells and Davies, Inc.	860	()				()	

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Sierra Meat Co.	862	(3)					
Tennessee Dressed Beef Co.	865	(3)					
American Beef Packers, Inc.	866	(3)					
Hardy & Co., Inc.	869	(3)	(*)				
Santa Ana Packing Co.	874	(3)					
Pahler Packing Corp.	880	(3)					
Swanton Packing Co., Inc.	883	(3)					
Aleo Packing Co., Inc.	885	(3)	(*)	(*)		(*)	
Aleo Packing Co.	885A	(3)	(*)	(*)			
Walden Packing Co., Inc.	886	(3)					
Sambel Packing Co.	892	(3)					
Tobin Packing Co., Inc.	893	(3)					
Vernon Calhoun Packing Co.	897	(3)					
Ments, Inc.	899	(3)					
Sieman Meat Co., Inc.	901B	(3)					
Party Packing Corp.	902	(3)					
B. Constantino & Sons Co.	918	(3)					
Valley Packers, Inc.	922	(3)	(*)			(*)	
Wisconsin Packing Co.	924	(3)					
Peoples Packing Co.	925	(3)	(*)				
Parsons Beef Co., Inc.	932	(3)					
F. B. Manning & Son.	934	(3)					
Iowa Beef Processors, Inc.	935	(3)					
Voltz Packing Co.	938	(3)					
Cannellino Abattoir, Inc.	939	(3)					
Gentner Packing Co., Inc.	941	(3)					
Diamond Meat Packers, Inc.	944	(3)					
Whitehall Packing Co.	946	(3)					
Meilman Food Industries, Inc.	946B	(3)					
M. Brizer & Co.	948	(3)					
Joe Doctorman & Son Packing	949	(3)	(*)	(*)			(3)
Kennedy's Sausage Co.	950	(3)					
Bob Evans Farms, Michigan, Inc.	952	(3)					
Thompson Farm Co.	959	(3)					
Greater Omaha Packing Co., Inc.	960	(3)					
Potter Sausage Product, Inc.	961	(3)					
Virginia Packing Co., Inc.	963	(3)	(*)	(*)			
Lay Packing Co.	967	(3)					
Monfort Packing Co.	969	(3)					
Hawaii Meat Co., Ltd.	970	(3)					
Loehorn Meat Packers, Inc.	976	(3)					
National Food Stores, Inc.	981	(3)					
Banner Beef Co.	985	(3)					
Shamrock Beef Co.	987	(3)					
Everett C. Morlein & Sons, Inc.	988	(3)					
Klarer of Kentucky, Inc.	995	(3)					
The Home Pride Provisions, Inc.	1029	(3)					
Armour & Co.	1085	(3)	(*)				
Landy Packing Co.	1171	(3)					
Porkland Division of Consolidated Foods.	1175	(3)					
McCahe Packing Plant.	1312	(3)	(*)				
Swift & Co.	1315	(3)					
Nebraska-Iowa Dressed Beef Co.	1318	(3)					
Associated Meat Packers, Inc.	1472	(3)					
Stevens Meat Co., Inc.	1485	(3)					
James Sausage Co.	1718	(3)					
Golden West Meat Co., Inc.	E1796	(3)					(3)
C & C Packing Co.	2033	(3)	(3)				
De Leon Packing Co.	2054	(3)					
Odum Sausage Co. of Kentucky, Inc.	2094	(3)					
Alewel's, Inc.	2101	(3)					
Jesse Jones Division of Goodmark, Inc.	2103	(3)					
Ballard's Farm Sausage, Inc.	2108	(3)					
P & H Packing Co., Inc.	2211	(3)	(*)				
Greeley Meat Co.	2212	(3)					
Hardy Packing Co., Inc.	2215	(3)					
Yonkum Packing Co., Ltd.	2216	(3)					
Burlison Packing Co.	2224	(3)					
Pace Packing Co.	2228	(3)					
Ridley Packing Co.	2229	(3)					
South Texas Packers, Inc.	2230	(3)					
L & H Packing—Braun Division	2239	(3)					
Bryan Sausage Co., Inc.	2249	(3)					
Loveland Packing Co., Inc.	2250	(3)					
G & C Packing Co.	2262	(3)					
Ridley Packing Co.	2265	(3)					
L. A. Frey & Sons, Inc.	2266A	(3)					
Western Beef Packers, Inc.	2267	(3)					
Wright Packing Co.	2269	(3)					
Nocona Locker Plant	2270	(3)					
Centeno Meat Commissary	2271	(3)					
Lamesa Meat Co.	2272	(3)					
Amarillo Packing Co.	2273	(3)					
Husband Bros. Packing Co.	2284	(3)					
Ben Grantham Meat Packers	2290	(3)					
Dankworth Packing Co.	2296	(3)					
Amana Society Meat Department	2357	(3)					
Theis Packing Co., Inc.	2367	(3)					
Grote Meat Co.	2369	(3)					
Clayton Packing Co.	2373	(3)					
Smit & Son, Inc.	2376	(3)					
Spencer Foods, Inc.	2379	(3)					
Partin Sausage Co.	2385	(3)					
Marshall Packing Co., Inc.	2396	(3)					

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Clinton Packing Co.	2387					(3)	
Pony Express Ranch	2398	(*)	(*)			(3)	
Quality Packinghouse, Inc.	2435					(3)	
John R. Dally, Inc.	2450	(*)	(*)			(3)	
Cimpi Packing Co.	2460	(3)					
Link Brothers Enterprises	2472	(3)				(3)	
Wenning Packing Co., Inc.	2533	(3)					
Springfield Dressed Beef, Inc.	2590		(*)				
Weyhaupt Brothers Packing Co.	2594	(3)				(3)	
The Teeters Packing Co.	2598					(3)	
Du Quoin Packing Co.	2599	(3)				(3)	
J. W. Treuth & Sons, Inc.	2612	(3)				(3)	
Manassas Frozen Foods	2621A	(3)	(*)	(*)	(*)	(3)	
H. P. Beale & Sons, Inc.	2682					(3)	
Yoders Locker Plant	2699	(3)	(3)			(3)	
Wagner Provision Co., Inc.	2770		(3)			(3)	
Stoeven Brothers	2800	(3)		(3)			
Blue Mountain Meats	2825	(3)		(3)		(3)	
Lewis & McDermott	2847	(3)					
Vista Meat Packing Co., Inc.	2854		(*)				
Granite Meat & Livestock Co.	2856	(3)					
Zweigart Packing Corp.	2863	(3)		(3)		(3)	
Armbrust Meats	2912	(3)		(3)		(3)	
Maryville Packing Co.	2927	(3)		(3)	(*)	(3)	
Pettis County Locker System	2929			(3)		(3)	
Runyon Frozen Food Service, Inc.	2932	(3)		(3)		(3)	
Winter Meat Processing	2936	(3)				(3)	
Woods Locker & Abattoir	2938					(3)	
Yontz Packing Co.	2939	(3)				(3)	
West Slaughter House	2945	(3)				(3)	
Sutterer's Slaughter House	2946		(3)	(3)		(3)	
Femiscot Packing Co.	2948	(3)		(3)		(3)	
Davis Slaughter Plant	2950	(3)		(3)		(3)	
Crouch's Locker & Processing	2951	(3)		(3)		(3)	
B & E Meat Processing	2952	(3)		(3)		(3)	
Nadler Butchery	2956	(3)				(3)	
Mister Meat	2957	(3)				(3)	
Matthew's Locker	2963	(3)				(3)	
Bollivar Locker Plant	2964		(3)			(3)	
Francis Packing Co.	2965	(3)				(3)	
Swiss Processing Plant	2969	(3)				(3)	
Stagle Meat Market, Inc.	2970		(3)			(3)	
Murphy Slaughterhouse	2972	(3)				(3)	
Singer Locker Service	2975	(3)				(3)	
Deladye & Sons Meat Packing, Inc.	2977	(3)				(3)	
Lebanon Packing Co.	2979	(3)				(3)	
Mirabile Meat Processing	2982	(3)				(3)	
Davis Meat Processing	2984	(3)		(3)		(3)	
Diggs Packing Co.	2985	(3)				(3)	
Highlandville Packing Co.	2987	(3)				(3)	
Glen's Custom Butchering	2989	(3)		(3)		(3)	
Holden Locker Plant	2993	(3)				(3)	
Country Butcher Shop	2995	(3)				(3)	
Missouri State Penitentiary for Men	2998	(3)				(3)	
Fort Plain Packing Co., Inc.	5074	(3)				(3)	
Double A Meat Packing, Inc.	5162	(3)				(3)	
Burton Block	5171A	(3)				(3)	
Anthony Parillo, Inc.	5193	(3)				(3)	
Ralph Packing Co., Inc.	5228	(3)				(3)	
Johnston Dressed Beef & Veal Co., Inc.	5300	(3)		(3)		(3)	
Hayes Packing Corp.	5301	(3)				(3)	
Morris Mendel & Co.	5309	(3)		(3)		(3)	
Klinch & Schaller, Inc.	5319	(3)				(3)	
Hershey Estates Abattoir	5388	(3)		(3)		(3)	
Winchester Packing Co., Inc.	5500	(3)				(3)	
Amend Packing Co.	5509	(3)				(3)	
Gibbon Packing, Inc.	5511	(3)				(3)	
Central Foods, Inc.	5519	(3)				(3)	
Mid-continent Meats, Inc.	5523	(3)				(3)	
Hewlett Wholesale Meats	5524	(3)		(3)		(3)	
Macon Beef Packers, Inc.	5531	(3)				(3)	
Sioux-Preme Packing Co.	5537	(3)				(3)	
Jack Polen Beef Co., Inc.	5548	(3)				(3)	
Bonne Terre Sausage Co.	5554	(3)				(3)	
Iola Meat Processors, Inc.	5555	(3)				(3)	
The Panstall Packing Co., Inc.	5562	(3)				(3)	
Haviland Bros. Frozen Food Lockers	5565	(3)				(3)	
Tama Meat Packing Corp.	5569	(3)				(3)	
Allied Packing Co.	5572	(3)				(3)	
Butchers Inc.	5575	(3)				(3)	
Wimmer's Meat Products, Inc.	5601	(3)		(3)		(3)	
Herman the German Slaughterhouse	5604	(3)		(3)		(3)	
Elliott Food Products, Inc.	5608	(3)				(3)	
Ord Cold Storage	5610	(3)				(3)	
Johnson's Frozen Foods	5612	(3)		(3)		(3)	
The Jimmy Dean Meat Co., Inc.	5614	(3)				(3)	
Adams Locker	5621	(3)				(3)	
Alexandria Packing Co.	5623	(3)		(3)		(3)	
Panhandle Packing Co.	5624	(3)				(3)	
Oberg's Meat Processing	5626	(3)				(3)	
Holtzen's Certified Meat Processing & Curing	5630	(3)		(3)		(3)	
Marr's Locker Service	5631	(3)				(3)	
Carlson's Meat & Lockers	5632	(3)				(3)	
Osakis Meat & Processing	5633	(3)				(3)	
Doty Packing Co., Inc.	5634	(3)				(3)	
Grunkemeyer Meats	5635	(3)				(3)	
Braver Packing Co.	5636	(3)				(3)	
Clay Center Meat Co.	5637	(3)				(3)	
Otte Packing	5638	(3)				(3)	
F & S Sausage Co., Inc.	5640	(3)				(3)	
Johnson Steak Master	5641	(3)				(3)	
Peterson's Lockers Inc.	5647	(3)				(3)	
Tatum's Processing Plant	5649	(3)				(3)	

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Custom Pack, Inc.	5650	☉					
City Meat Market	5652	☉					
Verling Locker	5653	☉					
Beline's Locker Plant	5654	☉	☉		☉		
Epler Mercantile Co.	5655	☉	☉				
Kimball Locker Plant	5656	☉					
Trautman's Meat Center	5657	☉					
University of Nebraska—Loeffel Meat Laboratory	5658	☉					
Butler's Beef Acres	5660	☉		☉	☉		
Roman Packing Co.	5662	☉					
North Platte Packing Co., Inc.	5663	☉					
Six Street Processing Plant, Inc.	5664	☉					
Petersburg Locker	5668	☉					
Cardel & Son Freezer Meats	5670	☉					
Dittman's Market	5671	☉					
Yost Pack, Inc.	5672	☉			☉		
Hollstein Packing Co.	5673	☉					
Culbertson Locker, Inc.	5679	☉					
Kreimer's Store	5681	☉					
Tecumseh Locker	5682	☉			☉		
Valentine Lockers	5683	☉					
Wakefield Locker Service	5685	☉			☉		
Wausa Lockers	5686	☉					
Buffalo Lake Meat Co.	5689	☉					
Havlik's Locker Plant	5729	☉		☉			
Sherman Custom Slaughtering	5764	☉					
F & J Meat Processors	5766	☉					
Perryville Packing Co., Inc.	5770	☉					
Hasty Packing Co.	5772	☉					
Pierce City Locker	5775	☉			☉		
Frigid Food Service	5776	☉					
University of Missouri—F S & N Department	5777	☉					
Greenhill Slaughter House	5779	☉					
Dutch's Packing Co.	5781	☉					
The Deep-Freeze Inc.	5782	☉					
The Freezer	5786	☉			☉		
Seaton Meat Co.	5791	☉			☉		
Paris Locker & Abattoir	5795	☉					
Roseville Packing Co.	5796	☉					
Dale's Packing Co.	5797	☉					
Norv's Pork Products	5798	☉					
McGee Packing Co.	5801	☉					
Schleswig Sausage, Inc.	5813	☉					
Leroy's Meat Processors	5819	☉			☉		
Norborne Locker Service	5820	☉					
Mott's Food Lockers-Abattoir	5821	☉					
Sikeston Slaughterhouse	5824	☉					
Hughesville Slaughter Plant	5826	☉					
Poos Bros., Inc., Slaughter House	5827	☉					
Anderman & Co.	5830	☉					
A. L. Hester Packing Co., Inc.	5832	☉					
Kreisel Slaughter House	5834	☉					
Leet's Locker Plant	5835	☉					
B & E Processing Plant	5839	☉			☉		
Lynch Packing Plant	5843	☉					
Dexter Packing Co., Inc.	5845	☉					
Miller's Meat Processing	5846	☉					
Anesi Packing Co.	5847	☉					
Tri-State Food Distributors, Inc.	5848	☉					
O. K. Meat Packing Co.	6001	☉					
William C. Parke & Sons Co.	6003	☉					
University of Nevada—Animal Science Division	6004	☉					
Hohener Meat Co., Inc.	6011	☉					
University of California—Department of Animal Science	6012	☉					
Johnson Meat Co.	6016	☉					
Oakdale Meat Co.	6017	☉					
Lamb Specialties, Inc.	6018	☉					
Mount Vernon Meat Co., Inc.	6039	☉					
Pasco Meat Packers, Inc.	6040	☉					
Weber, Inc.	6041	☉					
McRae Pack, Inc.	6042	☉					
Florence Packing Co., Inc.	E6043	☉					☉
Davis Meat Co.	6044	☉					
Avila Meat Co.	6046	☉					
Saticoy Meat Packing Co.	6055	☉					
Schenk Packing Co.	6056	☉					
Tulare Meat Co.	6063	☉					
Redwood Meat Co.	6066	☉					
Arnopole Meat Co.	6084	☉					
Kratzig Meat Co.	6110	☉					
Mid-Cave Meat Packing Co.	6114	☉					
Cedar Packing Co.	6118	☉					
Cuyamaca Meat Co.	6126	☉					
Mary B. Meats	6156	☉					
T. P. Packing Co., Inc.	6173	☉					
Lewis Meats	6175	☉					
R & R Locker Plant	6228	☉					
The Evans Meat Co.	6243	☉					
Columbus Slaughtering & Processing	6271	☉					
Rice Packing Co.	6413	☉					
Galbrenth Packing Co.	6420	☉					
Chambers Packing Co.	E6429	☉					☉
Foss Brothers	6434	☉					
Reed Packing Co.	6442	☉					
York's Meat	6482	☉					
Mori Wholesale Meats	6485	☉					
K-Pack Meat Co.	6487	☉					
Carson Valley Meat Co.	6491	☉					
Green Hill, Inc.	6513	☉					
George H. Meyer Sons, Inc.	6521	☉					
Guard Hill Meats, Inc.	6526	☉					
Gunnoe Sausage Co., Inc.	6641	☉					
Odom Sausage Co., Inc.	6644	☉					

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
C. Rice Packing Co., Inc	6545	()	()				
Suffolk Packing Co., Inc	6546	()	()	()			
Martin's Abattoir & Wholesale Meats	6547	()	()	()			
Penn Haven Meats, Inc	6559					()	
Roland Packing Co	6563	()			()		
Edwards Sausage Co., Inc	6579					()	
White Packing Co.	6595	()	()				
Dean Sausage Co., Inc.	6621					()	
Maceda Municipal	6675	()	()				
Yauco Municipal Government	6678	()	()	()	()	()	
Manati Slaughter House	6679	()	()				
Carolina Municipal Slaughterhouse	6683	()	()				
Municipal Abattoir	6684	()	()				
Penuelas Municipal Abattoir	6685	()	()	()	()	()	
San Sebastian Abattoir	6687	()	()				
Municipio de Aguadilla	6688	()	()				
Macedo Municipal de Ponce	6689	()	()				
Macedo de Corozal	6690	()	()				
Primeat Packing Co.	6758	()	()				
Star Meat Co	6700					()	
Walter Packing Co.	6766	()	()				
Standard Beef, Inc	6770	()	()				
Callihan & Co.	6775	()	()				
Helms Slaughterhouse	6777	()	()	()			
The Ross Abattoir Co	6780	()	()	()			
Bob Evans Farms, Inc	6785	()	()	()			
Bergman Meat Packing Co., Inc.	6788	()	()	()			
Illini Beef Packers, Inc	6792	()	()	()			
Bob Evans Farms, Inc	6807	()	()				
Utica Packing Co	6832	()	()				
Marburger Packing Co.	6863	()	()				
Nemetz Packing House	6866	()	()				
Hitch Packing Co	6887	()	()				
Miller Processing Co., Inc	6889	()	()	()	()	()	
Country Pride, Inc	E6893	()	()	()	()	()	()
Eckert's Inc	6917	()	()				
Western Illinois Ice Co	6924	()	()				
Abe May Packing Co.	6965	()	()				
Selected Meats	6979	()	()				
Judson Pack, Inc	6989	()	()	()	()	()	
Schwartzman Packing Co.	7003	()	()				
Deming Packing Co., Inc.	7005	()	()				
Jimmy Dean Meat Co.	7012	()	()				
Muskogee Packing Co., Inc.	7015	()	()	()	()	()	
Hatch Packing Co., Inc.	7021	()	()	()	()	()	
Sixty-Six Packing Co.	7023	()	()	()	()	()	
H.A.S. Sweet Meat, Inc	7025	()	()				
Western Meat Packers, Inc.	7028	()	()				
Kachina Packing Co.	7040	()	()	()	()	()	
Crow's Meat Co.	7048	()	()				
Chef Reddy Meats Co.	7049	()	()				
Barthel Packing Co., Inc.	7052A	()	()				
Rocking V Beef, Inc	7054	()	()	()	()	()	
Brown's Meat Locker	7055	()	()	()	()	()	
Interstate Packing Co.	7056	()	()	()	()	()	
Brown Packing Co.	7064	()	()	()	()	()	
Community Abattoir, Inc	7075	()	()	()	()	()	
Culbertson Processing Plant	7082	()	()	()	()	()	
Southern Meat of Texas	7094	()	()				
E-Tex Packing Co.	7122	()	()				
Feliciana Meat Supply	7128	()	()	()	()	()	
B & B Packing Co.	7146	()	()				
Osburn Packing Co.	7150	()	()				
Oaklawn Grain & Feed, Inc	7159	()	()				
Greer's, Inc	7203	()	()				
Single Tree Farms, Inc	7235	()	()				
Texas Meat Packers	7248	()	()				
American Packing Co., Inc	7300	()	()				
Kentucky Sausage Co., Inc	7300	()	()				
Duffy Boneless Beef Co.	7305	()	()				
Metzger Packing Co., Inc.	7306	()	()				
Enterprise Meat Co., Inc.	7319	()	()				
Gold Kist, Inc	7342	()	()				
Saint Thomas Abattoir	7385	()	()	()	()	()	
Municipal Government of Quebradillas	7388	()	()	()	()	()	
Municipality of Albonito	7390	()	()	()	()	()	
Coleman Sausage Co.	7401	()	()				
Henry W. Staph	7402	()	()				
Carolina Abattoir, Inc	7404	()	()	()	()	()	
Harrisonburg Wholesale Meat Co., Inc.	7420	()	()	()	()	()	
Cribbs Sausage Co.	7424	()	()				
Dinner Bell Meat Products, Inc.	7440	()	()	()	()	()	
Blue Ridge Beef Plant, Inc.	7445	()	()				
Williams Sausage Co.	7455	()	()				
F. B. Purnell Sausage Co., Inc.	7464	()	()				
Diamond Meat Co., Inc	7465	()	()				
Field Packing Co., Inc	7467	()	()				
Brundige Sausage Co.	7475	()	()				
Fulton County Packing Co.	7485	()	()				
Danville Meat Products	7486	()	()				
T. M. Landis, Inc	7517	()	()	()	()	()	
Dealman Enterprises, Inc	7562	()	()	()	()	()	
Gartner-Harf Co.	7576	()	()	()	()	()	
Merwin Packing, Inc.	7600	()	()				
Abercrombie Meat	7601	()	()	()	()	()	
Millner & Swanick	7602	()	()				
Missouri Valley Meat	7604	()	()				
Schmalz Meats	7605	()	()				
Goldades Butcher Shop	7606	()	()	()	()	()	
Cedar Ridge Meat Service	7607	()	()				
Barnes County Lockers	7608	()	()				
Hope Locker Plant	7609	()	()				
Casselton Cold Storage	7611	()	()				
Great Bend Lockers	7612	()	()	()	()	()	
Fairmont Lockers	7615	()	()	()	()	()	

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Skyberg's	7616	⊙		⊙		⊙	
Monteith Meats	7617			⊙		⊙	
Park River Locker Plant	7618			⊙		⊙	
Niagara Lockers	7619		⊙	⊙		⊙	
Bowdon Locker Plant	7620			⊙		⊙	
Langdon Lockers	7622			⊙		⊙	
Aafedt's Locker Plant	7623			⊙		⊙	
Rocklake Locker Plant	7624			⊙	⊙	⊙	
Aneta Meats	7625			⊙		⊙	
Animal Science	7627			⊙		⊙	
Stanley Locker Service	7632			⊙		⊙	
Davidson's Processing Plant	7633			⊙		⊙	
Lunde Processing	7634			⊙		⊙	
Dakota Meats, Inc.	7636		⊙	⊙		⊙	
North Dakota State Hospital	7639			⊙		⊙	
Myers Meat Processing	7641			⊙		⊙	
Hillside Meat Co.	7642			⊙		⊙	
City Meat & Locker	7644			⊙		⊙	
Wetsen Jack & Jill	7646			⊙		⊙	
Bosch Meat Co.	7647			⊙		⊙	
Fred Born	7648			⊙		⊙	
Schafers Butcher Shop	7649			⊙		⊙	
K & E Processing & Sales	7655			⊙		⊙	
John Bonn	7656			⊙		⊙	
Einford Lockers	7661			⊙		⊙	
Valley Meat Packing Co., Inc.	7676			⊙		⊙	
City Meat Co.	7677			⊙		⊙	
Rahr Meat Service	7678			⊙		⊙	
Miles City Packing Co.	7679		⊙	⊙		⊙	
Hardin Meat Market	7684			⊙		⊙	
Seitz-Bowers Processing Plant	7685			⊙		⊙	
Timberland Packing Corp.	7687			⊙		⊙	
Krezelak, Inc. (Havre Abattoir)	7688			⊙		⊙	
Rocky Mountain Packing Co., Inc.	7690			⊙		⊙	
Triangle Packing Co.	7691			⊙		⊙	
Maria's Packing Co.	7692			⊙		⊙	
Stanford Meat Market	7694			⊙		⊙	
Barsotti's Meat Plant	7695			⊙		⊙	
Montana State Prison	7707			⊙		⊙	
Roberts Packing Plant	7708		⊙	⊙		⊙	
Rick's Packing Co.	7710			⊙		⊙	
Fan Mountain Meats	7712			⊙		⊙	
Vollmer & Sons, Inc.	7713			⊙		⊙	
Kalspell Meat Co.	7716			⊙		⊙	
White's Wholesale Meats	7717			⊙		⊙	
Vandervanter Meats	7718			⊙		⊙	
Schramm Packing Co.	7719			⊙		⊙	
Tolman Meat Processing	7724			⊙	⊙	⊙	
Mickey's Packing Plant	7732			⊙	⊙	⊙	
The Modern Locker Co.	7745			⊙	⊙	⊙	
Master Meat, Inc.	E7755			⊙		⊙	⊙
Smith-Wilson Meat Products, Inc.	E7766			⊙		⊙	⊙
Adams Locker	7774		⊙	⊙		⊙	
Dale's Meat Processing Plant	7781			⊙		⊙	
Lindenfelser Meats	7782			⊙		⊙	
Sister's of the Order of Saint Benedict	7784			⊙		⊙	
Huettl's Locker & Dressing Plant	7785			⊙		⊙	
Wilson's Meat Market	7790			⊙		⊙	
Carlos Lockers	7796			⊙		⊙	
Ungers Garfield Locker	7797			⊙		⊙	
Charissa Meats	7799			⊙		⊙	
Bruno's Packing Co.	7804			⊙	⊙	⊙	
Bangor Beef Co.	7806			⊙		⊙	
Conti Packing Co., Inc.	7814			⊙		⊙	
Kenneth Baker Farms	7845			⊙	⊙	⊙	
Readfield Abattoir	7874			⊙		⊙	
Bovalina Packing Co.	7875			⊙		⊙	
Peter D. Villari, Inc.	7887			⊙		⊙	
Partin's Country Sausage	7923			⊙		⊙	
Meherrin Packing Co.	7931			⊙		⊙	
Elm Hill Meats, Inc.	7936			⊙		⊙	
Koch Beef Co.	7937			⊙		⊙	
Southern Packing Corp.	7945			⊙		⊙	
Charles J. Schmidt & Co.	7948			⊙		⊙	
Dreher Packing Co., Inc.	7957			⊙		⊙	
Louisville Beef Corp.	7969			⊙		⊙	
Farmer's Meat Produce, Inc.	7972			⊙		⊙	
Kling's Meat Market	7983			⊙		⊙	
Metzger Bros.	8000			⊙		⊙	
University of Kentucky—Meat Laboratory	8013			⊙		⊙	
Davidson Meat Market	8024			⊙		⊙	
Turpen's Sausage, Inc.	8025			⊙		⊙	
Bourbon Packing Co.	8027			⊙		⊙	
Walton Locker & Slaughter Plant	8031			⊙		⊙	
Bill Wheeler Slaughter House	8034			⊙		⊙	
Farmers Slaughter House	8035			⊙		⊙	
Henry Ross Packing Co.	8045			⊙		⊙	
Slade's Meat Packers, Inc.	8054			⊙		⊙	
Hughes Market	8055			⊙		⊙	
Loretto Meat Processors	8064			⊙		⊙	
Bowerman Country Sausage	8072			⊙		⊙	
Boonie's Abattoir, Inc.	8078			⊙		⊙	
Gregory Slaughter House, Inc.	8083			⊙		⊙	
Douglas Slaughterhouse	8087			⊙		⊙	
Elmore & Payne Packing Co., Inc.	8088			⊙		⊙	
Brownsdale Meat Service, Inc.	8189			⊙		⊙	
Robinson Sausage Co.	8405			⊙		⊙	
Bullock's Meats, Inc.	8461			⊙		⊙	
Mexiel Meat Packing Co.	8496			⊙		⊙	
Burton Block	E8523			⊙		⊙	⊙
Blough Packing	8551			⊙		⊙	
Wright Slaughter	8553			⊙		⊙	
Leali Brothers Meats	8555			⊙	⊙	⊙	
New Holland Meat Market	8556			⊙		⊙	
Skober's & Sons, Inc.	8557			⊙		⊙	

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Frank Yakubik	8558	☺	☺	☺	☺		
S. W. Wright & Sons Packing Co.	8559	☺	☺	☺	☺		
Juniata Packing Co.	8560	☺	☺	☺	☺		
Godfrey Brothers	8562	☺	☺	☺	☺		
W. L. Strayer Locker Plant	8565	☺	☺	☺	☺		
Welter's Custom Slaughtering	8569	☺	☺	☺	☺		
W. W. Snavely	8570	☺	☺	☺	☺		
Knuapp Brothers	8572	☺	☺	☺	☺		
James Eberly	8573	☺	☺	☺	☺		
Charles Ilyes	8576	☺	☺	☺	☺		
Peters Brothers Meat Market, Inc.	8581	☺	☺	☺	☺		
Russic Shade Packing	8583	☺	☺	☺	☺		
Fritz's Meats	8585	☺	☺	☺	☺		
Maury Packing Co.	8587	☺	☺	☺	☺		
Lloyd & Earl Youndt	8588	☺	☺	☺	☺		
Cunningham Packing Co.	8590	☺	☺	☺	☺		
John F. Peluso & Sons	8592	☺	☺	☺	☺		
Rose's Slaughter House	8595	☺	☺	☺	☺		
Sechrist Brothers, Inc.	8596	☺	☺	☺	☺		
Robert J. Ishman	8597	☺	☺	☺	☺		
Spurgeon Smith & Sons	8599	☺	☺	☺	☺		
Riley's Meat Processing	8604	☺	☺	☺	☺		
Mox Ham Packing Co.	8605	☺	☺	☺	☺		
Richard L. Beck & Sons, Inc.	8607	☺	☺	☺	☺		
Charles Winick	8608	☺	☺	☺	☺		
New Wilmington Slaughter House	8609	☺	☺	☺	☺		
James R. McDevitt	8610	☺	☺	☺	☺		
Witman's Meats	8611	☺	☺	☺	☺		
Kovacevic Brothers Packing Co.	8612	☺	☺	☺	☺		
Karl K. Kling	8613	☺	☺	☺	☺		
Hi Way Meat Market	8615	☺	☺	☺	☺		
Robie Meat Packers, Inc.	8616	☺	☺	☺	☺		
William Clark Packing Co.	8617	☺	☺	☺	☺		
Dysinger Meats, Inc.	8622	☺	☺	☺	☺		
Paul E. Adams	8623	☺	☺	☺	☺		
C. M. Read's Sons	8624	☺	☺	☺	☺		
Hoffer Bros. Meat Packing Co.	8627	☺	☺	☺	☺		
A. J. Peachey & Sons	8628	☺	☺	☺	☺		
Ray T. Benner & Son	8630	☺	☺	☺	☺		
Henry Harper Wagner	8631	☺	☺	☺	☺		
Honsaker Bros. Meat Market	8632	☺	☺	☺	☺		
Ted's Meat Market	8633	☺	☺	☺	☺		
Epsenshade Quality Meats	8635	☺	☺	☺	☺		
Hitch's Meats	8636	☺	☺	☺	☺		
Economy Locker Storage Co., Inc.	8642	☺	☺	☺	☺		
Cecil F. Fraker	8643	☺	☺	☺	☺		
Rebuck Farms	8644	☺	☺	☺	☺		
Rothermel Meats	8645	☺	☺	☺	☺		
Harvey A. Kipp	8646	☺	☺	☺	☺		
McGuire Butcher Shop	8648	☺	☺	☺	☺		
Giunta	8649	☺	☺	☺	☺		
Charles Meat Market	8650	☺	☺	☺	☺		
Dan's Country Meats, Inc.	8681	☺	☺	☺	☺		
Cloud Packing Co.	8682	☺	☺	☺	☺		
Le Duc Packing Co.	8687	☺	☺	☺	☺		
Troy Meat Processing	8693	☺	☺	☺	☺		
Polo Locker System, Inc.	8695	☺	☺	☺	☺		
New Franklin Locker Service	8696	☺	☺	☺	☺		
Uhrig's Slaughter House	8697	☺	☺	☺	☺		
Wright City Meat Co.	8699	☺	☺	☺	☺		
Weber Meat Service	8702	☺	☺	☺	☺		
Warner Locker	8703	☺	☺	☺	☺		
Princeton Food Service	8705	☺	☺	☺	☺		
Oyler's Locker Service	8706	☺	☺	☺	☺		
Novinger Food Locker	8707	☺	☺	☺	☺		
Hale Locker Plant	8710	☺	☺	☺	☺		
Elmer's Place	8714	☺	☺	☺	☺		
Buy Rite Meat Co.	8715	☺	☺	☺	☺		
Bouckaert Packing	8716	☺	☺	☺	☺		
Brown's Processing Plant	8717	☺	☺	☺	☺		
Zero Locker Service, Inc.	8718	☺	☺	☺	☺		
Groves Packing Co.	8724	☺	☺	☺	☺		
Golden City Meat Co.	8725	☺	☺	☺	☺		
Alma Cooperative Locker Association	8728	☺	☺	☺	☺		
Uptown Slaughter House	8731	☺	☺	☺	☺		
Pleasant Hill Meat Co.	8734	☺	☺	☺	☺		
Poulos Frozen Food Corp.	8735	☺	☺	☺	☺		
Adrian Meats, Inc.	8737	☺	☺	☺	☺		
Stonyhill Meat	8738	☺	☺	☺	☺		
Baker Packing Co.	8743	☺	☺	☺	☺		
Glasgow Locker	8747	☺	☺	☺	☺		
Hamilton Locker	8748	☺	☺	☺	☺		
Theriant's Abattoir, Inc.	8772	☺	☺	☺	☺		
Clark Packing Co.	8799	☺	☺	☺	☺		
Allan Beef Co., Inc.	8842	☺	☺	☺	☺		
Irell Pork Co., Inc.	8850	☺	☺	☺	☺		
Plainfield Packing Co., Inc.	88861	☺	☺	☺	☺		
Oxford Abattoir	8886	☺	☺	☺	☺		
John F. Martin & Sons, Inc.	8888	☺	☺	☺	☺		
Greggwood Farm	8901	☺	☺	☺	☺		
Erdman Supermarkets, Inc.	8905	☺	☺	☺	☺		
McDonald's Food Market	8915	☺	☺	☺	☺		
St. Joseph Meat Market, Inc.	8916	☺	☺	☺	☺		
Froz-N-Foods Co.	8917	☺	☺	☺	☺		
Gordhamer Food Market	8920	☺	☺	☺	☺		
Ruck's Meat Processing Center, Inc.	8921	☺	☺	☺	☺		
Schuller's Processing Service	8922	☺	☺	☺	☺		
Melrose Locker	8927	☺	☺	☺	☺		
Rapids Locker	8928	☺	☺	☺	☺		
Froz-N-Food Co.	8930	☺	☺	☺	☺		
Plantenberg Market, Inc.	8931	☺	☺	☺	☺		
Ketter's Meats	8937	☺	☺	☺	☺		
Salo's Abattoir	8943	☺	☺	☺	☺		
Carlson Frozen Meat Sales	8948	☺	☺	☺	☺		
Henning Locker Plant	8949	☺	☺	☺	☺		

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Dave & Ted's Lockers	8050	○	○	○			
Fergus Locker Plant	8052	○	○				
Lakeland Meats, Inc.	8053	○	○				
Spikes Lockers	8054	○	○		○		
Herges Meat Market, Inc.	8059	○	○				
City Meat Market	8060	○	○				
New Munich Locker Plant	8061	○	○				
Peters, Inc.	8062	○	○				
Do	8063					○	
Forster Packing Co., Inc.	8066	○	○	○	○		
Drewes Frozen Food Center	8071						
Fasston Co-Op Association Locker Department	8074						
City Meat Market	8075	○	○				
Lynch's Foods	8076	○	○				
Geneva Meats & Processing Service	8079	○	○				
Traxler Meats	8081	○	○				
Greenwald Locker Plant	8082	○	○				
Joppru, Inc.	8088						
Slayton Z-R-O Pac	8089			○			
Seheka Locker	8092						
Wampler Wholesale Meats, Inc.	9095	○	○				
Smith's Meat Processing	9073	○	○				
Carroll's of Warsaw, Inc.	9074	○	○				
Snow Hill Processing Plant	9075	○	○				
H. G. Purks, Inc.	9076						
Horse Meat Packers	E9200						○
Hill Meat Co., Inc.	9201	○	○				
Santiam Meat Packers	9230	○	○				
Stanton's Slaughterhouse	9231	○	○				
Carlton Packing Co.	9228	○	○				
Stratman Slaughterhouse	9229	○	○				
Millers Wholesale Meats	9250	○	○				
Habermans Meat Service	9232	○	○				
Marr & Stafford Meat Co.	9253	○	○				
Jacobsmilens Meats	9234	○	○				
Reed & Hertig Packing Co.	9237	○	○				
A & B Meat Packing	9239	○	○				
Merrill Meat Co.	9240	○	○				
Ponderosa Packing & Purveyors	9242	○	○				
Farmer Packing Co.	9243	○	○				
Boyer Meat Co.	9246	○	○				
Myrtle Packing Co.	9247	○	○				
Frdman Packing Co.	9249	○	○				
Cedar Point Packing Co.	9250	○	○				
Greene Meat Co.	9251	○	○				
Mohawk Packing Co.	9252	○	○				
Springfield Slaughter Plant	9256	○	○				
Hickman's Meats	9257	○	○				
Gates Slaughter House	9258	○	○				
Rob's Molalla Meats	9263	○	○				
Myers Packing Co.	9264	○	○				
Mark's Meat Co.	9265	○	○				
Mount Angel Meat Co.	9270	○	○				
Robert C. Cannon Meat Co.	9271	○	○				
Oregon State Penitentiary—Annex Farm	9272	○	○				
Graham Meat Co.	9273	○	○				
McKillop Bros. Meat	9274	○	○				
Boston's Beef House	9275	○	○				
Hawley Meat Co.	9276	○	○				
Hopkins Wholesale Meats	9277	○	○				
Valley Sausage Co.	9281	○	○				
Enfield's Pioneer Meat Co.	9284	○	○				
John Day Valley Packing Co.	9286	○	○				
Mountain Valley Meat Service	9287	○	○				
Van Wert's Lockers & Slaughterhouse	9289	○	○				
Crooked River Meat Co.	9291	○	○				
Cinder Britie Packing Corp.	9293	○	○				
Tri-County Meat Co.	E9294						○
Western Meats	9296	○	○				
Cascade Packing, Inc.	9302	○	○				
Terry Bros., Inc.	9315	○	○				
Curelo Meat	9319	○	○				
Colfax Meats Co.	9324	○	○				
Lampaert Meats	9325	○	○				
Jonlentz Packing Co.	9326	○	○				
Owen Packing Co.	9331	○	○				
Valley Packing Co.	9342	○	○				
Federal Meat Co.	9343	○	○				
Ranch Meats	9344	○	○				
Dwight Gordon	9351	○	○				
Fair View Farm	9353	○	○				
Rudolph Mammula	9357	○	○				
Harvey E. Delp	9359	○	○				
Balthaser's Meat Market	9360	○	○				
Mervin F. Moyer	9363	○	○				
Gretler Meat Packers	9366	○	○				
Allen's Mille Market	9367	○	○				
Mike Zrile	9368	○	○				
Alex Froehlich Packing Co.	9369	○	○				
J. T. Barton	9371	○	○				
Mutzabaugh Slaughter House	9372	○	○				
H. L. Penchey, Jr.	9373	○	○				
Troy Meat Packing Co.	9374	○	○				
Paul L. Stockdale	9375	○	○				
Hemminger's Meat Market	9377	○	○				
Blerly Meat Market	9380	○	○				
Melvin N. Reichert	9381	○	○				
Mike's Packing Co.	9382	○	○				
Warrington Meat Packing Co., Inc.	9384	○	○				
Green Valley Packing Co.	9385	○	○				
Le Due Packing Co.	9387	○	○				
Adam Britz, Jr.	9389	○	○				
Shaw Brothers, Inc.	9390	○	○				
Stanley F. Skedel	9395	○	○				

Establishments slaughtering humanely—Continued

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
Dixon's Meats	9398	⊙					
Bristol Beef Co., Inc.	9399						
J. V. Taylor, Inc.	9400				⊙		⊙
Battles Meat Processing Plant	9401	⊙		⊙			
Joe Deffice & Sons	9402						
Gillo Brothers	9403	⊙					
T. P. Cunningham	9410	⊙		⊙			
Shupes Home Dressed Meats	9413	⊙					
Gina Guillana	9414	⊙					
Edward Galvanek	9415	⊙					
Edgar M. Landis	9417	⊙					
Lovewell's Country Market	9419	⊙					
Rice's Meat Market	9420	⊙					
Charles Kvergas	9422	⊙			⊙		
Ben's Meat Market	9425	⊙			⊙		
Elwood D. Metzler	9428	⊙					
Zechman Butcher Shop	9430	⊙					
Edwards Brothers Packing Co.	9431	⊙					
Yambrovich Meats	9435	⊙					
Rupert's Butcher Shop	9437	⊙		⊙			
Three Sons Meat Market	9438	⊙			⊙		
Burkholder Meat Market	9440	⊙					
Groff's Meats	9442	⊙					
Kreisl Co., Inc.	9444	⊙					
Smith's Super Market, Inc.	9445	⊙					
Lakewew Packing Co., Inc.	9546	⊙					
Grill's Butcher Shop	9448	⊙					
P. G. Morrison	9449	⊙					
Shamokin Packing Co.	9451	⊙					
Rendulic Packing Co.	9457	⊙					
Arthur B. Wenger	9459	⊙					
R. E. Hershey, Inc.	9464	⊙					
Herfurth Brothers Meat Co.	9465	⊙					
Myers Brothers	9469	⊙					
Ranek's Meat Market	9473	⊙					
E. B. Hostoffer & Sons	9480	⊙					
Espey's Meat Market	9482	⊙					
R. V. Wantz & Sons	9483	⊙					
Walter Z. Dillon	9484	⊙					
Meadow Valley Abattoir, Inc.	9486	⊙					
Walter J. Miller	9487	⊙					
Werry Provision	9489	⊙					
Mark R. Bucher	9492	⊙					
Christman & Fox	9494	⊙					
Thornton Meats	9497	⊙					
Indiana Slaughtering Co.	9498	⊙					
Sprecher Brothers Meats	9499	⊙					
Windsor Meat Market	9500	⊙					
Ross D. Bowser	9502	⊙					
John Henry Brubaker	9509	⊙					
Fred E. Shively	9511	⊙					
R. P. Howry	9513	⊙					
Leidy's, Inc.	9520	⊙					
West Apollo Packing Home	9526	⊙					
Weiss Packing Co., Inc.	9528	⊙					
East Carson Packing	9529	⊙					
Bright Byerly	9536	⊙					
Ken Weaver Meats	9538	⊙					
Clyde R. Albertson	9540	⊙					
Anderson Quality Meat Market	9541	⊙					
Emerson Knight	9544	⊙					
Ezra W. Martin Co.	9547	⊙					
Wayne & Charles Nell Slaughterhouse	9548	⊙					
John J. Kohler	9549	⊙					
Beach Meat Market	9550	⊙					
A. S. Kettering Delicatessen	9551	⊙					
Great Valley Meat Market	9557	⊙					
Sterner, Inc.	9561	⊙					
Herman S. Kistler	9562	⊙					
Gerald Anderson	9563	⊙					
Charles T. Heard & Co.	9568	⊙					
Putnak Packing Co.	9564	⊙					
Myers Meat	9565	⊙					
Perry Packing	9566	⊙					
Pierce Custom Slaughter	9567	⊙					
Cloverbloom Market	9570	⊙					
Steigwalt's Meat Market	9572	⊙					
Dietz & Watson, Inc.	9574	⊙					
Steve Fichera Wholesale Meats	9576	⊙					
Wesley R. Gouldey	9577	⊙					
O. J. Hynes	9579	⊙					
Gautley Packing Co., Inc.	9580	⊙					
Livingston Packing Co.	9581	⊙					
Jones Abattoir	9584	⊙					
Louis Kline, Inc.	9589	⊙					
Prim Packing Co.	9592	⊙					
James W. Ilyes	9597	⊙					
Congens Aquilante	9603	⊙					
Harold A. Domb	9605	⊙					
Downingtown Wholesale Meats	9606	⊙					
Frank Esposito & Sons	9607	⊙					
Goodhart Meats	9609	⊙					
Samuel W. Hippey	9612	⊙					
Lukon Meats	9616	⊙					
Mocelo Packing	9618	⊙					
George's Meat Market	9620	⊙					
Charles J. Pudliner	9622	⊙					
Rhodes' Meat Market	9625	⊙					
Stolzins Locker & IGA Food Market	9626	⊙					
Ebling's Meat Market	9630	⊙					
Pifferetti Packing Co.	9631	⊙					
Burkholder Meat Products	9632	⊙					
Turner Farms, Inc.	9634	⊙					

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Equines
R. D. Kelly Meat Packing	9635	⊙	⊙				
M. Lepidi & Sons, Inc.	9636	⊙	⊙				
Kroll's Meat Market	9638	⊙		⊙			
F & S Meats	9639	⊙		⊙			
Glen J. Rosenberry	9640	⊙					
Mrs. Edith Ondilla	9644	⊙					
Shaffer's Abattoir, Inc.	9645	⊙	⊙				
Yost Quality Meats	9646	⊙	⊙				
Watson's Home Dressed Meats	9647	⊙		⊙			
T. W. Barnes	9650	⊙		⊙			
Clair H. Braunaw	9658	⊙		⊙			
Joseph Venezia Dressed Beef	9666	⊙					
Balderston Bros	9670	⊙		⊙			
Catelli, Inc.	9671	⊙		⊙			
Prince's Home Dressed Meats	9673	⊙					
Neal Fierro Market	9674	⊙					
Crissman, Inc.	9679	⊙		⊙			
Cohick Bros. Meat Packers, Inc.	9682	⊙		⊙			
Painter's Meat Products	9683	⊙		⊙			
Keek's Meat Plant	9684	⊙		⊙			
J. I. Fetterolf	9685	⊙		⊙			
Mark Bowman	9686	⊙		⊙			
Lee Bixler	9687	⊙		⊙			
Koh's Meat Market	9689	⊙		⊙			
Pleasant Unity Packing Co., Inc.	9692	⊙		⊙			
Carl Venezia	9693	⊙		⊙			
Ditzler Bros	9694	⊙		⊙			
Paul H. Schneck	9695	⊙		⊙			
Robert L. Bingman	9696	⊙		⊙			
Smith Meats	9697	⊙		⊙			
Holland Brothers Meat	9701	⊙		⊙			
Alfred's Sausage Co., Inc.	9702	⊙		⊙			
Springfield Meat Co.	9704	⊙		⊙			
Wilmer Baringer	9706	⊙		⊙			
Hagers Meat Market	9707	⊙		⊙			
Herbert Hanson Meats	9711	⊙		⊙			
Coffaro's Custom Butchering	9712	⊙		⊙			
Columbus Packing Co.	9713	⊙		⊙			
Thoma Meat Market	9714	⊙		⊙			
Dave Fine Meat Packer	9715	⊙		⊙			
Loutson Packing Co.	9716	⊙		⊙			
Lee Gashel & Sons, Inc.	9717	⊙		⊙			
American Foods, Inc.	9718	⊙		⊙			
Steaie 84 Packing Co.	9719	⊙		⊙			
Smith Frozen Food Bank	9720	⊙		⊙			
Heinrickel Farms, Inc.	9725	⊙		⊙			
Walter's Meat Packers	9726	⊙		⊙			
Manieri, Inc.	9746	⊙		⊙			
Hillcrest Packing	9747	⊙		⊙			
Frank Madrigale	9753	⊙		⊙			
Lemheny Butcher Shop, Inc.	9755	⊙		⊙			
George R. Rev	9758	⊙		⊙			
Rehrigs	9759	⊙		⊙			
Frank O. Gilbert & Son	9762	⊙		⊙			
Joel & David Heintzelman	9763	⊙		⊙			
Delbert E. Haydt	9765	⊙		⊙			
William Multisch	9766	⊙		⊙			
John Elnitski	9767	⊙		⊙			
Walter Jurczak	9770	⊙		⊙			
Albert Caruth	9776	⊙		⊙			
Howard W. Darling	9777	⊙		⊙			
Joseph Kundla	9780	⊙		⊙			
Leona Meats	9784	⊙		⊙			
J & B Meat Plant	9785	⊙		⊙			
William Stepniak	9786	⊙		⊙			
Mussers, Inc.	9788	⊙		⊙			
Yonndt Bros.	9789	⊙		⊙			
C. H. Thomas Sons, Inc.	9790	⊙		⊙			
Stolzhus Meat Market	9792	⊙		⊙			
Locustdale Packing Co.	9799	⊙		⊙			
Allen I. Romberger	9800	⊙		⊙			
Pezner Bros.	9808	⊙		⊙			
Robzer's, Inc.	9809	⊙		⊙			
Hoch's Farms & Markets, Inc.	9810	⊙		⊙			
Twin Pine Farm	9814	⊙		⊙			
J. A. Harclerod & Sons	9816	⊙		⊙			
R. L. Potteliger	9817	⊙		⊙			
The Country Butcher Shop	9819	⊙		⊙			
Hervitz Packing Co.	9821	⊙		⊙			
Laudermilch Meats	9823	⊙		⊙			
Burkhold Bros.	9824	⊙		⊙			
Phares Z. Longeneckner & Sons, Inc.	9827	⊙		⊙			
Wellington J. Fischer	9828	⊙		⊙			
Winner Packing Co.	9829	⊙		⊙			
N. S. & C. H. Troutman	9832	⊙		⊙			
Mike Levchik	9834	⊙		⊙			
Glenn J. Beaton	9835	⊙		⊙			
Norman Zimmerman & Son	9836	⊙		⊙			
Beenroad Meats	9837	⊙		⊙			
George E. Garner	9838	⊙		⊙			
Glenn H. Henry	9841	⊙		⊙			
Francis Bonanno Packing Co.	9842	⊙		⊙			
Hughy (Bobby) Weiyandt, III	9843	⊙		⊙			
Pennsylvania State University	9844	⊙		⊙			
Pentons Meats	9847	⊙		⊙			
Oliznyr Bros. Meat Packing Co.	9848	⊙		⊙			

Done at Washington, D.C., on February 4, 1974.

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

[FR Doc. 74-3364 Filed 2-11-74; 8:45 am]

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

NATIONAL CRIME INFORMATION CENTER
ADVISORY POLICY BOARD

Notice of Meeting

The National Crime Information Center Advisory Policy Board will meet on February 13 and 14, 1974, at the Washington Hilton Hotel in Washington, D.C. The meetings will begin at 9:30 a.m. and conclude at 5 p.m.

The purpose of this meeting will be to review the minutes of the previous meeting, to consider suggestions concerning NCIC and discuss matters presented as new business.

The meeting will be open to the public. Persons who wish to make statements and ask questions of the Board members, must file written statements or questions at least twenty-four hours prior to the opening of each meeting. These statements or questions shall be delivered to the person of the Designated Federal Employee or the Assistant Director, Computer Systems Division of the FBI.

The NCIC Advisory Policy Board is constituted according to Public Law 92-463 and its membership is composed of criminal justice representatives from throughout the United States.

Further information may be obtained from Mr. Norman F. Stultz, Section Chief, Computer Systems Division, FBI HQ, Washington, D.C.

Minutes of the meeting will be available upon request from the above-designated FBI Official.

CLARENCE M. KELLEY,
Director.

[FR Doc.74-3377 Filed 2-11-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DR. DANIEL K. ODELL

Receipt of Marine Mammal Permit
Application

Notice is hereby given that the following applicant has applied for a permit to take marine mammals for scientific research as authorized by section 101(a)(1) of the Marine Mammal Protection Act of 1972 [16 U.S.C. 1361-1407] governing the taking and importing of marine mammals. The Director of the Bureau of Sport Fisheries and Wildlife, United States Fish and Wildlife Service, Department of the Interior, finds the following application sufficient for consideration.

The applicant, Dr. Daniel K. Odell, Assistant Professor, Division of Biology, School of Marine and Atmospheric Science, University of Miami, Miami, Florida proposes a manatee research program which includes the taking of an undetermined number of manatees found dead (*Trichechus manatus latirostris*) in order to gather ecological and biological data of the manatee. His application indicates that the proposed study will consist of two phases: (1) Population

estimation and (2) examination of dead animals, with the initial work being conducted within the Everglades National Park.

The applicant states that: (1) The population will be localized and its size estimated through the use of boat and aerial surveys; (2) the examination of dead manatees will include weighing each specimen if possible, and taking a standard set of measurements which will provide data on the general biology of the species; and (3) data obtained will allow the applicant to estimate several important population parameters including longevity, age at sexual maturity, number of young born per female per year and mortality rates.

The applicant further states that the goals of the research project are to assess the manatee population size in the area of study, estimate the optimum population sizes for these areas, and to estimate the maximum sustainable yield.

Concurrent with the publication of this notice in the FEDERAL REGISTER the Director is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Documents submitted in connection with this application are available for public inspection during normal business hours at the Bureau's office in Suite 600, 1612 K Street NW., Washington, D.C. and at the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife Service, 17 Executive Park Drive NE., Atlanta, Georgia 30323.

Interested persons may comment on this application by submitting written data or views, preferably in triplicate, to the Director (FSF/LE), Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240. All relevant comments received no later than March 15, 1974, will be considered.

Dated: February 7, 1974.

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

[FR Doc.74-3381 Filed 2-11-74;8:45 am]

National Park Service

AVON PIER AND RECREATION
ENTERPRISES, INC.Notice of Intention To Negotiate
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 on March 14, 1974, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Avon Pier and Recreation Enterprises, Inc., authorizing it to provide concession facilities and services for the public at Cape Hatteras National Seashore for a period of five (5) years from January 1, 1974, through December 31, 1978.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it

will not significantly affect the quality of the human environment, and that it is not a major Federal action under the Environmental Quality Act and the guidelines of the Council on Environmental Quality. The environmental assessment may be reviewed in the Southeast Regional Office, 3401 Whipple Avenue, Atlanta, Georgia 30344.

The foregoing concessioner has performed its obligations under the expired 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 on or before March 14, 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.

RUSSELL E. DICKENSON,
Director, National Park Service.

Dated: February 5, 1974.

[FR Doc.74-3375 Filed 2-11-74;8:45 am]

Office of the Secretary

[INT FES 74-9]

ALLEGHENY NATIONAL FISH HATCHERY,
PENNSYLVANIAAvailability of Final 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 final environmental statement for the Allegheny National Fish Hatchery in Warren County, Pennsylvania.

The Allegheny National Fish Hatchery will be constructed and operated for the propagation of coho salmon and brook, brown and rainbow trout. The proposed hatchery is expected to supply fish for the sport fishery in Allegheny National Forest waters and the establishment and management of trout or salmon stocks in the Eastern Great Lakes, and in new reservoirs, impoundments, lakes and ponds. This statement examines the environmental impacts of the proposed hatchery.

Copies of the final statement are available for inspection at the following locations:

Bureau of Sport Fisheries and Wildlife
Room 805, John W. McCormack
Post Office and Courthouse
Boston, Massachusetts 02109

Bureau of Sport Fisheries and Wildlife
Office of Environmental Quality
Department of the Interior
Room 2246
18th and C Streets, N.W.
Washington, D.C. 20240

Lamar National Fish Hatchery
P.O. Box 75
Lamar, Pennsylvania 16848

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: February 6, 1974.

WILLIAM A. VOGELY,
Assistant Secretary,

Program Development and Budget.

[FR Doc.74-3431 Filed 2-11-74;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-407]

AQUARIUS MARINE CO.

Notice of Application

Notice is hereby given that Aquarius Marine Company has filed an application dated January 17, 1974, under the Merchant Marine Act, 1936, as amended, for operating-differential subsidy on a tank vessel to be employed in U.S. foreign trade. Since Aquarius Marine Company is affiliated with Judge Oil Transport Inc. (an affiliate of Worth Oil Transport Company in which the general partners of Aquarius Marine Company have an interest) and since Judge Oil Transport Inc. operates a barge in the coastwise trade, written permission of the Maritime Administration under section 805(a) of the Merchant Marine Act, 1936, as amended, will be required by Aquarius Marine Company if its application for operating-differential subsidy is approved. The vessel involved is one of three with respect to which the Maritime Subsidy Board has already entered into an operating-differential subsidy agreement with Aeron Marine Shipping Company, which has been granted a section 805(a) waiver in connection therewith. Aquarius Marine Company is requesting (and Aeron Marine Shipping Company concurs) that said contract be amended to delete one of the vessels, and that a new operating-differential agreement between Aquarius Marine Company and the Maritime Subsidy Board covering that vessel be executed.

Interested parties may inspect this application in the Office of Subsidy Administration, Maritime Administration, Room No. 4888, Department of Commerce Building, Fourteenth and E Streets NW., Washington, D.C. 20235.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit comments or views concerning the application must, by close of business on February 22, 1974, file same with the Secretary, Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By Order of the Maritime Administration.

Dated: February 7, 1974.

JAMES S. DAWSON, JR.,
Secretary.

[FR Doc.74-3474 Filed 2-11-74;8:45 am]

Office of the Secretary VOTING AGE POPULATION Estimates for 1973

In accordance with the requirements of the Federal Election Campaign Act of 1971 (47 U.S.C. 803), notice is hereby given that the estimated voting age population (18 years of age and over) for calendar year 1973 for each State, Congressional District, the District of Columbia, the Commonwealth of Puerto Rico, and the Territories of Guam and the Virgin Islands is as shown in the following table. These estimates have been certified to the Comptroller General.

FREDERICK B. DENT,
Secretary of Commerce.

Estimates of the population of voting age for States, congressional districts, and selected outlying areas—1973

[In thousands]

State and congressional district:	Population 18 and over
United States.....	141,656
Alabama.....	2,338
1.....	321
2.....	334
3.....	332
4.....	358
5.....	325
6.....	337
7.....	331
Alaska.....	200
Arizona.....	1,345
1.....	349
2.....	345
3.....	337
4.....	315

State and congressional district:	Population 18 and over
Arkansas.....	1,374
1.....	325
2.....	350
3.....	373
4.....	325
California.....	14,143
1.....	348
2.....	351
3.....	337
4.....	325
5.....	341
6.....	345
7.....	345
8.....	321
9.....	330
10.....	321
11.....	329
12.....	354
13.....	326
14.....	319
15.....	329
16.....	325
17.....	330
18.....	326
19.....	290
20.....	339
21.....	295
22.....	305
23.....	326
24.....	325
25.....	280
26.....	380
27.....	313
28.....	354
29.....	318
30.....	340
31.....	306
32.....	377
33.....	322
34.....	293
35.....	303
36.....	303
37.....	321
38.....	300
39.....	356
40.....	362
41.....	317
42.....	373
43.....	344
Colorado.....	1,631
1.....	320
2.....	333
3.....	314
4.....	336
5.....	328
Connecticut.....	2,101
1.....	360
2.....	351
3.....	355
4.....	342
5.....	350
6.....	344
Delaware.....	382
District of Columbia.....	529
Florida.....	5,427
1.....	314
2.....	332
3.....	313
4.....	357
5.....	410
6.....	424
7.....	339
8.....	360

State and congressional district:	Population 18 and over	State and congressional district:	Population 18 and over	State and congressional district:	Population 18 and over
Florida—Continued		Kansas	1,570	Minnesota	2,575
9	324	1	306	1	319
10	400	2	329	2	330
11	385	3	315	3	301
12	385	4	297	4	311
13	358	5	323	5	338
14	374			6	319
15	335	Kentucky	2,235	7	330
Georgia	3,140	1	337	8	327
1	295	2	310	Mississippi	1,453
2	301	3	310	1	277
3	295	4	309	2	276
4	334	5	326	3	297
5	300	6	326	4	291
6	338	7	317	5	311
7	325	Louisiana	2,399	Missouri	3,251
8	307	1	300	1	296
9	333	2	316	2	307
10	310	3	296	3	308
Hawaii	549	4	298	4	341
1	274	5	305	5	321
2	275	6	305	6	339
Idaho	501	7	293	7	359
1	260	8	287	8	329
2	241	Maine	698	9	322
Illinois	7,568	1	346	10	329
1	299	2	341	Montana	474
2	296	Maryland	2,720	1	243
3	321	1	338	2	231
4	318	2	348	Nebraska	1,042
5	300	3	344	1	355
6	340	4	344	2	346
7	271	5	334	3	340
8	305	6	357	Nevada	365
9	376	7	313	New Hampshire	531
10	320	8	342	1	262
11	335	Massachusetts	4,006	2	268
12	311	1	338	New Jersey	5,030
13	307	2	319	1	334
14	308	3	324	2	375
15	314	4	343	3	335
16	296	5	318	4	321
17	313	6	332	5	326
18	319	7	335	6	340
19	309	8	368	7	322
20	321	9	321	8	334
21	324	10	333	9	342
22	325	11	334	10	317
23	299	12	340	11	353
24	342	Michigan	5,922	12	336
Indiana	3,530	1	302	13	327
1	303	2	321	14	341
2	330	3	315	15	328
3	318	4	317	New Mexico	691
4	319	5	306	1	357
5	321	6	322	2	334
6	312	7	296	New York	12,665
7	345	8	307	1	316
8	326	9	310	2	300
9	321	10	328	3	295
10	322	11	334	4	292
11	314	12	307	5	319
Iowa	1,957	13	294	6	337
1	326	14	316	7	340
2	318	15	317	8	365
3	323	16	310		
4	334	17	317		
5	336	18	300		
6	320	19	305		

State and congressional district:	Population 18 and over	State and congressional district:	Population 18 and over	State and congressional district:	Population 18 and over
New York—Continued		Oregon	1,532	Texas—Continued	
9	360	1	401	18	287
10	349	2	379	19	314
11	319	3	365	20	308
12	263	4	366	21	338
13	365			22	306
14	292	Pennsylvania	8,240	23	311
15	339	1	324	24	330
16	343	2	316		
17	336	3	304	Utah	715
18	392	4	351	1	358
19	315	5	333	2	357
20	364	6	343		
21	254	7	319	Vermont	309
22	379	8	323		
23	332	9	328	Virginia	3,243
24	328	10	343	1	316
25	324	11	346	2	312
26	318	12	329	3	324
27	329	13	330	4	305
28	328	14	327	5	324
29	328	15	343	6	334
30	317	16	327	7	344
31	323	17	337	8	322
32	318	18	329	9	336
33	309	19	331	10	325
34	314	20	314		
35	310	21	325	Washington	2,329
36	307	22	332	1	338
37	311	23	334	2	324
38	317	24	327	3	339
39	319	25	323	4	332
				5	352
North Carolina	3,541	Rhode Island	677	6	337
1	309	1	339	7	307
2	309				
3	307	South Carolina	1,775	West Virginia	1,228
4	341	1	287	1	306
5	329	2	312	2	319
6	325	3	303	3	299
7	315	4	306	4	304
8	320	5	302		
9	317	6	266	Wisconsin	3,033
10	330			1	327
11	339	South Dakota	454	2	348
		1	229	3	349
North Dakota	421	2	225	4	339
				5	343
Ohio	7,175	Tennessee	2,799	6	334
1	311	1	358	7	341
2	302	2	364	8	327
3	312	3	346	9	325
4	306	4	360		
5	310	5	343	Wyoming	234
6	310	6	342		
7	309	7	357	<i>Outlying areas</i>	
8	313	8	329	Puerto Rico	1,651
9	315			Guam	52
10	328	Texas	7,785	Virgin Islands	44
11	299	1	334		
12	326	2	351		
13	303	3	314		
14	313	4	329		
15	327	5	319		
16	313	6	340		
17	308	7	383		
18	323	8	302		
19	319	9	318		
20	302	10	355		
21	287	11	363		
22	322	12	300		
23	316	13	325		
		14	313		
Oklahoma	1,832	15	299		
1	292	16	308		
2	301	17	338		
3	321				
4	302				
5	304				
6	312				

[FR Doc.74-3460 Filed 2-11-74; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assistant Secretary for Community Planning and Development

[Docket No. D-74-265]

REGIONAL ADMINISTRATION ET AL.
 Redlegation of Authority With Respect to Relocation Policies and Requirements
 SECTION A. Authority redelegated to Regional Administrators, Deputy Regional Administrators, Area Directors, and Deputy Area Directors. Each Re-

gional Administrator, Deputy Regional Administrator, Area Director, and Deputy Area Director of the Department of Housing and Urban Development is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the administration of Departmentwide policies, standards, procedures, and advisory materials governing relocation requirements and payments under sections 105(c) and 114 of the Housing Act of 1949 (42 U.S.C. 1465), section 404 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3074), section 107 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3307), and Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601) except as specified under this Section A and additionally excepted under Section D. This includes authority to determine that relocation payments have been made and relocation assistance has been provided in accordance with and to the full extent contemplated by rules and regulations prescribed by the Secretary, and, in addition, the power and authority:

1. Under the Housing Act of 1949:
 - a. To determine that the relocation requirements of sections 105(c) (1) and (2) have been met.
 - b. To review a locality's relocation plan and its effectiveness in carrying out the plan, in accordance with section 105 (c) (3).
 - c. To determine that the Local Public Administrator has a satisfactory plan for the encouragement of the provision of suitable housing for persons displaced from a disaster area, in accordance with section 111(3).
2. Under the Demonstration Cities and Metropolitan Development Act of 1966, determine that the relocation requirements of section 107(a) have been met.
3. Under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970:
 - a. To determine the acceptability of State agency assurances that (1) fair and reasonable relocation payments and assistance will be provided to or for displaced persons in accordance with sections 202, 203 and 204; (2) relocation assistance programs offering the services described in section 205 will be provided to such displaced persons; and (3) within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with section 205(c) (3).
 - b. To determine that replacement housing in accordance with section 205 (c) (3) is in fact available to displaced persons before they are required to move; or that such housing cannot be made available without the use of project or program funds, in accordance with section 206(a).
 - c. To take action to assure the coordination of relocation activities with other project work and other planned or proposed governmental actions in the community or any of the outlying areas

which may affect the carrying out of relocation assistance programs, in accordance with section 205(d).

d. To determine whether a payment received by a displaced person required by State law of eminent domain has the same purpose and effect as a payment under sections 202, 203, or 204, except that where more than one HUD Area Office has jurisdiction within a single State, this authority is reserved to the Regional Administrator and Deputy Regional Administrator having jurisdiction for that State.

e. To make final determinations in connection with matters which are submitted for HUD review by persons aggrieved by a State agency determination as to (1) eligibility for a relocation payment or the amount of a payment as prescribed in Part 42 of 24 CFR, or (2) adequacy of replacement housing as prescribed in Part 42 of 24 CFR.

f. To concur on a case basis in State agency waivers of rules and regulations prescribed by the Secretary in Part 42 of 24 CFR.

Sec. B. Authority redelegated to Directors and Deputy Directors, Operations Division, Assistant Directors, Planning and Relocation Branch, and Relocation Specialist. Each Director and Deputy Director, Operations Division, Assistant Director, Planning and Relocation Branch, and Relocation Specialist is authorized in connection with the Slum Clearance and Urban Renewal Program to review a locality's relocation plan and its effectiveness in carrying out the plan under section 105(c) (3) of the Housing Act of 1949 (42 U.S.C. 1455(c) (3)).

Sec. C. Authority redelegated to Region VIII (Denver) officials. 1. The Assistant Regional Administrator for Community Planning and Management, Region VIII (Denver) is authorized to exercise the authority redelegated in Section A.

2. The Relocation Advisor, Region VIII (Denver) is authorized to exercise the authority redelegated in Section B.

Sec. D. Additional authority excepted. There is further excepted from the authority redelegated under Sections A, B, and C the power and authority to:

1. Sue and be sued.
2. Issue rules and regulations.
3. Waive rules and regulations established by the Secretary.
4. With respect to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601):

a. Establish standards of adequate replacement housing for displaced persons as the basis for determinations in connection with replacement housing payments under sections 203 and 204 and with availability of replacement housing under section 205(c) (3).

b. Establish standards with respect to the extent and nature of relocation services to be provided to displaced persons, pursuant to section 205(c).

c. Waive the requirement for State agency assurances that, within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced

persons, in accordance with section 205 (c) (3).

d. To the extent applicable to programs in connection with which authority for funds for relocation payments and assistance under Title II has been redelegated by the Assistant Secretary for Community Planning and Development, approve the use of project or program funds for the provision of replacement housing in accordance with section 206 (a), as prescribed in Part 43 of 24 CFR.

e. To the extent applicable to programs in connection with which authority for funds for relocation payments and assistance under Title II has been redelegated by the Assistant Secretary for Community Planning and Development, (1) approve the use of project or program funds for seed money loans, under section 215, to assist in the provision of needed replacement housing as prescribed in Part 43 of 24 CFR, and (2) cancel any part or all of a loan made under section 215 as prescribed in Part 43 of 24 CFR.

Sec. E. Exercise of redelegated authority. Redelegations of authority made under Sections A, B, and C shall not be construed to modify or otherwise affect the administrative and supervisory powers of the Regional Administrator, Area Director, and their deputies, to whom a delegate is responsible, and these supervisors shall, in addition to any other authority delegated to them, have the same final authority redelegated to their subordinates.

Sec. F. Supersedure. This document supersedes Section D, E 1d and E2 of the redelegations of authority published at 37 FR 12739, June 28, 1972.

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

Effective date. This redelegation of authority is effective as of February 13, 1974.

D. O. MEEKER, Jr.,
Assistant Secretary for Community Planning and Development.

[FR Doc.74-3469 Filed 2-11-74; 8:45 am]

Office of the Assistant Secretary for Housing Management

[Docket No. D-74-264]

ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING MANAGEMENT, BOSTON REGIONAL OFFICE (REGION I)

Redelegation of Authority

SECTION A. Authority redelegated. The Assistant Regional Administrator for Housing Management, Boston Regional Office, (Region I), is delegated the authority to take all actions and perform all functions of the Area Director and Deputy Area Director, Boston Area Office, with respect to housing management matters under the jurisdiction of that Office, published at 35 F.R. 16104, October 14, 1970, et seq., as amended (Loan and Contract Servicing); 35 F.R. 16105, et seq., October 14, 1970, as amended (Housing Management); 35 F.R. 16106, et seq., October 14, 1970, as amended

(Property Disposition); 37 F.R. 3376, February 15, 1972, as amended (Major Disaster Field Functions); 37 F.R. 15948, August 8, 1972, as amended (Rehabilitation Loan Program); 37 F.R. 9182, May 5, 1972, as amended (Counseling); and 36 F.R. 21298, November 5, 1971, as amended (Plan of Management).

SEC. B. Exercise of redelegated authority. Redelegations of authority made under section A shall not be construed to modify or otherwise affect the administrative and supervisory powers of the Regional Administrator.

(Secretary's delegation of authority to redelegate published at 36 F.R. 5005, March 16, 1971)

Effective date. This amendment to redelegation of authority is effective as of December 7, 1973.

H. R. CRAWFORD,
Assistant Secretary
for Housing Management.

[FR Doc. 74-3468 Filed 2-11-74; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 74-19 N]

LOUISIANA—ATCHAFALAYA RIVER AND INTRACOASTAL WATERWAY AND MORGAN CITY-PORT ALLEN

Order Governing the Movement of Vessels and Composition of Tows

Notice is hereby given that Ellis L. Perry, Rear Admiral, United States Coast Guard, Commander, Eighth Coast Guard District, has issued the following special order governing the movement of vessels and composition of tows:

"LOUISIANA—ATCHAFALAYA RIVER AND INTRACOASTAL WATERWAY MORGAN CITY-PORT ALLEN (ALTERNATE ROUTE)

Atchafalaya River, La.; special order to govern navigation through the reach of the Lower Atchafalaya River (Berwick Bay) in the vicinity of the Southern Pacific Railroad Bridge and both highway bridges at Morgan City, La.

1. The Commander, Eighth Coast Guard District has determined that an emergency condition exists due to the velocity of the flow of the Atchafalaya River in the vicinity of the Southern Pacific Railroad Bridge and both highway bridges at Morgan City, Louisiana, and finds it necessary to issue this order governing the movement of vessels and the composition of tows through each of those bridges. The following order is issued, under the authority of 33 CFR 6.04.

2. Day and night visual signals will be displayed prominently on the Southern Pacific Railroad Bridge when this order is in effect. During periods of foggy or inclement weather, or when for any other reason the visual signals cannot be seen, notice that the signals are being displayed will be given by blasts of a fog horn located on the bridge. To indicate

that signals are being displayed to govern traffic moving through the bridges, one blast of six (6) seconds duration will be sounded on air horn each minute.

3. By day the visual signals will consist of two red balls, two feet in diameter displayed one above the other not less than four nor more than six feet apart, from a pole, to indicate that vessels and tows moving through the bridges shall be governed by this order.

4. At night the visual signal will consist of two focused, flashing white lights visible 360 degrees, of such character as to be visible on a dark night with a clear atmosphere for a distance of at least two (2) miles, displayed vertically one above the other, not less than four (4) feet nor more than six (6) feet apart.

5. When the signals described in paragraphs 2, 3, and 4 of this order are displayed, unless otherwise directed by the Commander, Eighth Coast Guard District, tows (except as described below) moving southward through any of the three bridge openings shall not exceed one barge or other vessel in addition to the towing vessel. Tows moving northward through any of the three bridge openings shall not exceed two barges or other vessels arranged in tandem in addition to the towing vessel. Towing on a hawser in either direction shall not be permitted. Tows shall move through the bridge openings at a minimum speed required to maintain steerageway.

6. The restrictions as to size of tows described in paragraph 5 of this order shall not apply to an integrated tow consisting of a bow section, with or without a middle box section or sections and a stern section arranged in tandem securely lashed together with the push boat made up rigidly astern. The bow section of the tow, commonly referred to as the lead barge, shall have a raked bow and a square stern. Any middle box section shall have square ends. The stern section, commonly referred to as the trailing barge, shall have a square bow and a raked stern. All sections in the integrated tow must have virtually the same beam and draft so as to present a nearly uniform and unbroken underwater hull shape. Variations in draft and beam between any two adjacent barges shall not exceed ten percent of the draft of that barge in the tow drawing the most water and shall not exceed 10 percent of the beam of the widest barge in the tow.

7. The restrictions as to size of tows described in paragraph 5 of this order shall not apply to tows with two towing vessels, one at the head and one at the stern of the tow, nor shall they apply to tows with bow steering units.

8. No tow may proceed through any of the three bridge openings unless the towing vessel is of sufficient horsepower. Towing vessels less than 1,000 horsepower each are deemed to have insufficient horsepower to tow barges carrying particularly hazardous cargo.

9. "PARTICULARLY HAZARDOUS CARGO" as used in this order shall mean:

A. (1) Explosives, class A (commercial or military).

(2) Oxidizing materials for which a special permit for water transportation is required by 46 CFR Part 146.

(3) Radioactive materials for which special approval by the Commandant for water transportation is required by 46 CFR Part 146.

(4) Any dangerous cargo considered to involve a particular hazard, when transported or handled in bulk quantities, as further described in paragraph (B) of this section.

B. (1) A dangerous cargo considered to involve a particular hazard, when transported in bulk quantities on board vessels is any commodity which by virtue of its properties would create an unusual hazard if released. The commodities subject to this section are:

Acetaldehyde	Phosphorus, elemental
Acetone cyanohydrin	Chlorine
Acetonitrile	Chlorohydrins, crude
Acrylonitrile	Crotonaldehyde
Allyl Alcohol	1, 2, Dichloropropane
Ammonia, anhydrous	Dichloropropene
Aniline	Epichlorohydrin
Butadiene	Ethylene
Carbolic oil	Ethyl ether
Carbon disulfide	Ethylene oxide
Methane	Hydrochloric acid
Methyl acrylate	Propane
Methyl bromide	Propylene
Methyl chloride	Propylene oxide
Methyl Methacrylate (Monomer)	Sulfuric acid
Oleum	Sulfuric acid, spent
Phenol	Vinyl acetate
	Vinyl chloride
	Vinylidene chloride

(2) Each commodity listed in subparagraph (1) of this is considered to possess one or more of the following properties:

- (i) Is highly reactive or unstable; or;
- (ii) Has severe or unusual fire hazards; or
- (iii) Has severe toxic properties; or
- (iv) Requires refrigeration for its safe containment; or

(v) Can cause brittle fracture of normal ship structural materials or ashore containment materials by reason of its being carried at low temperatures, or because of its low boiling point at atmospheric pressure (unless uncontrolled release of the cargo is not a major hazard to life).

10. Vessels and tows proceeding with the current shall have the right of way over vessels and tows proceeding against the current. When two vessels or tows are about to enter the navigation opening through the bridges from opposite directions at the same time, the vessel or tow proceeding against the current shall stop short of the opening until the vessel or tow having the right of way shall have passed through.

11. Vessels and tows desiring to pass through the navigation opening of any of the three bridges shall approach the opening along the axis of the channel and shall proceed with due regard for direction and velocity of the current and for any tendency to drift either to the right or to the left so as to pass through without danger of striking the bridges or their fenders. No vessel shall attempt passage through the navigation open-

ing of the Southern Pacific Railroad Bridge until it is fully open.

12. The bridge tender of the Southern Pacific Railroad Bridge is available on 156.650 MHz and 156.8 MHz (channels 13 and 16) for information regarding the lift span and the marine traffic in the vicinity of the bridge.

13. Violation of this order is punishable by forfeiture of the vessel and its equipment, and a fine of not more than \$10,000.00, and imprisonment for not more than 10 years. 50 USC 192, 33 CFR 6.18-1.

14. This order is effective for all marine traffic using Atchafalaya River Route and the Morgan City-Port Allen Alternate Route commencing a 6 o'clock a.m. central daylight time, Friday, January 11, 1974."

(Sec. 1, 40 Stat. 220, as amended, sec. 6(b) (1), 80 Stat. 937; 50 U.S.C. 191, 49 U.S.C. 1655 (b) (1); Proc. No. 2914, 3 CFR 1949-53 Comp., p. 99 (1950), E.O. 10637, 3 CFR 1954-58 Comp., p. 269 (1955); 49 CFR 1.46(b))

Dated: February 4, 1974.

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

[FR Doc.74-3442 Filed 2-11-74; 8:45 am]

Federal Highway Administration
COLORADO

Proposed Action Plan

The Colorado State Department of Highways has submitted to the Federal Highway Administration of the U.S. Department of Transportation a proposed action plan as required by Policy and Procedure Memorandum 90-4 issued on June 1, 1973. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used by the State to assure that economic, social and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest, taking into consideration: (1) Needs for fast, safe and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed action plan is available for public review at the following locations:

1. Colorado Department of Highways Public Relations Office—Room 235 4201 East Arkansas Avenue Denver, Colorado 80222
2. Colorado Division of Highways District No. 1 18500 East Colfax Aurora, Colorado 81002
3. Colorado Division of Highways District No. 2 905 Erie Avenue Pueblo, Colorado 81002
4. Colorado Division of Highways District No. 3 606 South 9th Street Grand Junction, Colorado 81501
5. Colorado Division of Highways District No. 4 1420 Second Street Greeley, Colorado 80632
6. Colorado Division of Highways District No. 5

Highway Building

Durango, Colorado 81302

7. Colorado Division of Highways District No. 6 2000 South Holly Denver, Colorado 80222

8. Colorado Division Office—FHWA 10488 West 6th Place Denver, Colorado 80215

9. FHWA Regional Office—Region 8 Building 40 Denver Federal Center Denver, Colorado 80225

10. U.S. Department of Transportation Federal Highway Administration Environmental Development Division Nassif Building—Room 3246 400 7th Street, S.W. Washington, D.C. 20590

Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent to the FHWA Regional Office shown above before March 15, 1974.

Issued on February 6, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-3428 Filed 2-11-74; 8:45 am]

SOUTH CAROLINA
Proposed Action Plan

The South Carolina State Highway Department has submitted to the Federal Highway Administration of the U.S. Department of Transportation a proposed Action Plan as required by Policy and Procedure Memorandum 90-4 issued on June 1, 1973. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used by the State to assure that economic, social and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest, taking into consideration: (1) needs for fast, safe and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed Action Plan is available for public review at the following locations:

1. South Carolina State Highway Department, State Highway Building, Columbia, South Carolina 29201.
2. South Carolina Division Office—FHWA, 2001 Assembly Street, Suite 203, Columbia, South Carolina 29201.
3. FHWA Regional Office—Region 4, Office of Environment and Design, Room 208, 1720 Peachtree Road, N.W., Atlanta, Georgia 30309.
4. U.S. Department of Transportation, Federal Highway Administration, Environmental Development Division, Nassif Building—Room 3246, 400 7th Street, S.W., Washington, D.C. 20590.

Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent to the FHWA Regional Office shown above before March 15, 1974.

Issued on February 6, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-3427 Filed 2-11-74; 8:45 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-413, 50-414]

DUKE POWER CO.

Notice of Further Evidentiary Hearing

In the matter of Duke Power Co. (Catawba Nuclear Station Units 1 and 2).

Take notice that further evidentiary hearings will be conducted in the above-captioned proceeding, to begin at 9 a.m. local time on Tuesday, February 12, 1974, at the Mecklenburg County Courthouse, District Courtroom No. 7, 700 East Trade Street, Charlotte, North Carolina. The public is invited to attend the hearing.

It is so ordered.

Issued at Washington, D.C., this 8th day of February, 1974.

ATOMIC SAFETY AND LICENSING BOARD,
MAX D. PAGLIN,
Chairman.

[FR Doc.74-3626 Filed 2-11-74; 11:30 am]

[Docket Nos. 50-450 & 50-451]

DELMARVA POWER AND LIGHT CO.

Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated February 1, 1974, a copy of which is attached as Appendix A.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's "Rules of Practice," 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by March 14, 1974, (1) by delivery to the AEC Public Document Room at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, Attn: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

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

FEBRUARY 1, 1974.

APPENDIX "A"

Re: Summit Power Station, Units 1 and 2, Delmarva Power and Light Company, Philadelphia Electric Company, AEC Docket Nos. 50-450A and 50-451A.

You have requested our advice pursuant to the provisions of Section 105 of the Atomic Energy Act, as amended, in regard to the above-cited application.

I. Applicants. Summit Power Station, Units 1 and 2, which will be located near the town of Summit Bridge, New Castle County, Delaware, will consist of two units with outputs of approximately 770 mw each. The units will be jointly owned by two investor-owned utilities: Delmarva Power and Light Company (85 percent) and Philadelphia Electric Company (15 percent). The most recent estimate of the cost of these units at completion is \$825 million. Unit 1 is scheduled to go into operation between 1979 and 1980; Unit 2, between 1981 and 1982. The units will be

constructed and operated on behalf of the Applicants by Delmarva Power and Light Company.

Delmarva Power and Light Company (DP&L) is an investor-owned integrated electric utility which, directly and through two subsidiaries, serves approximately 227,000 customers in 14 counties on the Eastern Shore peninsula in the States of Delaware, Maryland and Virginia. At present, DP&L supplies the full bulk power requirements of 11 municipal electric utilities and three rural electric cooperatives;¹ it also supplies the partial bulk power requirements of three additional municipal electric utilities. In 1972 DP&L's total electric operating revenues were approximately \$131 million; the company had an installed generating capacity of approximately 1417 mw. DP&L is the only electric utility with high voltage transmission lines throughout the three-state peninsula; it has absolute control over all of the electric interconnections between that geographically isolated area and all other bulk power suppliers and markets.

Philadelphia Electric Company (PECO) is a fully integrated investor-owned utility serving approximately 1,217,000 customers in the City of Philadelphia and five surrounding counties in southeastern Pennsylvania; through a subsidiary, it also serves the population of two Maryland counties. In 1972 PECO's installed generating capacity was 6,136 mw. PECO presently supplies the full bulk power requirements of one municipal electric system. In 1972, PECO had electric operating revenues of approximately \$574 million.

Both Applicants derive substantial benefits from coordinating and pooling arrangements with other major utilities. These interconnection arrangements provide for substantial increases in reliability and economy of operation through emergency and standby assistance and the interchange of electric power and energy. PECO is a member of the Pennsylvania-New Jersey-Maryland Interconnection (PJM Pool).² PECO is also a member of the PE Group, which consists of itself, DP&L, and Atlantic City Electric Company. Although DP&L is not a full member of the PJM Pool, it is associated with the Pool through membership in the PE Group.

II. Competitive Considerations. As stated above PECO presently supplies the full bulk power requirements of one municipal electric utility. Neither this municipal system or any other utility with which PECO is interconnected have requested access to the subject unit. In its review of the Summit Power Station application, the Department has received no complaints of any anticompetitive activities or practices on the part of PECO. The

Department's inquiry in connection with this application has, therefore, been directed almost entirely to the policies and practices of DP&L.

Several years prior to the filing of this application, the Department began an inquiry into DP&L's activities in response to various complaints. This inquiry revealed that upon several occasions DP&L had refused to wheel power for other electric utilities,³ and had refused to grant other utilities access to prior nuclear units.⁴ DP&L repeatedly refused to engage in the joint planning and construction of large scale generation,⁵ notwithstanding a serious problem of inadequate reserves in recent years.

Our inquiry disclosed, however, that substantially in advance of the time at which DP&L filed the instant application, it began to take steps to alter and eliminate its prior anticompetitive policies and practices.

On August 4, 1972, over one year prior to the formal filing of the instant application, DP&L wrote to all of its wholesale customers and the two municipal systems with which it has interconnection agreements offering them participation in the Summit Power Station. The terms of DP&L's offer require the expression of an intention to participate by February 16, 1974, and the execution of final contracts concerning participation by February 16, 1975. The offerees have been engaged in extensive negotiations with DP&L for the last two years and have raised certain points regarding the mechanics of participation which they fear may give rise to competitive problems. However, negotiations are still in progress with respect to all of these points and the parties appear to be negotiating in good faith.

DEC has alleged that DP&L has refused to extend its offer of access to the generation and transmission cooperative and will only deal with the member distribution cooperatives which are DP&L's wholesale customers. DP&L denies that it has refused to deal with DEC and maintains that it has merely requested additional information concerning DEC's structure and operation. Because of a realization that this issue cannot be resolved prior to the Department's rendering of antitrust advice, DP&L has agreed to accept a condition to the license sought in the instant application which would provide that DP&L would grant reasonable access to Summit to those smaller, financially responsible electric utilities which might not otherwise have the opportunity to participate in the development of nuclear power. We understand that this commitment will enable the distribution cooperatives to obtain access through a joint generating entity which has the necessary legal and financial capacities. In addition, DP&L has committed itself to provide such wheeling, reserves, and coordination as are necessary to make access meaningful. Further, the arrangements for access, transmission services, and reserve sharing will not embody restrictive provisions nor place an unreasonable burden on the smaller participants.

In view of this offer of access and the absence of any refusal to wheel within the last four years, the only anticompetitive problem areas of which the Department is aware are restrictive clauses in the interchange between DP&L and Dover and Easton.

In 1968, DP&L was approached by two generating utility systems, Dover and Easton, with requests that DP&L enter interchange agreements. After extensive negotiation, interchange agreements between DP&L and each of the two cities were executed in 1970.

⁵ A specific proposal by Dover was rejected in 1968 and expressions of interest by DEC in October 1968 and June 1970 were rejected.

Both of these agreements, however, contain what amount to mutual restraints upon the use of any energy received by virtue of the interconnection. Such restraints are not found in DP&L's interchange agreement with PECO. Article 10 of both the Dover and Easton agreements provides:

"[The parties] agree that nothing in this Agreement shall be construed to permit any action by either party which would have the possible effect of transferring any customer or customers now served by one party to the other."

Although the restriction is mutual in form, it has been alleged that the purpose and effect of this clause is to prevent either Easton or Dover from interconnecting with or selling bulk power to any municipal or cooperative electric system presently served by DP&L at wholesale. We note, however, that the Department has received assurances from DP&L that it will immediately undertake negotiations with Dover and Easton to amend the interchange agreements so as to eliminate this restriction and thereafter apply to the Federal Power Commission for approval of the amendment. Since both Easton and Dover strenuously objected to the inclusion of this restriction in their agreements with DP&L, we think it reasonable to expect that the negotiations to which DP&L has committed itself will result in the speedy abandonment of this restraint.

III. Conclusion. As noted above, the Department's inquiry indicates that DP&L is the dominant bulk power supplier in its service area and that it owns and controls virtually all of the transmission facilities in that area. Our inquiry has revealed that, prior to 1970, DP&L misused this dominant position in generation and transmission to restrain the competitive opportunities of municipal and cooperative electric systems in this area. However, by virtue of DP&L's apparent reversal of anticompetitive policies and practices outlined above, the anticompetitive situation which previously existed has been or shortly will be eliminated.

Based upon DP&L's commitments, which should further improve the competitive climate in the tri-state Eastern Shore peninsula, the Department is able to conclude that the Applicants' activities under the license will not maintain a situation inconsistent with the antitrust laws. Therefore, the Department recommends that the Commission proceed in its consideration of the instant application without an antitrust hearing, provided that any license granted thereunder shall be subject to a condition allowing for reasonable access to the subject units by all appropriate utilities.

[FR Doc.74-3434 Filed 2-11-74; 8:45 am]

RECYCLE OF PLUTONIUM IN LIGHT-WATER COOLED NUCLEAR POWER REACTORS

Generic Environmental Impact Statement

Notice is hereby given that in accordance with the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's Guidelines of August 1, 1973, the Atomic Energy Commission has commenced the preparation of a draft generic environmental impact statement on the matter of utilizing mixed plutonium dioxide-uranium dioxide fuels in light-water cooled nuclear power reactors, and on completion of the statement may, as appropriate, publish for comment proposed rule changes governing recycle of plutonium in light-water cooled nuclear power reactors.

An extensive research program on the recycle of plutonium in light-water cooled reactors has been sponsored by the Commission for the past 15 years and industry has sponsored programs directed toward the demonstration of the feasibility and safety of plutonium recycling. Small numbers of fuel assemblies have been and may continue to be licensed for installation in specific reactors to obtain experimental data for use in determining fuel performance.

The Commission has determined that any decision with respect to the wide-scale recycle of plutonium in light-water cooled nuclear power reactors constitutes a major Federal action significantly affecting the quality of the human environment and as such requires preparation of an environmental impact statement pursuant to Section 102(2)(C) of NEPA.

The generic environmental statement will assess:

(1) The impact of the recycle of plutonium in light-water cooled nuclear power reactors on the environment;

(2) Any adverse environmental effects which cannot be avoided should recycling be implemented;

(3) Alternatives to recycling of plutonium;

(4) The relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the implementation of plutonium recycle.

A cost-benefit analysis will be developed which considers and balances the environmental effects of plutonium recycle and the alternatives available for reducing or avoiding adverse environmental effects, as well as the environmental, economic, technical and other benefits of plutonium recycle. The cost-benefit analysis will, to the fullest extent practicable, qualify the various factors considered. To the extent that such factors cannot be quantified, they will be discussed in qualitative terms.

The recycle of plutonium in light-water cooled nuclear power reactors has the potential to affect all processing steps for uranium and plutonium in the overall light-water fuel cycle, i.e., from mining of uranium to reprocessing of spent fuel including radioactive waste management and transportation of radioactive materials.

The environmental impact statement will assess, on a generic total industry basis, the environmental impacts resulting from normal operations and accidents for each of the above activities. Further, the assessments will include the matter of safeguarding nuclear materials from theft or diversion and facilities and materials from sabotage.

All interested persons who desire to submit suggestions and data in connection with the subject of this notice should send them to the Deputy Director for Fuels and Materials, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545, on or before March 14, 1974.

Dated at Bethesda, Md., this 5th day of February 1974.

For the Atomic Energy Commission,

JOHN F. O'LEARY,
Director of Licensing.

[FR Doc.74-3433 Filed 2-11-74; 8:45 am]

[Docket No. 50-244]

ROCHESTER GAS AND ELECTRIC CORP.

Notice and Order for Prehearing Conference

In the Matter of Rochester Gas and Electric Corporation (R. E. Ginna Nuclear Power Plant, Unit 1).

Take notice that, pursuant to "Notice of Hearing on Conversion of Provisional Operating License to Full Term Operating License" dated August 2, 1973, the Atomic Safety and Licensing Board will hold a special prehearing conference in this proceeding on February 20, 1974, at 9:30 a.m., local time, at The East Courtroom, 2nd Floor, U.S. District Court, 100 State Street, Rochester, New York. The purposes of this special prehearing conference are to: (1) permit identification of the key issues in the proceeding; (2) take any steps necessary for further identification of the issues; (3) consider petitions for intervention in the proceeding; and (4) establish a schedule for further actions in the proceeding. In addition to the purposes specified above, the prehearing conference will also deal with such of the matters stated in § 2.752 of the Commission's Rules of Practice (10 CFR Part 2, § 2.752) as may be appropriate.

Members of the public may attend this prehearing conference as well as the evidentiary hearing which will be held at a later time to be fixed by the Board. However, members of the public who may wish to participate in the hearing by way of limited appearances will not be permitted to do so at the prehearing conference. Oral or written statements offered by way of limited appearances will be received by the Board at the time of the aforementioned evidentiary hearing.

It is ordered that the parties or their representatives shall conduct such informal conferences as may be practicable to expedite the proceeding and in particular to advance the purposes of the prehearing conference.

It is so ordered.

Issued at Washington, D.C., this 7th day of February, 1974.

ATOMIC SAFETY AND LICENSING
BOARD,

EDWARD LUTON,
Chairman.

[FR Doc.74-3435 Filed 2-11-74; 8:45 am]

CIVIL AERONAUTICS BOARD

[Order 73-12-109; Dockets 26057, 26075]

PAN AMERICAN WORLD AIRWAYS, INC. ET AL.

Order Denying Petition for Reconsideration, Provisionally Approving Agreement, and Deferring Action; Correction

Adopted by the Civil Aeronautics

Board at its office in Washington, D.C. on the 28th day of December 1973.

In the matter of joint application of Pan American World Airways, Inc., Trans World Airlines, Inc., British Caledonian Airways, Inc., and British Overseas Airways Corporation.

Ordering paragraph 3, line "f" of Order 73-12-109, the word "shortage" should have read "savings."

Agreement CAB numbers should read "24109" and "24110" instead of "25109" and "25110", respectively.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

FEBRUARY 4, 1974.

[FR Doc.74-3465 Filed 2-11-74; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

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

Amendment to Levels of Restraint

On October 4, 1973, there was published in the FEDERAL REGISTER (38 FR 27547) a letter dated September 28, 1973 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs implementing those provisions of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Governments of the United States and the Republic of Korea which establish specific export limitations, among other categories, on Categories 221 and 229, produced or manufactured in the Republic of Korea and exported to the United States during the twelve-month period beginning October 1, 1973 and extending through September 30, 1974. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 4 of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, which provides for the limited carryover of shortfalls in certain categories to the next agreement year.

Accordingly, at the request of the Government of the Republic of Korea and pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of February 6, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the levels of restraint applicable to man-made fiber textile products in Categories 221 and 229 for the twelve-month period which began on October 1, 1973.

SETH M. BODNER,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: On September 28, 1973, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning October 1, 1973 of wool and man-made fiber textile products in certain specified categories, produced or man-

ufactured in the Republic of Korea, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹ The directive of September 28, 1973 was previously amended by directive of October 24, 1973.

Pursuant to paragraph 4 of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed further to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of September 28, 1973, for man-made fiber textile products in Categories 221 and 229 to the following:

Category	Amended twelve-month levels of restraint ²
221	2,812,113 dozen.
229	772,753 dozen.

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

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.74-3478 Filed 2-11-74;8:45 am]

COST OF LIVING COUNCIL FOOD INDUSTRY WAGE AND SALARY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Food Industry Wage and Salary Committee, established under the authority of section 212(f) of Economic Stabilization Act, as amended, section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 14, will meet on Thursday, February 14, 1974. The meeting will be open to the public on a first-come, first-served basis at 10:00 A.M., in Conference Room

¹The term "adjustment" refers to those provisions of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Governments of the United States and the Republic of Korea which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carry-over of shortfalls in certain categories to the next agreement year; for limited inter-fiber flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

²These amended levels of restraint have not been adjusted to reflect any entries made on or after October 1, 1973.

8202, 2025 M Street, NW., Washington, D.C.

The agenda will consist of a discussion of policy questions involving food industry wage matters, and, if circumstances permit, of food industry wage cases pending before the Cost of Living Council.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Issued in Washington, D.C., on February 8, 1974.

HENRY H. PERRITT, Jr.,
Executive Secretary,
Cost of Living Council.

[FR Doc.74-3571 Filed 2-8-74;3:40 pm]

ENVIRONMENTAL PROTECTION AGENCY USE OF DDT FOR CONTROL OF PEA LEAF WEEVIL

Notice of Public Hearing

The Environmental Protection Agency has received a request from Crop King Chemical Company, Yakima, Washington, for registration of Crop King Colloidal DDT 400 for use on dry peas in Washington, Idaho, and Oregon during 1974 to control the pea leaf weevil *Sitona lineata*. Limited use of DDT for the same purpose was registered for Washington and Idaho during the 1973 season; this registration expired August 1, 1973.

Under section 21(b) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, a public hearing on this matter will be held Friday, February 15, 1974, beginning at 8:30 a.m., at the Davenport Hotel, West 807 Sprague, Spokane, Washington.

The purpose of this hearing is to receive information bearing on the issues which must be decided before a decision can be made on the pending request. These issues include the following:

1. Is the use of DDT essential to the production of dry peas in Washington, Idaho, and Oregon during the coming growing season?
2. Can the substitute pesticides tested during the last growing season, i.e., methoxychlor, sevimol, imidan, and ULV malathion, be expected to give adequate control of the pea leaf weevil during the 1974 growing season? Are there any other potentially effective alternatives?
3. To what extent is the efficacy of chemical treatment affected by adverse climatic conditions?
4. What would be the economic impact of substituting other cash crops for dry peas?
5. Would it be feasible to begin treatment with an alternative chemical and later, if necessary, switch to DDT? Under what conditions would such a switch be appropriate?
6. What adverse impact on the environment, including man, can be expected from the use of DDT or any alternative chemicals, and what restrictions, including any regulatory controls already adopted by the States, can be taken to minimize any such effects?
7. Are the controls already adopted by the three States adequate to prevent indiscriminate and illegal use of DDT if the requested registration were issued?

Persons wishing to testify at the public hearing should notify Mr. Robert A. Poss, Pesticides Branch, Categorical Programs Division, Environmental Protection Agency, Region X, Seattle, Washington 98101; the telephone number is (206) 442-1090.

Dated: February 11, 1973.

CHARLES L. ELKINS,
Acting Assistant Administrator
for Hazardous Materials Control.

[FR Doc.74-3590 Filed 2-11-74;9:33 am]

EFFLUENT STANDARDS AND WATER QUALITY INFORMATION ADVISORY COMMITTEE

NOTICE OF MEETING AND AGENDA

Notice is hereby given of a meeting of the Effluent Standards and Water Quality Information Advisory Committee, established under section 515 of the Federal Water Pollution Control Act ("the Act") 33 U.S.C. 1374; PL 92-500, to be held in room 1112 (conference room), Building #2, Crystal Mall, Arlington, Virginia, February 28, 1974, at 9 a.m. This is a regularly scheduled meeting of the committee.

The agenda for this meeting will include: discussions of comparative required treatment levels for the first 27 industries; draft EPA water strategy; proposed pretreatment standards compared with appropriate effluent limitations; assignment of Group II industries for committee member participation—(9 a.m.-12 noon); discussions of intramural EPA studies of the paint and ink formulation and printing, converted paper products, and fish hatchery and farms industries (1:30 PM-4:30 PM).

The meeting will be open to the public and under the direction of the committee chairman. Any member of the public wishing to attend or participate should contact Dr. Martha Sager, Chairman, Effluent Standards and Water Quality Information Advisory Committee, Environmental Protection Agency, Room 821, Crystal Mall, Building #2, Washington, D.C. 20460 (Tel.: A.C. 703-557-7390).

Dated: February 6, 1974.

MARTHA SAGER,
Chairman, Effluent Standards
and Water Quality Information
Advisory Committee.

Approved: February 6, 1974.

KENNETH MACKENTHUM,
Acting Executive Secretary,
ES&WQIAC.

[FR Doc.74-3475 Filed 2-11-74;8:45 am]

FEDERAL POWER COMMISSION NATIONAL GAS SURVEY, TRANSMISSION- TECHNICAL ADVISORY TASK FORCE OPERATIONS

Order Designating Member

FEBRUARY 4, 1974.

The Federal Power Commission by Order issued December 21, 1971, established the Technical Advisory and Co-

ordinating Committee Task Forces of the National Gas Survey.

1. Membership. A new member to the Transmission-Technical Advisory Task Force-Operations, as selected by the Chairman of the Commission with the approval of the Commission, is as follows:

Ray J. Nery, Chief, Gas Engineer, North Carolina Utilities Commission.

Mr. Nery is to fill the position vacated by the resignation of Mr. Harold E. Shutt, Chief, Gas Engineer of the Illinois Commerce Commission.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3400 Filed 2-11-74;8:45 am]

[Docket No. E-7674]

ALABAMA POWER CO.

Notice of Application

FEBRUARY 5, 1974.

Take notice that pursuant to section 205 of the Federal Power Act and Part 35 of the regulations issued thereunder, Alabama Power Company (Company) submits for filing with the Commission the following application which revises the Index of Purchasers Section of the FPC Electric Tariff Original Volume No. 1 of Alabama Power Company filed with the Commission on November 1, 1973.

Fourth Revised Sheet No. 34 indicates that the No. 12 Delivery Point (East Ross Clark Parkway) for the City of Dothan has been activated.

Fourth Revised Sheet No. 37 adds Delivery Point No. 14 (Stewartville) for Central Alabama Electric Cooperative, Inc. The Company will inform the Commission when service to this delivery point is initiated. The in service date for Delivery Point No. 12 (Union Grove) of Central Alabama Electric Cooperative, Inc. is stated as June 22, 1973. Delivery Point No. 5 (Thomasville) for Clarke-Washington Electric Membership Corporation is added. The Company will inform the Commission when service to the Thomasville Delivery Point is initiated.

Fifth Revised Sheet No. 38 deletes Delivery Point No. 1 (Barachias) of Dixie Electric Cooperative, Inc., which was canceled on August 28, 1973. The in service dates for Delivery Point No. 6 (Arrowhead) and Delivery Point No. 7 (Halstead) of Dixie Electric Cooperative, Inc., are stated as August 28, 1973 and May 23, 1973, respectively. September 6, 1973 is shown as the in service date for Delivery Point No. 4 (Eufaula) of Pea River Electric Cooperative, Inc. June 18, 1973 is shown as the in service date for Delivery Point No. 14 (Elias) of the Tallapoosa River Electric Cooperative, Inc.

Any person desiring to be heard or to make any protest with reference to application discussed herein, should on or before February 28, 1974, file with the Federal Power Commission, Washington,

D.C. 20426, petitions to intervene or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). Persons wishing to become parties to a proceeding or to participate as a party in any hearing related thereto must file petitions to intervene in accordance with the Commission's Rules. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. The application referred to above is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3408 Filed 2-11-74;8:45 am]

[Docket Nos. E-8550, etc.]

APPALACHIAN POWER CO. ET AL.

Notice of Postponement of Prehearing Conference

FEBRUARY 5, 1974.

In the matter of Appalachian Power Company, Virginia Electric and Power Company, Wheeling Electric Company, Monongahela Power Company, The Potomac Edison Company, West Penn Power Company, Ohio Power Company, Dayton Power and Light Company, Columbus and Southern Ohio Electric Company, Indiana and Michigan Electric Company, Consumers Power Company, The Detroit Edison Company, Docket Nos. E-8550, E-8565, E-8567, E-8591.

On February 5, 1974, Staff Counsel with the concurrence of each of the above parties filed a motion for the continuance of the prehearing conference scheduled for February 11, 1974 by order issued January 11, 1974.

Upon consideration, notice is hereby given that the prehearing conference is postponed to March 28, 1974 at 10 a.m., in a Hearing Room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3415 Filed 2-11-74;8:45 am]

[Docket No. CP73-340]

COLORADO INTERSTATE GAS CO.

Notice of Amendment to Application

FEBRUARY 5, 1974.

Take notice that on January 15, 1974, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80901, filed in Docket No. CP73-340 an amendment to its application pending in said docket pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain compressor and pipeline facilities, all as more fully set forth in the amendment to application which is on file with the Commission and open to public inspection.

In its original application Applicant proposed to construct and operate the following facilities:

1. Approximately 216 miles¹ of 20-inch pipeline from the northern terminus of Applicant's pipeline in the Big Horn Basin area of Wyoming and Montana to the Bearpaw Mountain area in north central Montana;
2. A new compressor station, having approximately 4,800 horsepower (Big Sandy Compressor Station), and a dehydration plant, both to be located at the northern terminus of the proposed 20-inch pipeline; and
3. Approximately 73 miles of 20-inch pipeline loop on Applicant's existing 12-inch pipeline which extends from its Rawlins Compressor Station to the Madden Field in the Wind River Basin of Wyoming.

The estimated costs of these facilities was \$29.3 million. In addition, it was estimated that approximately \$5.1 million would be expended for gathering facilities, making a total estimated investment of \$34.4 million.

Applicant states that since the application was filed, additional design, gas reserve and deliverability studies, and other reevaluations have been done. Based on that data, the project has been redesigned. Applicant now proposes to construct 16-inch diameter pipeline as opposed to the 20-inch diameter originally proposed.

Applicant states that this change necessitates additional looping on the 12-inch pipeline from the Rawlins Compressor Station to the Madden Field. The entire 114-mile length of this pipeline is now proposed to be looped with 16-inch pipeline, an extension of 41 miles from the 73-mile length originally contemplated. The Application states that in all other respects, the facilities proposed in the original application remain unchanged.

As now proposed, the project will include the following facilities:

1. Approximately 223 miles of 16-inch pipeline from the northern terminus of Applicant's pipeline in the Big Horn Basin area of Wyoming and Montana to the Bearpaw Mountain area in north central Montana;
2. A new compressor station having approximately 4,800 horsepower (Big Sandy Compressor Station), and a dehydration plant, both to be located at the northern terminus of the proposed 16-inch pipeline; and
3. Approximately 114 miles of 16-inch pipeline loop on Applicant's existing 12-inch pipeline which extends from its Rawlins Compressor Station to the Madden Field in the Wind River Basin of Wyoming.

Applicant states that the 16-inch pipeline in both Montana and Wyoming will follow the same routes as originally proposed and have substantially the same environmental impact as the originally proposed project.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before February 28, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in ac-

¹ A subsequent survey indicated that the length will be 223 miles.

cordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. Persons who have heretofore filed petitions to intervene need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3411 Filed 2-11-74; 8:45 am]

[Project No. 2095]

[Project No. 1888]

INTERNATIONAL PAPER CO., ET AL.
Notice of Applications

FEBRUARY 5, 1974.

Public notice is hereby given that an application for withdrawal of license application was filed January 17, 1974, under the Federal Power Act (16 U.S.C. 791a-825r) by International Paper Company (Correspondence to: Mr. F. L. Foster, Secretary, International Paper Company, 220 East 42nd Street, New York, New York 10017) Licensee for Project No. 2095. Public notice is also hereby given that an application for amendment of license to include additional lands and facilities was filed January 17, 1974, under the Federal Power Act (16 U.S.C. 791a-825r) by Metropolitan Edison Company and York Haven Power Company (Correspondence to: Mr. James B. Liberman, Esquire, Berlack, Israels & Liberman, 26 Broadway, New York, New York 10004; Mr. Roger D. Ley, Vice President, York Haven Power Company, P.O. Box 542, Reading, Pennsylvania 19603; Mr. Robert B. Heist, Esquire, Metropolitan Edison Company, P.O. Box 542, Reading, Pennsylvania 19603) Licensees for Project No. 1888. Both projects are located on the Susquehanna River in Dauphin, Lancaster and York Counties, in the region of the Cities of Harrisburg, Lancaster and York, Pennsylvania.

Project No. 2095 includes an intake permitting the withdrawal of water from the reservoir of Project No. 1888, a head canal, hydroelectric generating facilities (currently inoperable), a tailrace, certain lands, buildings, supports, and water rights. An application for a new license was filed May 14, 1969. The project has been under annual license since June 30, 1970. Licensee alleges that the facilities and properties under license are not currently used for any purpose. Licensee further alleges that these facilities and properties could not be used for any purpose except in conjunction with Project No. 1888 in view of flood damage suffered during the June, 1972, flood. Licensee for Project No. 2095 has entered into an agreement with the Li-

icensees for Project No. 1888 whereby the latter will acquire the facilities and properties of Project No. 2095, as well as an inoperative paper mill and other lands and buildings owned by the Licensee of Project No. 2095 but not included within the project boundary of Project No. 2095.

Licensees for Project No. 1888, propose in their application to use these additional lands (about 8¼ acres) and facilities acquired from the International Paper Company to more fully develop opportunities for recreation at Project No. 1888, specifically to relieve a shortage of parking space and to provide a site for a fish ladder which may be required in the future. Licensees for Project No. 1888, further state that the acquisition of these lands will permit Licensee to provide a source of water for fire protection for the Borough of York Haven.

Any person desiring to be heard or to make protest with reference to said application should on or before March 21, 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 rule. These applications are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3399 Filed 2-11-74; 8:45 am]

[Docket No. CP74-194]

MONTANA-DAKOTA UTILITIES CO.
Notice of Application

FEBRUARY 5, 1974

Take notice that on January 25, 1974, Montana-Dakota Utilities Co. (Applicant), 400 North Fourth Street, Bismark, North Dakota 58501, filed in Docket No. CP74-194 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon approximately 17.3 miles of 12¾-inch pipeline in North Dakota and for a certificate of public convenience and necessity authorizing the construction and operation of approximately 17.3 miles of 16-inch O.D. replacement pipeline, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to remove and retire approximately 17.3 miles of existing 12¾-inch O.D. natural gas transmission pipeline on Applicant's Cabin Creek-to-Bismarck transmission line, located in Stark and Morton Counties, North Dakota, and to construct in its place approximately 17.3 miles of 16-inch O.D. natural gas transmission pipeline. Ap-

plicant states that the purposes of the abandonment and construction of facilities proposed herein are to provide for increased operating pressures and to increase gas flow capacity on its existing system to meet the requirements for serving the existing market area in eastern and northeastern North Dakota. The estimated cost of the facilities proposed herein is \$806,000, and which cost Applicant states will be financed by internally generated funds and/or short-term bank loans.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 28, 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) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3410 Filed 2-11-74; 8:45 am]

[Docket No. CP73-164]

CITY OF HUNTINGBURG, INDIANA, AND MICHIGAN WISCONSIN PIPE LINE CO.

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

FEBRUARY 5, 1974.

On December 20, 1972, the City of Huntingburg, Indiana, (Huntingburg) filed in Docket No. CP73-164 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipe Line Company (Mich-Wis) to

establish physical connection with facilities of Huntingburg and to sell and deliver natural gas to the latter for resale and distribution, all as more fully set forth in the application in this proceeding.

Huntingburg presently provides natural gas service within the city and surrounding areas with volumes purchased entirely from Texas Eastern Transmission Corporation (Texas Eastern). It proposes herein to establish two separate systems within its existing service area. The resulting two systems would be operated independently, with only an emergency interconnection. A portion of the existing system would continue to receive its contractual supply from Texas Eastern and the contemplated second system would be supplied by Mich-Wis through facilities proposed to be constructed and operated by Huntingburg. In order to secure the necessary supply from Mich-Wis, Huntingburg requests the Commission to direct Mich-Wis to deliver to it up to 2,000 Mcf of natural gas daily and approximately 223,000 Mcf annually.

Huntingburg's present service agreement with Texas Eastern provides for a contract demand of 2,660 Mcf of gas per day and an annual entitlement of 423,722 Mcf. Huntingburg alleges that its market requirements are increasing and that it will be unable to serve any increased expansion without additional supplies. It projects an annual requirement of 513,000 Mcf within three years. No increased industrial sales are contemplated. For the period from June 1972 through May 1973, Huntingburg indicates that it was curtailed 46,650 Mcf by Texas Eastern.

Mich-Wis had previously filed in October 27, 1972, in Docket No. CP73-114, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing construction and operation of facilities to increase its system capacity by approximately 75,000 Mcf of natural gas per day based upon attachment of an additional 500,000,000 Mcf of newly committed reserves in the Offshore Louisiana area and, as a result thereof, an additional annual volume of approximately 27,895,000 Mcf of natural gas would be available for sale to its existing customers. Mich-Wis proposed to reserve a small portion of this annual volume, 520,000 Mcf, to meet the increased requirements of its Small General Service customers and to allocate the remaining 27,375,000 Mcf among existing customers purchasing under its ACQ and MDQ Rate Schedules in the ratio of their respective current annual gas purchase entitlements. Although not a customer of Mich-Wis, Huntingburg filed in Docket No. CP73-114 a petition to intervene and the aforementioned application under section 7(a) of the Natural Gas Act for a Commission order directing an allocation of subject gas to Huntingburg as hereinbefore described. The section 7(a) application was assigned the instant Docket No. CP73-164.

By order issued July 25, 1973, in Docket No. CP73-114, the Commission authorized Mich-Wis' proposed system expansion. The order noted the Huntingburg application and stated:

[Mich-Wis] has filed a motion for separate consideration of the application in Docket No. CP73-164 and has agreed that in the event the Commission, upon separate consideration, grants the section 7(a) application in Docket No. CP73-164, the gas to supply Huntingburg should come from a *pro rata* reduction among [Mich-Wis] existing customers in the increased volumes allocated to them in the instant docket to the extent, if any, required. Inasmuch as Huntingburg is not an existing customer of Applicant and it * * * [does] not oppose the instant application, we shall grant separate consideration of Huntingburg's application and hold such application in abeyance pending further action of the Commission thereon.

After due notice by publication in the FEDERAL REGISTER on February 12, 1973 (38 FR 4289), timely petitions to intervene in the event of a formal hearing were filed by:

Wisconsin Fuel and Light Company
Wisconsin Gas Company
Ohio Valley Gas Corporation
Madison Gas and Electric Company
Northern Indiana Public Service Company
Iowa Southern Utilities Company
Michigan Power Company
St. Joseph Light and Power Company
Peoples Natural Gas Division of Northern Natural Gas Company
Town of Hope, Indiana
Michigan Gas Utilities Company
Wisconsin Public Service Corporation
Northern Central Public Service Co., Division of Donovan Companies, Inc.
Parish-Henry County Public Utility District, Tennessee
Associated Natural Gas Company
City of Aledo, Illinois

Late petitions to intervene in the event of a formal hearing were filed by Keokuk Gas Service Company and Illinois Power Company.

Timely protests were filed by Community Natural Gas Co., Inc., City of Bethany, Missouri; Wisconsin Power and Light Company; and jointly by Northern Indiana Fuel and Light Company, Inc., and its wholly-owned subsidiary, Consumer Natural Gas Corp.

Petitions to intervene and requests for a formal hearing were filed by Indiana Natural Gas Corporation (Indiana Natural) and jointly by Wisconsin Michigan Power Company (Wisconsin Michigan) and Wisconsin Natural Gas Company (Wisconsin Natural). Indiana Natural states that it is a customer of Michigan Wisconsin and that, if the latter has a supply of gas in excess of its requirements, such gas should be reallocated among its existing customers, and should not be used for initiation of service in any new community. Wisconsin-Michigan and Wisconsin-Natural both purchase their entire supply of natural gas from Mich-Wis and they contend that the granting of Huntingburg's application will have the direct effect of reducing the amount of gas available to them.

In view of the foregoing, we believe that an evidentiary hearing should be held.

Finally, it is incumbent upon Respondent, Mich-Wis, to furnish at the hearing which we shall hereinafter order, testimony relating to the supply available for the service in question, its capacity requirements, the effect on its system operation, and the method of operation if the request herein is granted.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held on the issues presented in this proceeding.

(2) Since Keokuk Gas Service Company and Illinois Power Company are customers of Mich-Wis and their participation will not delay the instant proceeding, good cause exists for permitting their late filings.

(3) Participation by all of the above-named petitioners to intervene in this proceeding may be in the public interest.

The Commission orders:

(A) The hereinabove named petitioners to intervene are permitted to intervene in this proceeding subject to the rules and regulation of the Commission; Provided, however, that participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and Provided, further, that the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved, because of any order of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act [18 CFR Ch. I], a public hearing on the issues presented by the application filed in this proceedings will be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. commencing at 10 a.m. on March 4, 1974.

(C) Applicant and Respondent shall file and serve on all other parties, the Commission Staff, and the Presiding Administrative Law Judge their direct evidence and testimony on or before February 18, 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 3.59(d)], shall preside at the hearing in this proceeding, and prescribe relevant procedural matters not herein provided.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3403 Filed 2-11-74; 8:45 am]

[Docket No. CP74-191]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

FEBRUARY 5, 1974.

Take notice that on January 21, 1974, Montana-Dakota Utilities Co. (Appli-

cant), 400 North Fourth Street, Bismarck, North Dakota 58501, filed in Docket No. CP74-191 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon approximately 54.2 miles of 8 $\frac{3}{8}$ -inch O.D. natural gas transmission pipeline from near the Bell Creek Field, in Carter County, Montana, to Applicant's Belle Fourche Compressor Plant in Butte County, South Dakota, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the facilities proposed to be abandoned are no longer required because of declining residue gas purchases in the Power River Basin from processing plants under contract with Applicant. The application states that the existing 8 $\frac{3}{8}$ -inch O.D. pipeline to be abandoned is paralleled with a 12 $\frac{3}{4}$ -inch O.D. pipeline which provides sufficient capacity to transport all of the residue gas available to Applicant. Applicant states that there does not appear to be any prospect for additional new supplies of gas in this area; and, therefore, Applicant proposes to remove, recondition and salvage the 8 $\frac{3}{8}$ -inch O.D. pipeline for use in its 1974 construction program.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 28, 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) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing herein 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 permission and approval for the proposed abandonment are 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 unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-3412 Filed 2-11-74; 8:45 am]

[Docket No. RP71-107 (Phase II) and RP72-127]

NORTHERN NATURAL GAS CO.

Notice of Extension of Time and Postponement of Prehearing Conference and Hearing

FEBRUARY 4, 1974.

On January 21, 1974, Northern Natural Gas Company filed a motion for an extension of the procedural dates fixed by order issued January 4, 1974 in the above-designated matter. On January 28, 1974, Iowa Public Service Company also filed a motion for a further extension of time.

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

Service of Northern's Evidence on the Reserved Issues, March 19, 1974.

Service of Staff Case on Reserved Issues, April 18, 1974.

Service of Intervener Evidence, May 9, 1974.

Service of Rebuttal Evidence by Northern, May 30, 1974.

Hearing, June 17, 1974 (10 a.m.).

Action on the motion by Iowa Public Service Company will be by further notice.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-3409 Filed 2-11-74; 8:45 am]

[Docket Nos. G-17350, et al.]

PACIFIC GAS TRANSMISSION CO.

Notice of Petition To Amend

FEBRUARY 5, 1974.

Take notice that on January 14, 1974, Pacific Gas Transmission Company (Petitioner), 245 Market Street, San Francisco, California 94105, filed in Docket Nos. G-17530, G-17531, CP69-346, and CP69-347 a petition to amend the orders issuing certificates of public convenience and necessity in Docket Nos. G-17530 and G-17531 on August 5, 1960 (24 FPC 134), and in Docket Nos. CP69-346 and CP69-347 on March 13, 1970 (43 FPC 418), pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to transport and deliver certain additional volumes of natural gas for the account of El Paso Natural Gas Company (El Paso) and subsequently for Northwest Pipeline Corporation (Northwest) as may be imported by said parties at the Kingsgate, British Columbia, Canada, import point, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The petition states that Petitioner presently transports and delivers up to 151,731 Mcf per day of natural gas imported by El Paso at the Kingsgate import point. Petitioner proposes to transport additional volumes of natural gas for El Paso, with such additional quantities dependent upon the volume of natural gas that Petitioner, in its sole discretion, is able to accept in its pipeline system each day, in excess of those volumes of natural gas necessary to meet its existing sale and transportation obligations. The petition states that it is expected that such capacity will exist only when there are mechanical difficul-

ties in the southern portion of Petitioner's pipeline system or in Pacific Gas and Electric Company's (Petitioners' Parent Company) intrastate pipeline system, such that delivery capability in that portion of the pipeline system is restricted.

The petition states that El Paso purchases 70 percent of its total natural gas supply from its Canadian supplier, Westcoast Transmission Company Limited (Westcoast), at points on the international boundary between the United States and Canada. Northwest is authorized to import up to 800,000 Mcf of gas on an average day basis at the Sumas, Washington, import point and up to 151,731 Mcf of gas on a peak day and 136,600 Mcf on an average day basis at the Kingsgate import point. Recently El Paso was advised that due to water encroachment problems at the Beaver River and Pointed Mountain gas fields, production rates would have to be curtailed and Westcoast would be unable to deliver the full contract volumes of natural gas to the Northwest Division at the Sumas import point.

Petitioner states that in an attempt to ameliorate Westcoast's natural gas supply shortage its subsidiary, Alberta and Southern Gas Co. Ltd. (Alberta and Southern), has agreed to make available to Westcoast for resale to El Paso and subsequently to Northwest, that quantity of gas that Alberta and Southern may have available from its gas supply after it has complied with its existing gas sale contract obligations and which Petitioner is able to accept into its system.

Petitioner seeks authorization in connection with the proposed transportation of additional volumes through the Kingsgate import point to deliver quantities of natural gas at the Stanfield, Oregon, Emergency Tap and at the Spokane, Washington, Tap in excess of the Maximum Daily Demands for said delivery points. Petitioner proposes to charge El Paso and subsequently Northwest for transportation and delivery of the additional volumes of natural gas, pursuant to the terms of a Letter Agreement, dated November 1, 1973. The terms of this agreement, which among other things provide that payment for the additional volumes of gas transported and delivered shall be determined in accordance with the cost of service and cost allocation procedures contained in Rate Schedule T-1 of Petitioner's FPC Gas Tariff, Original Volume No. 1., have been incorporated by Petitioner into its proposed Rate Schedule X-6.

Petitioner requests that said special rate schedule be made effective commencing with the first deliveries of natural gas pursuant to the terms of said letter agreement and continue over the life of the contract which extends until October 31, 1974. Petitioner states that an exact prediction as to the additional quantity of natural gas which will be available on any day to El Paso from Westcoast cannot be made but that it is anticipated that such additional quantities will not exceed 125,000 Mcf on a peak day and will not exceed 30,000 Mcf on an average day basis.

El Paso and Northwest have heretofore filed in Docket Nos. G-18033 and CP73-332 a related petition to amend present import authorizations and for permission to import additional volumes of natural gas at Kingsgate.

The petition to amend states that no new facilities will be required.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before February 28, 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) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3413 Filed 2-11-74;8:45 am]

[Docket No. CI74-362]

W. C. PERRYMAN AND J. A. WALLENDER
Correction

FEBRUARY 5, 1974.

In the Notice of Application Pursuant to § 2.75 of the Commission's General Policy and Interpretations, issued January 17, 1974, and published in the FEDERAL REGISTER January 23, 1974, 39 FR 2639.

Line 1: Change "1972" to "1973".

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3397 Filed 2-11-74;8:45 am]

[Docket No. CP74-198]

CITY OF PICAYUNE, MISSISSIPPI ET AL.
Notice of Order Instituting Complaint Proceeding, Establishing Procedures and Setting Date of Hearing

FEBRUARY 5, 1974.

On December 10, 1973, the City of Picayune, Mississippi (Picayune) filed a petition for reallocation of natural gas supply. The petition is occasioned by the contemplated relocation of Pearl River Wood Preserving, Inc. (Pearl) which is an indirect, industrial customer of United Gas Pipeline Co. (United) presently receiving gas at its location in Pearl River, Louisiana from United Gas, Inc. (United Gas). Pearl River apparently desires to move its plant and facilities to the City of Picayune, Mississippi. Picayune, which purchases gas from United for distribution states that it does not have a natural gas allocation large enough to supply the needs of Pearl River. The petition specifically requests that this Commission order

United to remove from the base volume of United Gas the volume represented by its sales to Pearl River and to add an equal amount to the base volume of Picayune so that Picayune can serve the gas needs of Pearl River on its relocation. The petitioner complains further that United has refused to reallocate the supply from United Gas in Pearl River, Louisiana, to the City of Picayune, Mississippi.

Good cause exists for the institution of the instant proceeding to determine whether United should be directed to effect a reallocation of natural gas supply as may be consonant with the public interest. We have included United Gas as a party respondent for the limited purpose of notice and opportunity for participation since it may be adversely affected if its annual entitlements are reduced by an amount equal to the requirements of Pearl River. The question involved herein is to determine the scheme of deliveries most compatible with the need to maintain equitable and adequate service in the areas served by United. In this connection, we note that adequate service, in light of United's dwindling gas supply and the concomitant curtailment of deliveries, must necessarily be a relative term which has reference to end-use considerations. What constitutes equitable and adequate service, then, should be determined in a manner that recognizes the relative needs and end-uses of United's customers as delineated in Opinion Nos. 647, 647-A, in Docket Nos. RP71-29, RP71-120, issued January 12, May 30, 1973.

The Commission finds:

Good cause exists to institute the instant proceeding.

The Commission orders:

(A) United Gas Pipeline Company and United Gas, Inc. are hereby named respondents to the instant complaint of the City of Picayune.

(B) Pursuant to the authority of the Natural Gas Act as amended, particularly section 5, 7, and 15, a hearing shall convene at 10 a.m. on March 26, 1974, in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. before a Presiding Administrative Law Judge.

(C) On or before February 25, 1974, complainant, City of Picayune, shall file with the Commission and serve upon all parties, including Commission Staff, its testimony and exhibits in support of its complaint. All parties may file answering testimony to the direct presentation of Picayune on or before March 12, 1974.

(D) 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 the Commission's rules of practice and procedure and the purposes expressed in this order.

(E) The Secretary of the Commission is hereby directed to serve upon

the Respondents named herein, a copy of the complaint and the instant order in accordance with § 1.6(a) of the Commission's rules of practice and procedure. Answers thereto are hereby disallowed in light of the procedures set forth above.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3402 Filed 2-11-74;8:45 am]

[Opinion No. 687; Docket No. R-405-A]

RELIABILITY OF ELECTRIC AND GAS SERVICE

Opinion and Order Requiring Production of Gas Reserve Data

FEBRUARY 4, 1974.

By order of October 15, 1973, gas producers who had not filed completed questionnaires on uncommitted gas reserves in accordance with the Commission's order of August 1, 1973, in Docket No. R-405 were directed to show cause why they should not be compelled to submit such questionnaires. The order of August 1, 1973, updated a nationwide investigation in which the Commission sought with regard to the natural gas industry to elicit information so as to enable it to assess the adequacy and reliability of the gas supply and its deliverability to meet consumer demands. The order requested gas reserve data identical in form to that previously supplied. It asked a group of named producers, whose individual jurisdictional sales of natural gas totalled in excess of 10 million Mcf annually, to set forth their recoverable reserves of gas by areas as of December 31, 1972, and as of June 30, 1973, as provided in the attached questionnaire. The order explained that because of steps required to be taken by the Commission pursuant to Congressional subpoena duces tecum issued June 21, 1973, its treatment of information submitted pursuant to the order could not be accorded the confidentiality previously authorized and honored by the Commission.

2. When it appeared that certain companies had not responded or had declined to provide the requested data, the Commission issued its show-cause order on October 15, 1973, calling upon these companies to show cause why they should not be compelled to submit the completed questionnaire. The Commission again discussed why it was unable to afford confidential status to the information submitted. It concluded that inasmuch as the protection heretofore provided for proprietary data could no longer be assured, it was unable to represent to the respondents that the data submitted would not be made public. It said that the information voluntarily provided by the companies that had responded had been placed in the public files. The Commission provided for a hearing which was held on November 19 and 20, 1973, before Chief Presiding Administrative Law Judge Joseph Zwerdling.

3. At the hearing Staff counsel advised that since the issuance of the show-cause order the number of non-responding companies had been reduced to five: Pennzoil Company, Pennzoil Producing Company (together Pennzoil), Tenneco Oil Company, TransOcean Oil Inc., and King Resources Company. Witnesses appeared for the Staff and discussed the regulatory need for the reserve data, and witnesses appeared for TransOcean, Tenneco and Pennzoil and testified as to the proprietary nature of the reserve data and the harm that would result to the companies, particularly in competition to acquire gas reserves, if the data were made public. After the exchange of briefs the Judge issued his initial decision on December 7, 1973. Exceptions were filed by the Pennzoil companies, Tenneco, TransOcean and King Resources, and a brief opposing exceptions by Staff counsel.

4. The initial decision sets forth the procedural background, discusses the issues and orders the producer respondents to file the completed questionnaire on or before January 7, 1974. In our opinion Chief Judge Zwerding fully and competently dealt with the issues and reached the correct conclusion. We discuss the issues in accordance with his analysis with additional comments where we think it appropriate. We affirm his findings of fact and conclusions of law except as hereinafter set forth.

STATUTORY AUTHORITY

5. Our authority to require the submission of data on uncommitted reserves by the Natural Gas Company respondents here is, in our opinion, well supported by the Natural Gas Act. Section 8(b) provides that the Commission shall have access to the records of natural-gas companies, who shall furnish to the Commission "any information with respect thereto which the Commission may by order require." Section 10(a) provides that every natural-gas company shall file with the Commission such "periodic or special reports" as the Commission may prescribe to assist it in the proper administration of the Act. Section 14(b) provides that the Commission may determine "the adequacy or inadequacy of the gas reserves held or controlled by any natural-gas company, or by anyone on its behalf, including its owned or leased properties or royalty contracts". Under Section 14(c) for the purpose of any investigation under the Act any member of the Commission or any officer designated by it is empowered to require the production of "any books, papers, correspondence, memoranda, contracts, agreements or other records which the Commission finds relevant or material to the inquiry." Under Section 16 "The Commission shall have power to perform any and all acts" and to issue such orders "as it may find necessary or appropriate to carry out the provisions of this act."

6. As we discuss below, the reserve data is necessary to enable us to carry out our authority under the Act in relation to the present and prospective gas shortage problem. We also discuss below

why we are directing that the information to be obtained by the questionnaires shall be made public as we are authorized to do by Section 8(b) of the Act.

THE "WEIGHING OF INTERESTS" TEST

7. The issue here, the Judge says, is whether the non-complying respondents should be compelled to submit their questionnaire responses where confidentiality is not to be maintained. The factors to be balanced, he adds, are (1) the potential damage to the private proprietary interest of respondents vs. (2) the Commission's public interest need for this data. Tenneco and Pennzoil say that this is an erroneous characterization of the factors to be weighed. They say that the countervailing interest is the public interest in disclosure of the uncommitted reserve data. In our opinion the Judge's analysis of the factors to be balanced is essentially correct for under the circumstances here the public need for the data involves and requires disclosure to the public.

8. The weighing of interests test is demonstrated by *F.C.C. v. Schreiber*, 38 U.S. 279, 298 (1965), as the Judge points out. There a respondent attacked the F.C.C. order on the ground that it required the Company to disclose confidential business information to competitors, but the Court held that respondents had not sustained their burden of demonstrating that the private interest involved outweighed the public interest in disclosure. In an order issued March 2, 1973, in Docket No. R-432¹ the Commission used a "weighing of interests" test. That proceeding involved a Commission order requiring regulated electric utilities to report certain fuel price data on Form 423. Although petitioners argued that if public disclosure of such data were required, they would be at a competitive disadvantage in negotiating contracts and urged that they be permitted to report only average fuel costs, the Commission refused to grant a stay or confidential treatment saying in effect, that, even if injury occurred, petitioners must show that such injury outweighs the public benefit from full disclosure.

9. The weighing of the interests problem was made the subject of the hearing in the present proceeding. In our order of October 15, 1973, we provided that the producers should present evidence in support of their position and members of the Staff of the Commission should submit evidence of public interest requirements relating to disclosing or not disclosing the requested uncommitted reserve data. On the basis of the hearing it is our opinion that the reserve information required by this order should be placed in the public file in the first instance. Witness Allen, Chief of the Commission's Bureau of Natural Gas, testified that it is a matter of fairness to those who are asked to provide the information to let them know the manner in which

¹ *Monthly Report of Cost and Quality of Fuels for Steam Electric Plant—Form 423, 49 FPC* -----, Docket No. R-432, issued March 2, 1973.

the information will be disclosed, and that the best way to do this is to make the information public when it is received at the Commission. Accordingly we now affirm what we provided in our order of October 15, 1973:

(C) For the purposes of this investigation, any responses submitted in compliance herewith shall be made available for inspection or copying by the public. Individual company information received as a result of this continued investigation will not be maintained in confidential status.

10. While we affirm the Judge's finding on the basis of the record that there is a public need for this data, as discussed below, because the information will not be confidential as against Congressional demands, we do not guarantee its confidentiality. To conclude, we believe that the public interest requires that the reserve data shown by each of the respondent producers be placed in our public file where it will be available to the natural gas industry and to Federal and State agencies, as well as to the general public. The public right to the information outweighs the private proprietary interest of the respondents.

THE COMMISSION'S NEED FOR THE RESERVE DATA

11. The Judge shows that the Commission has already made its determination of the substantial need for this data in the R-405 orders initiating and continuing the survey. He quotes Staff witness Allen on the importance of this information in assisting the Commission to assess the nation's gas supply situation. While only five of the 85 producers have failed to comply, the Judge takes notice that Pennzoil, Tenneco and TransOcean are exploring in the offshore Louisiana area, so that the data is incomplete without the responses from these companies. He finds further that it would be unfair and beyond the discretionary power of the Commission to exempt the non-complying companies on the basis that they are not willing to comply. Tenneco and Pennzoil suggest variously that the data requested is negligible, that new sales are an excellent measure of the effectiveness of the Commission's emergency pricing policies and there was a failure to present evidence on the need for the data from the remaining producers who objected.

12. Witness Allen testified that the reserve information is but one indication among many which will assist the Commission in assessing the nation's gas supply situation. He added that the size and location of these reserves are the key factors which would indicate the amount of uncommitted reserves available for sale in the supply areas. He was also of the opinion that less than 100 percent reporting by the largest producers would detract from the value of the data reported.

13. Staff witness Stevenson, an economist in the Commission's Office of Economics, testified as to the economic importance and necessity of the requested information. He pointed out that the present request for information will update the data obtained from previous

questionnaires. Further information, he said, was necessary to assess the extent of the current shortage problem and to permit the Commission to make time series comparisons with the previous responses. While the gas shortage posed both long run and short run problems, he said, data on uncommitted reserves will be useful in determining whether the present shortage is a short term problem and which policies the Commission should follow, and will provide a measure by which the Commission can evaluate the success of its various pricing options.

14. We agree with the views of the Staff witnesses. We emphasize the importance of a series of studies of uncommitted reserves. In accordance with the Notice of and Proposed Rulemaking issued November 4, 1970, in Docket No. 405, 44 FPC 1346, data was required on uncommitted reserves as of December 31, 1969, and November 1, 1970. Our order of September 12, 1972, updated this investigation and required the submission of questionnaires on uncommitted reserves as of December 31, 1971, and June 30, 1972. The present questionnaire will update the reserve data previously required and provide us with reliable information on more recent uncommitted gas reserves as well as showing us the present trend which we can use to appraise the steps that we have taken to relieve the gas shortage. We observe that on the appeal of the first *Southern Louisiana Area Rate Proceeding*² the court emphasized the importance of non cost evidence and the persuasive influence of the decline in the supply of gas, and in the second *Southern Louisiana Proceeding*³ we ordered that producers furnish data relating to the volume of uncommitted reserves in Southern Louisiana; and we concluded that the evidence did not show substantial amounts of any uncommitted reserves available for sale in Southern Louisiana.

15. To conclude, in resolving the national energy problem the reserve information is needed by all agencies of government, Federal and State that are concerned with this problem so as to permit them to determine the extent of available reserves to meet demand, and since natural gas is of paramount importance for the economy, the general public should have equal access to this information.

16. As to the arguments that the reserve data from the remaining respondents is unnecessary, we agree that the Judge properly took notice that Pennzoll, Tenneco and TransOcean are very heavily involved in exploratory activities of substantial magnitude in the important offshore Louisiana area, and we affirm his statement that "Under these circumstances it is concluded that uncommitted reserve data which did not

include the responses from these companies would be inadequate and unreliable." If the remaining group of producers could avoid complying on the theory that the Commission could get along without their responses, it would be unfair to those who have complied. The companies who have not voluntarily submitted the data should not be permitted to benefit from their non-compliance at the expense of producers who have voluntarily disclosed their uncommitted reserves. To permit the remaining companies not to file would put the Commission in the position of using its powers to give them a competitive advantage over the complying companies that they did not have before any data was collected.

POTENTIAL DAMAGE TO PROPRIETARY INTERESTS

17. After quoting from the testimony of Respondents' witnesses, the Judge determined that the most serious concern expressed related not to disclosure of the uncommitted reserves data itself called for by the questionnaire on an area-by-area basis but rather the damage which would result to their proprietary interest if the results of an expected Staff audit of the questionnaire were publicly disclosed. The August 1, 1973, order in R-405 provided that the data upon which the responses were predicated should be made available for audit by the Commission's Staff in the offices of the producers. The Judge pointed out that the Commission had not expressed its view whether the results of any such Staff audits would be publicly disclosed. Therefore he said the only relevant question concerns the potential damage from public disclosure of the questionnaire data on an area-by-area basis, and concluded that the potential damage from this limited type of disclosure would not be of sufficient seriousness or magnitude to override the public interest in disclosure. In the event, he said, that the Commission should decide that a Staff audit should be made and the results be made a part of the public file, concerned producer-respondents would have full opportunity to make representations to the Commission on that specific problem at that time.

18. Tenneco, TransOcean and Pennzoll all object to the submission of the data required by the questionnaire on a non-confidential basis. As the Judge sets forth, the testimony of Tenneco's witness Leask, Manager of Production Operations, stated that Tenneco has spent considerable time and money gathering data on hydrocarbon-bearing formations; this data would provide it a basis for decisions in acquiring leases; and if this data were made public, its competitors would be able to anticipate its conduct regarding acquisition of leasehold rights with a resulting increase in price. TransOcean's witness Harrell pointed out that TransOcean had uncommitted reserves in offshore Louisiana Blocks 268 and 269, its only uncommitted reserves in the area, and that knowledge of these re-

serves is of great value to TransOcean and would be of great value to its competitors, for it is expected that surrounding blocks will be offered for bids in the future, so that public disclosure of the information would damage its ability to compete. We recognize that disclosure of the reserve information on an area basis as required by the questionnaire may be detrimental to the private interests of some producers, but we agree with the Judge that the potential damage should not override the public interest in disclosure at this time of gas shortage and energy crisis.

19. It is plain from the testimony and arguments that Tenneco, TransOcean and Pennzoll are much more concerned that data which the Staff may obtain in an audit will be placed in the public file. Tenneco's witness Leask explained the importance of basic well data and interpretive data derived from it, but said the data required by the questionnaire is not as valuable because it is a total number. Likewise TransOcean's witness Harrell said that the reserve audits are not quite as of much value as the log information and test information which might be obtained from audit procedures.

20. In the first place we agree that our order of October 15, 1973, did not address this point. We say here, however, that we have not determined whether to institute a Staff audit, nor what information will be taken from the records of the producers if such an audit is undertaken. We may well determine that the public interest compels disclosure of the uncommitted gas reserves on an area-by-area basis as determined by the Staff audit, maintaining however the confidentiality of geological and geophysical, or other information excepted on a discretionary basis from the mandatory disclosure provision of the Freedom of Information Act (5 U.S.C. § 552) exception (b) (4) and (9). But this is a different problem from that now before us. If we contemplate such a step we will give the producers further opportunity to make their views known on the specific data that may be involved and to be heard.

21. TransOcean further argues that public disclosure of reserve information from TransOcean would clearly be contrary to the policy of the Natural Gas Act expressed in section 8(b). This section gives the Commission and its agents access to the records of natural gas companies and provides that no member, officer, or employee of the Commission shall divulge any fact or information which may come to his knowledge during the course of his examination of the records of the company "except insofar as he may be directed by the Commission or by a Court." As TransOcean argues, this provision is intended to safeguard information; it does not prevent disclosure, but permits disclosure by action of the Commission.

THE FREEDOM OF INFORMATION ACT

22. The Judge points out that the Freedom of Information Act (5 U.S.C. § 552) imposes an obligation upon agen-

² *Austral Oil Co. v. F.P.C.*, 428 F. 2d 407 (CA5 1970), Cert. denied, 400 U.S. 950 (1970).

³ *Area Rate Proceeding (Southern Louisiana Area)*, 46 FPC 86, 114 (1971), affirmed *Placid Oil Company v. F.P.C.*, ___ F.2d ___ (CA5, April 16, 1973), Certiorari granted, ___ U.S. ___, No. 73-437.

cies to make certain types of information available to the public with certain exceptions including in paragraph (b) (4) "trade secrets and commercial or financial information obtained from a person and privileged or confidential" and in paragraph (b) (9) "geological and geophysical information and data, including maps, concerning wells." The Judge properly concludes that these exceptions merely provide that public disclosure is not required. Such exceptions are a privilege of the agency not of one seeking to protect the confidentiality of the information. Compare *LaMorte v. Mansfield*, 438 F.2d 448 (CA2, 1971).

23. Furthermore, we note that the situation here is different than that with which we were confronted when we were required to supply gas reserve data to the Senate Judiciary Committee's Subcommittee on Antitrust and Monopoly in compliance with a subpoena (see our order of June 22, 1973), for there the data had been submitted to the Commission under a promise of confidentiality. As the House Report said on the exceptions to the Freedom of Information Act, "where the Government has obligated itself in good faith not to disclose documents or information which it receives, it should be able to honor such obligations."⁴

CONSTITUTIONAL QUESTION

24. The Judge notes that Tenneco contended that any Commission order compelling disclosure would raise a question as to an unconstitutional appropriation of Tenneco's property. The Judge refers to the Natural Gas Act and the Federal Power Act giving the Commission very broad powers to obtain data from the regulated natural gas and electric utility companies in connection with the exercise of its responsibilities under those statutes and observes that there is no provision in either Act which undertakes to tell the Commission whether and to what extent it may disclose information obtained as the result of an investigation. The Judge concluded that the assertion here made of a constitutional question requires a more serious and carefully considered presentation than the allegations made at oral argument.

25. More specifically, Tenneco and TransOcean contend in their exceptions that the Commission has recognized that the reserve data is a valuable property right⁵ and that its disclosure will result in an unconstitutional taking of private property in violation of the Fifth Amendment to the Constitution, providing in part that "No person shall * * * be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation."

⁴ H.R. No. 1497, 89th Cong., 2d Session, p. 10.

⁵ Order of Modification to Authorize Compliance with Congressional Subpoena Duces Tecum, ---- FPC ----, Docket No. R-405, issued June 22, 1973.

26. In our opinion information concerning producer reserves is a valuable property right. However, while it may be more valuable than other detailed and voluminous information that we routinely gather from the public utilities and natural gas companies subject to our jurisdiction, it does not differ in kind. This other information also has cost the utilities time and money to gather and may in many instances serve to inform their competitors. This does not make the provisions of the Natural Gas Act, particularly sections 8(b) and 10(a) constitutionally invalid. Utility regulation could not proceed in the absence of information on the properties and operations of regulated companies. There is here no more a taking than our requirements that cost data be accounted for in a particular way and reports be filed with the Commission for regulatory use and the benefit of the public. See *F.P.C. v. East Ohio Gas Co.*, 338 U.S. 464, 475 (1950); *Northwestern Co. v. F.P.C.*, 321 U.S. 119, 125 (1944).

EFFECT OF AMERADA HESS ORDER

27. On October 15, 1973, the Commission issued a final order in *Amerada Hess Corp., et al., --- FPC ---*, Docket No. RI74-15, concluding a show-cause proceeding and providing that natural gas reserves data received in connection with the Natural Gas Reserves Study would be maintained on a confidential basis subject to the formal demands of Congress and that an official of the Federal Trade Commission would be permitted to examine and copy the reserves estimates. The Judge found two distinguishing characteristics between *Amerada Hess* and the present proceeding.

(a) *Amerada Hess* involved data collected under an explicit pledge of confidentiality;

(b) The *Amerada Hess* data was collected on a field-by-field basis, instead of an area basis.

28. We think that these distinctions, particularly the first one, are valid in justifying a different treatment of the data filed here.

29. In its brief on exceptions King states that it is no longer subject to the show-cause order because its jurisdictional sales have fallen below 10,000,000 Mcf annually since 1970. It has filed for a small producer exemption in Docket No. CS73-553. In view of this situation we shall relieve King of its obligation to file a completed questionnaire.

The Commission further finds:

(1) Pennzoil Company, Pennzoil Producing Company, Tenneco Oil Company and TransOcean Oil Inc. have not filed the questionnaire required by order of August 1, 1973, in Docket No. R-405 and have not shown cause why they should not be compelled to do as required by order of October 15, 1973.

(2) The Commission's public interest need for the uncommitted reserves data called for in its August 1, 1973 order outweighs the potential damage to the

private proprietary interests of the respondents.

The Commission orders:

(A) Respondents Pennzoil Company, Pennzoil Producing Company, Tenneco Oil Company and TransOcean Oil Inc. shall file with the Commission on or before March 1, 1974, the completed questionnaire attached as Appendix B to order of October 15, 1973, in these proceedings.

(B) King Resources Company is relieved of its obligation to file the questionnaire referred to in paragraph (A).

(C) The Initial Decision of the Presiding Judge is affirmed as the decision of the Commission to the extent not inconsistent with this opinion and order.

(D) Exceptions not granted are denied.

By the Commission.⁶

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-3396 Filed 2-11-74; 8:45 am]

[Docket No. CI74-367]

CHARLES J. RICHARD

Notice of Application

FEBRUARY 5, 1974.

Take notice that on January 7, 1974, Charles J. Richard (Applicant)¹ 1329 First National Center, Oklahoma City, Oklahoma 73102, filed in Docket No. CI74-367 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas in interstate commerce to Champlin Petroleum Company (Champlin) from certain wells from the West Edmond Field, Logan County, Oklahoma, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the sales of gas to Champlin from the subject properties were made pursuant to now expired contracts which made no mention that said gas was for interstate sale or that said sales would be subject to the jurisdiction of the Federal Power Commission and that no one involved gave approval or authorized anyone or company on his behalf to apply to the Federal Power Commission for authorization for the interstate sale of gas. Applicant states that he does not acknowledge any Commission jurisdiction of the sale of gas from the subject wells and requests permission and approval to abandon the sale of natural gas in interstate commerce. The application states that the gas purchaser has not indicated its concurrence in the proposed abandonment.

Any person desiring to be heard or to make any protest with reference to said

⁶ Commissioner Moody, whom Commissioner Brooke joins, dissenting filed a separate statement as part of the original document.

¹ Applicant is filing for himself and on behalf of Richard D. Buck, D. B. Bramlett, Harold D. Reed and H. E. Cummins & Sons Constr. Co., Inc.

application should on or before February 28, 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 permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-3406 Filed 2-11-74; 8:45 am]

[Docket No. RP74-6, et al.]

SOUTHERN NATURAL GAS CO.

Order Accepting for Filing Tendered Substitute Tariff Sheets

FEBRUARY 4, 1974.

On January 4, 1974, Southern Natural Gas Company (Southern) tendered for filing, pursuant to Section 4 of the Natural Gas Act, Substitute Second Revised Sheet Nos. 40D and E, Second Substitute Original Sheet No. 61 and Substitute Original Sheet Nos. 62-82 to its FPC Gas Tariff, Sixth Revised Volume No. 1, in substitution for tariff sheets previously accepted for filing and suspended.

Southern asserts that the above substitute tariff sheets are necessary to reflect: (1) revisions as a result of the Commission's Order No. 493-A; (2) modifications to the Index of Requirements as a result of meetings of representatives of Southern, its customers and the Commission Staff; and (3) the Commission's order of December 21, 1973 in Docket No. RP4-6, et al., granting temporary emergency relief to a customer of Southern.

On January 4, 1974, Southern also filed a motion to make effective its suspended tariff sheets, including the above sub-

stitute sheets, on January 14, 1974, or "such later date as the Commission accepts for filing and permits said substituted tariff sheets filed on January 4, 1974 to become effective".¹

On January 10, 1974, Carolina Pipeline Company (Carolina) filed a motion to strike a portion of Southern's previously filed tariff sheets which stated that "Absent a finding by the Commission of extraordinary circumstances, the requirements reflected in such Index for priority-of-service in categories (1) through (5) as set out in Section 9.2 shall never exceed a Purchaser's Applicable Contract Demand or Maximum Delivery Obligation." In essence, Carolina requests rejection of that provision prior to hearing. However, it has not asserted any reason for such action. The formal hearing was scheduled in this docket for the purpose, inter alia, of determining the sort of issue raised by Carolina. There is no reason why the Commission should remove this issue from that proceeding.

Atlanta Gas Light Company (Atlanta) on January 10, 1974, and Alabama Gas Corporation (Alabama) on January 17, 1974, filed protests to Southern's filing of substitute tariff sheets and requested that Southern's motion to make effective suspended tariff sheets be rejected. The arguments made by Atlanta and Alabama, as with those made by Carolina, should be heard in the hearing scheduled on Southern's filing.

Southern's motion to place the suspended tariffs in effect was filed under section 4(e) of the Natural Gas Act, which permits suspended tariff sheets to be made effective by the natural gas company pending determination of their lawfulness. Under that section, the sheets become effective subject to refund and the Commission has no statutory authority to prevent that effect pending final determination of the proceeding. Atlanta and Alabama contend that the suspended tariff sheets are unlawful under the Act and, therefore, Southern's motion is improperly filed. Accordingly, they argue that the statutory effect of Southern's motion should be rendered nugatory. However we do not have the statutory authority to reject Southern's motion and Movants have not advanced any arguments to counter our statutory inability to act as they request.

On October 23, 1973, Mississippi Chemical Corporation (MCC) filed a petition for extraordinary relief with the Commission which was referred to as a request for *pendente lite* relief in the petition. In that request, MCC sought extraordinary relief from the Index of Requirements filed by Southern on October 1, 1973, as part of its FPC Gas Tariff.

¹ We construe Southern's motion as requesting January 14, 1974, or such later date as we accept for filing its January 4, 1974, tendered substitute tariff sheets in substitution of those sheets that had been suspended by our order of October 31, 1973. This order will meet the latter condition and will activate Southern's motion.

MCC asserts that the above mentioned Index of Requirements lists, at pages 68 and 69, the requirements of MCC as 29,313 Mcf per day, 29,000 of which is firm contract demand and 313 of which is category 7 priority gas. It is the position of MCC that its actual total requirements at its Yazoo City chemical fertilizer plant at 44,000 Mcf per day (rounded), 29,000 of which is priority category 2 gas as stated in Southern's Index of Requirements, 11,814 of which is priority category 3 gas and 2,817 of which is priority category 7 gas.

MCC states that on September 1, 1971, Southern filed an abandonment application in Docket No. CP72-52 seeking to abandon the sale in question, but that that case was tentatively settled by a stipulation and agreement which was approved by the assigned Administrative Law Judge on December 19, 1973. The stipulation and agreement is said by MCC to obligate Southern to deliver 44,000 Mcf per day to MCC until December 31, 1975, less that amount delivered by Shell Oil Company on any given day.

MCC asserts that there is no alternative supply of natural gas nor any alternative fuel available for use in its plant. Consequently, it states, if it is denied its full requirements of 44,000 Mcf per day, it will be compelled to curtail its operations, thus creating hardship and irreparable injury.

On December 3, 1973, Southern filed a response to MCC's petition, in which it asserted that its Index of Requirements figures were determined by responses of MCC to its questionnaire. Its figures are said to be based upon MCC's historical takes rather than upon the cumulative total supplied by Southern and Shell Oil Company, which it asserts MCC's calculations rely upon.

On December 5, 1973, MCC filed a reply to the above response of Southern, in which it reiterated its position that its total requirements were as stated, that its deliveries from Shell Oil Company were erratic and unreliable and that Southern had a legal obligation to deliver the entire amount, which should be reflected in Southern's Index of Requirements.

MCC's petition to modify Southern's proposed Index of Requirements is a question to be disposed of in the formal hearing now in progress in this docket. Since MCC makes no claim to present irreparable injury but merely asserts the possibility of future injury, this is not an appropriate instance in which to grant extraordinary relief. However, our denial is without prejudice to MCC's right to refile for extraordinary relief if and when there is a real and present injury.

On December 19, 1973, Pennzoil Producing Company (Pennzoil) filed a petition for exemption from Southern's plan of curtailment or, in the alternative, for an upgrading in the classification of its priority of service. On January 18, 1974, Pennzoil filed a petition for temporary relief pending the hearing and decision in Docket No. RP74-6, et al. In each of these petitions, Pennzoil argued that: it

purchases gas from Southern to operate its oil field in Tinsley, Mississippi; that, in light of the oil shortage, production of this oil was vital to the national interest; that it produces 17 Btu of oil for every Btu of gas used; and that alternative fuels were not readily usable in its operations. Good cause exists to place the gas requirements of Pennzoil into Priority 2 pending the hearing and decision in Docket No. RP74-6, *et al.*

In its October 23, 1973 filing, MCC further petitioned to intervene in the proceedings in Docket No. RP74-6, *et al.*

The following parties sought to intervene in the proceedings in this docket dealing specially with the petition of MCC:

Brick Institute of America on December 3, 1973
 Georgia Industrial Group on December 3, 1973
 Carolina Pipeline Company on December 3, 1973
 Atlanta Gas Light Company untimely filed on December 4, 1973
 Alabama Gas Corporation untimely filed on December 6, 1973

On January 9, 1974, American Textile Manufacturers Institute, Inc. filed an untimely petition to intervene in these proceedings. Granting the untimely interventions of Atlanta, American Textile and Alabama will not delay these proceedings or inconvenience any other party to these proceedings.

In orders issued on January 28 and January 30, 1974, in *Alabama Gas Corporation v. FPC*, (D.C. Cir. No. 74-1150, filed January 17, 1974), the United States Court of Appeals for the District of Columbia Circuit stayed the Commission orders issued in this proceeding on October 31, 1973, and December 28, 1973. It will be recalled that, in those orders, the Commission *inter alia* accepted for filing the tariff sheets submitted by Southern on August 2, 1973, suspended their effective date for one day, and set the matter down for hearing on the merits. All the matters dealt with in this order arose as a direct result of those Commission orders, and in light of the stay, it is not clear to what extent we have the authority to act on these matters. It is our view that all the action taken in this order is within our authority, and of immediate effect, except for the provisions: (1) allowing Southern's new curtailment plan to become effective upon the issuance of this order (Ordering Paragraph D below) and (2) granting Pennzoil extraordinary relief from that plan (Ordering Paragraph F, below). These provisions, therefore, should be understood as having no force or effect until such time as the Court's stay is dissolved or the Commission prevails on the merits in the above mentioned appellate case. All other provisions of this order are effective immediately. We have requested clarification from the Court of Appeals regarding the scope of the stay and its effect on our authority to deal with pending matters in this proceeding. If, upon receipt of such clarification, our

action herein is shown to have been beyond our authority, we will take appropriate corrective action through the issuance of a further order.

The Commission finds:

(1) Good cause exists to accept for filing the tendered substitute tariff sheets identified above in full substitution for those sheets that were filed by Southern on November 11, 1973, and were suspended by our orders of August 2, 1973 and October 1, 1973.

(2) Good cause exists to deny the motion of Carolina to strike a provision of Southern's tariff filing.

(3) Good cause exists to deny the motions to reject the instant substitute tariff sheets.

(4) Good cause exists to deny the motions to reject Southern's motion to make effective the suspended tariff sheets.

(5) Good cause exists to deny the petition of MCC for *pendente lite*, or extraordinary relief.

(6) Good cause exists to grant the petition of Pennzoil for temporary extraordinary relief.

(7) The participation of those parties who have petitioned to intervene may be in the public interest, provided that the intervention of those untimely interveners will not be permitted to be a cause for the disruption of the order or expeditious treatment of these proceedings.

The Commission orders:

(A) Substitute Second Revised Sheet Nos. 40D and E, Second Substitute Original Sheet No. 61 and Substitute Original Sheet Nos. 62-82 to Southern's FPC Gas Tariff, Sixth Revised Volume No. 1 which were tendered by Southern on January 4, 1974, are hereby accepted for filing and are substituted for the appropriately numbered tariff sheets previously filed by Southern on August 2, and October 1, 1973, and suspended by our order of October 31, 1973.

(B) Carolina's motion to strike a provision of Southern's tariff filing is hereby denied.

(C) The motions to reject the instant substitute tariff sheets are hereby denied.

(D) The motions to reject the motion of Southern to make effective the suspended tariff sheets is hereby denied and, consequently, those tariff sheets are effective upon issuance of this order.

(E) MCC's petition for *pendente lite*, or extraordinary relief, is hereby denied.

(F) Pennzoil's gas requirements, determined in the same manner as those of Southern's other customers in its Index of Requirements, are temporarily placed in priority category 2 pending the hearing and decision of the Commission in these proceedings.

(G) The above named petitioners are hereby permitted to become interveners in these proceedings 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 participation of such interveners shall not be construed as recognition by the Commission that they 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.74-3401 Filed 2-11-74;8:45 am]

[Docket No. CP70-7]

(Phase II)

SOUTHERN NATURAL GAS CO.

Notice of Petition To Amend

FEBRUARY 5, 1974.

Take notice that on January 14, 1974, Southern Natural Gas Company (Petitioner), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP70-7 (Phase II) a petition to amend the Commission's order issued October 29, 1969 (42 FPC 944), in the subject docket pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to sell natural gas to the City of Cochran, Georgia, (Cochran) under Petitioner's Rate Schedule OCD-3 in lieu of its Rate Schedule G-3 which is currently in effect, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

In an affidavit filed with the petition to amend, the mayor of Cochran states that Cochran along with the City of Warner Robins, Georgia, and two additional Georgia municipalities jointly own and operate a gas transmission pipeline serving said communities. Petitioner supplies these communities with their entire gas supply which is delivered by Petitioner into the jointly-owned pipeline for the four individual distribution systems and for customers served directly from the pipeline. The affidavit states further that recent changes relating to the operation of the jointly-owned pipeline and the individual distribution systems have made it necessary for certain of the pipeline customers which were formerly assigned to City of Warner Robins to be reassigned to Cochran beginning on November 1, 1973. Because of this reassignment Cochran has experienced a load factor increase which makes it desirable for gas to be purchased from Petitioner under Rate Schedule OCD-3 rather than the currently effective Rate Schedule G-3. The affidavit states further that this proposed change in rate schedule will not result in the addition of any new gas customers not already served with gas purchased from Petitioner's system.

The application states that the presently effective maximum delivery obligation under Rate Schedule G-3 for Cochran is 2,030 Mcf of gas and that the proposed contract demand under Rate Schedule OCD-3 will be the same quantity.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before February 28, 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) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3404 Filed 2-11-74;8:45 am]

[Docket No. CP74-189]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

FEBRUARY 5, 1974.

Take notice that on January 15, 1974, Texas Gas Transmission Corporation (Applicant), P.O. Box 1160, Owensboro, Kentucky 42301, filed in Docket No. CP74-189 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval for the abandonment of approximately 19.4 miles of 10-inch Slaughters-Evansville pipeline in Kentucky and Indiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the facilities to be abandoned were constructed in 1931 and that they have deteriorated to the point where they cannot be operated and meet the requirements of the Natural Gas Pipeline Safety Act of 1968 and the regulations promulgated thereunder. Applicant states that service presently being rendered through these facilities can continue to be rendered through adjacent loop pipelines.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 28, 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) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure,

a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3405 Filed 2-11-74;8:45 am]

[Docket No. CP74-193]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

FEBRUARY 5, 1974.

Take notice that on January 24, 1974, Texas Gas Transmission Corporation (Applicant), P.O. Box 1160, Owensboro, Kentucky 42301, filed in Docket No. CP 74-193 an application pursuant to section 7(c) of the Natural Gas Act and section 157.7(b) of the Regulations thereunder for a certificate of public convenience and necessity authorizing the construction, during the twelve-month period commencing May 30, 1974, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

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

The application states that the total estimated cost of the proposed facilities will not exceed \$7,000,000, with no single onshore project to exceed \$1,000,000 with no single offshore project to exceed a cost of \$1,750,000, which costs will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 28, 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) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in

any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3407 Filed 2-11-74;8:45 am]

[Docket No. E-8596]

UNION ELECTRIC CO.

Notice of Application

FEBRUARY 5, 1974.

Take notice that on January 16, 1974, Union Electric Company (Applicant) tendered for filing pursuant to section 205 of the Federal Power Act and Part 35 of the Regulations issued thereunder, an Interconnection Agreement dated January 3, 1974 with the Missouri Utilities Company (MU), establishing an additional point of delivery of energy to MU pursuant to the Electric Service Agreement between the parties, dated July 8, 1955, as amended. The point of delivery will occur at MU's Miner Substation, over MU's 161 kV line from Miner to the Sikeston Substation of the Southwestern Power Administration.

The Agreement formalizes a portion of a Letter of Intent dated March 10, 1972 between the parties, filed as Supplement No. 5 to Rate Schedule FPC No. 85. An effective date of February 1, 1974 will enable MU to facilitate the rebuilding of certain of its facilities accordingly.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 27, 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 the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application

is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3414 Filed 2-11-74;8:45 am]

[Docket No. CI74-379]

AMERADA HESS CORP.

Notice of Application

FEBRUARY 6, 1974.

Take notice that on December 28, 1973, Amerada Hess Corporation (Applicant), 1200 Milam, 6th Floor, Houston, Texas 77002, filed in Docket No. CI74-379 an application pursuant to section 7(b) of the Natural Gas Act for permission for and approval to abandon sales of natural gas in interstate commerce to Warren Petroleum Company and Skelly Oil Company, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that four of its wells in the Eunice and Monument Fields, Lea County, New Mexico, the Anderson #2, State "T" #4, Baker #4 and Baker #3, have been reclassified from oil wells to gas wells by the New Mexico Oil Conservation Commission, effective December 1, 1973. As oil wells, the casinghead gas therefrom is dedicated to Skelly Oil Company and Warren Petroleum Company and as gas wells, the gas-well gas therefrom is dedicated to Northern Natural Gas Company. Accordingly, Applicant proposes to abandon its sales of gas to Skelly and Warren so that it may sell such gas to Northern under an emergency gas purchase contract dated November 28, 1974. Applicant indicates that it has sold the subject gas to Warren and Skelly under percentage-type contracts.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 28, 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 permission

and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3454 Filed 2-11-74;8:45 am]

[Docket Nos. RP73-86, RP73-85]

**COLUMBIA GAS TRANSMISSION CORP.
AND COLUMBIA GULF TRANSMISSION
CO.**

**Notice of Extension of Time and
Postponing Hearing**

FEBRUARY 6, 1974.

On January 31, 1974, Columbia Gas Transmission Corporation and Columbia Gulf Transmission Company filed a motion for a change in the procedural dates fixed by notice issued December 14, 1973, in the above-designated matter. The motion states that all parties attending the prehearing conference held on January 29, 1974 agreed to the initiation of a settlement conference on February 12, 1974 and to the new procedural schedule.

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

Intervener Service Date, April 9, 1974.
Columbia Rebuttal Date, April 23, 1974.
Hearing, May 7, 1974 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3456 Filed 2-11-74;8:45 am]

[Docket Nos. CP73-132, CP73-135, CP73-230,
CP74-122, CP74-137, CP73-148]

DISTRIGAS CORP. ET AL.

**Granting Extension of Time, Establishing
Procedures, and Granting Intervention**

Distrigas Corporation, Distrigas of New York Corporation, Distrigas of Massachusetts Corp., Distrigas Pipeline Corporation.

By order issued December 28, 1973, in response to the repeated urgings of the above-named companies (hereinafter collectively referred to as Applicants), we set the above-docketed proceedings for hearing under expedited scheduling.¹ January 21, 1974 was set as the date for Applicants, and all intervenors in support thereof, to file their direct case, and February 11, 1974 as the date for hearings to commence.

On January 21, 1974, Applicants filed a motion requesting an extension of time

¹Our December 28, 1973 order pertained also to applications in Docket Nos. CP73-78, CP73-205, and CP73-330, since withdrawn, as discussed below.

for filing "a portion" of their direct case. The "portion" of their direct presentation Applicants wish to file late includes subject areas dependent upon the price to be paid for the Algerian LNG, now unknown, such as financial and economic evidence, market and supply data, and testimony relating to the negotiation of revised contract terms.² Applicants also state that they are unable to provide certain evidence their supplier must furnish, such as an analysis and description of the shipping to be used for their proposal, a description of the Algerian portion of the supply project, and reserve data. Applicants request until February 20, 1974 to file the missing portions of their direct case. No answers to Applicants' request for an extension of time have been filed.

Also on January 21, 1974, Distrigas Corporation and Distrigas of New York Corporation filed a notice of withdrawal of their applications in Docket Nos. CP 73-78, CP73-205, and CP73-330. Those dockets had been consolidated with the above-captioned applications by our December 28, 1973 order herein. We shall henceforth delete the withdrawn dockets from these proceedings, which, in all other respects, shall be disposed of as indicated in our December 28, 1973 and subsequent orders.

Petitions to intervene in these consolidated proceedings were granted by our orders issued February 26, 1972, and December 28, 1973 in Docket Nos. CP73-78, *et al.*, now to be referenced as Docket Nos. CP73-132, *et al.* A petition to intervene out of time has since been filed by the Attorney General of the State of New York on January 14, 1974. On January 25, 1974, the Applicants collectively filed an answer opposing the Attorney General's intervention on the grounds that it is out of time.³ Although Applicants' answer was not filed within the 10-day time period prescribed for answers to petitions in Section 1.8(e) or the Commission's Rules of Practice and Procedure, we have nevertheless considered it. We are convinced that the Attorney General of New York has shown sufficient interest to warrant intervention in these proceedings, and that such late intervention will not delay or prejudice these proceedings. We shall, therefore, grant late intervention to the Attorney General of the State of New York.

The sole reason advanced by the Applicants to support the requested extension of time, as noted above, is Aloccean's termination of the LNG supply contract. We recognize this to be a matter over which

²Applicants' motion notes that their contracts with Aloccean, Ltd., which were the basis of their applications, have been terminated by Aloccean.

³It strikes us as incongruous for the Applicants to oppose an intervention on the grounds that such intervention is untimely, by filing a late answer to the petition, in a proceeding wherein the Applicants themselves have requested an extension of time because they cannot meet the date for filing testimony as set by our order of December 28, 1973.

the Applicants had little control⁴ and one which vitally affects important issues in these proceedings. Some of the testimony for which an extension is requested, however, such as that relating to the shipping involved, and market data, appear to be only remotely, if at all, related to the LNG supply contract. For the Applicants to acknowledge at this late date that they are able to serve evidence concerning only the construction and operation of the LNG terminaling facilities, after repeated urgings to the Commission to set the proceedings for hearing in the interest of expedition, is indeed surprising. We generally do not consider it to be in the best interest of any concerned parties to allow a hearing to proceed when the Applicants are not fully prepared with their case-in-chief. In the interests of continued expedition in these proceedings, however, we shall proceed as suggested by the Applicants and allow the case to go forward to hearing, as previously scheduled, on that portion of the case on which the Applicants have filed testimony as directed. In reliance upon the reason put forth by the Applicants, we shall likewise grant the extension of time requested for the filing of the remainder of the Applicants' case-in-chief. The time for cross-examination of such testimony shall likewise be extended for a reasonable period by the Presiding Judge, as ordered below.

The Commission finds:

(1) Good cause has been shown to grant the extension of time as requested by the Applicant in their motion filed January 21, 1974.

(2) The participation of the above-named petitioner is in the public interest.

(3) The proceedings herein should proceed according to schedule as prescribed in our order of December 28, 1973, except as revised below.

The Commission orders:

(1) The time within which Applicants shall file all remaining portions of their direct case is extended to and including February 20, 1974. Subsequent to the filing of such testimony, the Presiding Administrative Law Judge assigned to the case shall set dates for the cross-examination of such testimony, allowing full and adequate time for the review and evaluation of such testimony, and preparation for cross-examination by parties to the proceeding.

⁴At the same time, we reject any implication that the Commission may be even partially at fault due to the "failure of the Commission to issue . . . authorization before January 1, 1974." (Motion, p. 2) In this regard, we note that applications for the construction of the terminal facilities on Staten Island and Everett, Mass., were not filed until November 2, 1973 and November 15, 1973, respectively, although Distrigas had been under orders by the Commission to do so since May 25, 1973. Due to the central importance of these facilities to the entire Distrigas project as proposed by all of the captioned filers, we were unable to schedule formal hearing herein until those applications were forthcoming.

(2) The Attorney General of the State of New York is permitted to intervene in these consolidated proceedings, 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 as specifically set forth in said petition for leave to intervene; 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 or orders of the Commission entered in this proceeding.

(3) Formal hearing in these proceedings shall commence as scheduled on February 11, 1974, on those portions of the case on which Applicants have filed testimony.

(4) The applications on Docket Nos. CP73-78, CP73-205 and CP73-330 are hereby deemed withdrawn.

By the Commission.

Issued: February 6, 1974.

[SEAL] KENNETH F. PLUMB,
Secretary.
[FR Doc.74-3457 Filed 2-11-74;8:45 am]

[Docket No. E-8172]

KENTUCKY UTILITIES CO.

Notice of Further Extension of Time and Postponement of Prehearing Conference and Hearing

FEBRUARY 6, 1974.

On January 22, 1974, Kentucky Utilities Company filed a request for an extension of the procedural dates fixed by notice issued January 11, 1974, in the above-designated matter. The motion states that counsel for the intervenor municipalities and the Commission Staff Counsel have no objection to the rescheduling.

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

Service of Intervener Evidence, February 26, 1974.
Prehearing Conference, March 4, 1974 (10:00 a.m., EDT).
Service of Company Rebuttal, March 14, 1974.
Hearing, April 2, 1974 (10:00 a.m., EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.14-3449 Filed 2-11-74;8:45 am]

[Docket Nos. RP73-6, RP74-62-2 and RP74-62-1]

MISSISSIPPI RIVER TRANSMISSION CORP.

Order Granting Temporary Extraordinary Relief, Consolidating Proceedings, Setting Matters for Hearing, Granting Intervention and Prescribing Procedures

On December 13, 1973, American Smelting and Refining Company (ASARCO) filed in Docket No. RP73-6 a petition for extraordinary relief, requesting the Commission to grant ASARCO relief from curtailment by Mississippi River Transmission Corporation (MRT) by requiring MRT to deliver to ASARCO 634 Mcf on an average

day and 710 Mcf on a peak day until April 30, 1974, to meet its smelting and refining operations at ASARCO's Glover, Missouri plant.

On November 20, 1973, Georgia-Pacific Corporation (GPC) also filed in the above docket a petition for extraordinary relief requesting the Commission to require MRT to deliver to GPC 6,000 Mcf on an average day and 9,000 Mcf on a peak day to meet GPC's requirements at its Crossett, Arkansas plant.¹

In response to the two filings, General Motors, the Industrial Gas Users Conference and ASARCO² filed petitions to intervene. MRT filed an answer opposing both petitions for extraordinary relief and Laclede Gas Company filed a protest to the granting of the petitions. Illinois Power Company filed a petition for leave to intervene and protest on December 17, 1973, to GPC's petition. On January 2, 1974, ASARCO filed with the Commission a copy of a letter sent to counsel for MRT requesting the same relief as that requested in its petition for extraordinary relief filed December 13, 1973.³

Both ASARCO and GPC are interruptible customers of MRT, and both have been advised by MRT that under MRT's proposed curtailment plan they cannot expect to receive any gas during the 1973-74 winter heating season. ASARCO in its petition states that its only alternate fuel is propane, suppliers of which have indicated that insufficient quantities will be available to keep the Glover plant operational this winter. GPC is similarly situated with the net result of the closing of the respective facilities.

Laclede, in its protests to the petitions, avers, without more, that the granting of relief would result in undue discrimination against MRT's other customers and undue preference for the petitioners in violation of the Natural Gas Act. A further response in opposition to the granting of the temporary relief petitions was filed by MRT. MRT asserts first, that the granting of temporary relief will result in increased curtailment of firm customers, and second, that supplies of propane for ASARCO will continue to be adequate.

Illinois Power opposes GPC's petition for extraordinary relief on the basis that it would have the effect of firming up interruptible sales by MRT and GPC. Such an argument is of no moment inasmuch as the relief granted herein is only temporary pending a hearing on the request for permanent relief.

Although not quantified, it is strongly asserted that GPC and ASARCO will be forced to close their facilities if relief is not forthcoming, with concomitant detrimental results within the local economy and collateral industries.

¹Notice of the GPC petition was issued on December 10, 1973, and on December 26, 1973, for the ASARCO petition.

²ASARCO filed a late petition to intervene in RP73-6 on November 27, 1973. No disposition of that petition is required since we are granting ASARCO's other petition to intervene filed December 18, 1973.

³MRT has not yet responded to the January 2, 1974, request by ASARCO for relief.

We have concluded, therefore, that good cause exists to grant temporary relief in both instances by a) requiring MRT to deliver to ASARCO at its Glover plant 634 Mcf on an average day and 710 Mcf on a peak day until April 30, 1974, and b) by requiring MRT to deliver to GPC at its Crossett plant 6,000 Mcf on an average day and 9,000 Mcf on a peak day as reduced by volumes obtained from other sources.* This temporary relief is granted pending a hearing on the requests for permanent relief from curtailment under MRT's proposed curtailment plan. These two petitions, because they are interrelated, are being consolidated for purposes of the hearing ordered herein.

The Commission finds:

(1) Good cause exists to set the above proceeding for formal hearing and to establish procedures for that hearing.

(2) The participation of the above-named intervenor may be in the public interest.

(3) Good cause exists to grant ASARCO's and GPC's petition for extraordinary interim relief.

The Commission orders:

(A) The Commission orders that the petitions for extraordinary relief filed by GPC and ASARCO be and are hereby granted on a temporary basis pending hearing.

(B) All parties heretofore permitted to intervene in Docket No. RP73-6 are deemed intervenors herein; they, as well as the above-named petitioners are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* that the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the petition to intervene; and *provided, further,* that the admission of such intervenors shall not be construed as recognition that they might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(C) Pursuant to the authority of the Natural Gas Act, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on March 5, 1974, at 10:00 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the petitions for permanent relief.

(D) An Administrative Law Judge to be designated by the Chief Law Judge for the purpose, shall preside at the hearing and prescribe relevant procedural matters.

(E) The petitions of GPC and ASARCO are hereby consolidated for purposes of hearing and decision.

(F) On or before February 22, 1974, petitioners and all parties shall file their direct testimony and evidence in support

* See, e.g., *Navarro Gas Production Company, et al.*, Opinion No. 689, issued concurrently herewith.

of their respective positions, and shall serve such filings upon the Presiding Administrative Law Judge, Commission Staff and all other parties to the proceeding.

By the Commission.

Issued: February 5, 1974.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3458 Filed 2-11-74; 8:45 am]

[Docket No. E-7317]

PENNSYLVANIA POWER CO.

Notice of Further Extension of Time and Postponement of Hearing

FEBRUARY 6, 1974.

On January 30, 1974, Pennsylvania Power Company filed a motion for a further extension of the procedural dates fixed by notice issued January 11, 1974 in the above-designated matter. The motion states that there is no objection to the motion.

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

Service of Cases-in-Chief by Company and Ellwood City, April 1, 1974.

Service of Rebuttal Evidence by Company and Ellwood City, April 22, 1974.

Hearing, May 20, 1974 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3453 Filed 2-11-74; 8:45 am]

[Docket No. E-8224]

SIERRA PACIFIC POWER CO.

Notice of Postponement of Prehearing Conference and Hearing

FEBRUARY 4, 1974.

On February 1, 1974, Staff Counsel filed a motion to extend the procedural dates fixed by notice issued December 21, 1973 in the above-designated matter. The motion states that there was no opposition to these new dates except by Wheeler Power, Inc.

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

Prehearing Conference, March 5, 1974 (10:00 a.m. EDT).

Hearing, March 6, 1974 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3451 Filed 2-11-74; 8:45 am]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

Notice of Application for New Major License

FEBRUARY 6, 1974.

Public notice is hereby given that application was filed September 4, 1973, under the Federal Power Act (16 U.S.C. 791a-825r) by South Carolina Public Service Authority (Correspondence to:

Mr. J. B. Thomason, General Manager, South Carolina Public Service Authority, P.O. Box 398, Moncks Corner, South Carolina 29461) for new major license for its constructed Santee-Cooper Project No. 199, located on the Santee and Cooper Rivers, in Berkeley, Calhoun, Clarendon, Orangeburg, and Sumter Counties, South Carolina. The project affects navigable waters of the United States and government lands in the Francis Marion National Forest. The original license for the project expires April 1, 1976.

The project consists of (1) Santee Dam, a 7.5 mile long diversion dam with a 3,400 foot long spillway, which impounds the 90,775 acre Lake Marion Reservoir; (2) Spillway Powerhouse, which contains one 2,000 kW generating unit; (3) Pinopolis Dam, an earth-fill dam with sections 3,700 and 6,000 feet long, which impounds the 60,400 acre Lake Moultrie Reservoir; (4) Jefferies Powerhouse, which contains five generating units with total installed capacity of 132,525 kW; (5) a 7.5 mile long diversion canal connecting Lakes Marion and Moultrie; (6) a 4 mile long tailrace canal; and (7) appurtenant facilities.

Numerous recreational opportunities presently exist at or in the vicinity of Project No. 199, including swimming, camping, boating, fishing, cabins, and other activities and facilities. Available to the general public are two state parks, twelve non-fee public boat landings, and the Pinopolis Hydro Plant Visitation Center.

Applicant leases residential lots for recreational purposes; fifty-three subdivisions with a total of 3,281 lots have been developed within the project boundary, 2,938 of which have been leased. Applicant provides public access to the water for inland land owners and visitors in most of these areas.

Sixty-five leases within project boundaries have been issued to commercial operators for boats, docks, and related services. Further, many commercial, recreational, and residential facilities adjoin project lands and require access thereto.

Applicant proposes future developments to include a Motel and Marine Complex, a recreational mini-park, two public boat launching ramps, a single family residential development at Pintail Island, and two combination developments to include single family residential housing, condominiums, commercial areas, mobile homes and public boat ramps.

Any person desiring to be heard or to make protest with reference to said application should on or before April 15, 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 application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3455 Filed 2-11-74;8:45 am]

[Docket No. E-8176]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Further Extension and Postponement of Prehearing Conference and Hearing

FEBRUARY 6, 1974.

On January 25, 1974, the Cities of Anaheim, Riverside, Banning, Colton and Azusa, California (Cities) filed a motion for a further extension of the procedural dates fixed by notice issued November 12, 1973. The motion also requests that prehearing conference be held as scheduled on February 15, 1974. The motion states that Southern California Edison Company (SCE) opposes the holding of a prehearing conference on February 15, 1974, but neither Staff nor SCE opposes the other request.

Upon consideration notice is hereby given that the request for a prehearing conference on February 15 is denied and the other procedural dates are further modified as follows:

Service of Intervener Evidence, April 1, 1974.
Prehearing Conference, April 8, 1974.
Service of Company Rebuttal, April 29, 1974.
Hearing, May 14, 1974 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3452 Filed 2-11-74;8:45 am]

[Project No. 1889]

WESTERN MASSACHUSETTS ELECTRIC CO.

Notice of Application for Change in Land Rights

FEBRUARY 5, 1974.

Public notice is hereby given that application was filed October 4, 1973, amended December 28, 1973, under the Federal Power Act (16 U.S.C. 791a-825r) by Western Massachusetts Electric Company (Correspondence to: Mr. Robert E. Barrett, Jr., President, Western Massachusetts Electric Company, 174 Brush Hill Avenue, West Springfield, Massachusetts 01089) for change in land rights for the constructed Project No. 1889, known as the Turners Falls Project, located on the Connecticut River in Franklin County Massachusetts, and in the Towns of Gill and Montague, Massachusetts.

Western Massachusetts Electric Company, applicant, requests Commission approval of the granting of an easement to New England Telephone and Telegraph Company allowing the Telephone Company entry upon two parcels of project lands beneath both the east and west approaches to the Gill-Montague State

Highway bridge, which is located just downstream of the Turners Falls Dam.

The purpose of the proposed easement is to allow the Telephone Company access to the underside of the Gill-Montague State Bridge in order to place, maintain and remove telephone conduits, cables and appurtenances, thereon or therefrom. All activity pertaining to the telephone facilities would take place within the limits of the bridge which is elevated as it crosses the affected parcels of project land.

Any person desiring to be heard or to make protest with reference to said application should on or before March 21, 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 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-3450 Filed 2-11-74;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST INTERNATIONAL BANCSHARES, INC.

Application To Engage in the Underwriting of Credit Life and Credit Accident and Health Insurance

First International Bancshares, Inc., Dallas, Texas, has applied, pursuant to § 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of First International Bancshares Insurance Company, Dallas, Texas, a de novo corporation. Notice of the application was published on November 29, 1973, in The Dallas Morning News, a newspaper circulated in Dallas, Texas.

Applicant states that the proposed subsidiary would engage in the activities of a company underwriting credit life and credit accident and health insurance directly related to extensions of credit by Applicant and its subsidiaries. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse

effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank in Dallas.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than March 4, 1974.

Board of Governors of the Federal Reserve System, February 5, 1974.

[SEAL] CHESTER R. FELDBERG,
Secretary of the Board.

[FR Doc.74-3393 Filed 2-11-74;8:45 am]

OLD KENT FINANCIAL CORPORATION

Order Denying Acquisition of Bank

Old Kent Financial Corporation, Grand Rapids, Michigan, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under § 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares of the successor by merger to National Lumberman's Bank and Trust Company, Muskegon, Michigan ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 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 § 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, which controls four banks with aggregate deposits of approximately \$775 million, representing 3.0 percent of the total deposits in commercial banks in Michigan, is the sixth largest banking organization in the State. Acquisition of Bank (deposits of \$105 million) would increase Applicant's rank among State organizations to fifth; however, Applicant's share of the State deposits would be increased by less than one percentage point which would not significantly increase the concentration of banking resources on a State-wide basis.¹

¹ State banking data are as of June 30, 1973, adjusted to reflect bank holding company formations and acquisitions approved by the Board through November 1, 1973.

Bank is the second largest of three banks headquartered in the city of Muskegon (population 44,631), and with 24.3 percent of total deposits in the Muskegon-Grand Haven banking market,² is the second largest of five banks in that market. The largest bank in the market and the third in size, both headquartered in Muskegon, control respectively, about 32 and 19 percent of total deposits in commercial banks in the market. The fourth and fifth largest banks are both headquartered in Grand Haven and control 13 and 11.5 percent, respectively, of total deposits in commercial banks in the market.³

Applicant's lead bank, Old Kent Bank and Trust Company ("Old Kent"), is located in Grand Rapids, approximately 35 miles east of Bank. Old Kent, with deposits of about \$688 million, is the largest banking organization in the Grand Rapids banking market and controls 49 percent of commercial bank deposits located in that market. While Bank and Old Kent are in banking markets that are regarded as separate at this time, there is some existing competition between them. Old Kent obtains over \$1 million in deposits and derives almost \$5 million in loans from Bank's service area and has a high percentage of trust clients in the Bank's service area. Bank obtains over \$3 million in deposits from Old Kent's service area. This competitive overlap between Bank and Old Kent is likely to increase in the future. Consummation of the proposal would thus eliminate existing competition as well as the probability of increased competition developing between them in the future.

Also, due to its size, proximity to the relevant market and recent record of expansion in this area of Michigan, Applicant is considered to be one of the most likely entrants into the Muskegon-Grand Haven market. Applicant has the resources and expertise to enter the Muskegon-Grand Haven market de novo. While the city of Muskegon does not appear particularly attractive for de novo entry, the Board finds that the relevant market appears to be capable of supporting new entry. The population per banking office ratio of 6,500 is well above the State average of 5,495, while the deposits per banking office ratio of \$14.5 million is only slightly lower than the State average of \$15.3 million. In addition, at least one section of the market, the city of Norton Shores, which has demonstrated rapid growth (with population increase of 25 percent in the period 1960-70) and has a population per banking office ratio of 7,432 relative to the State average of 5,495, could support new entry. Within this community, three branches of other banking organizations are located, but no home offices. Due to the fact that Michigan law prohibits additional banks from establishing branches there, it would appear that Norton Shores is a

²The Muskegon-Grand Haven banking market is approximated by the Muskegon-Grand Haven Ranally Metro Area which consists of most of Muskegon County and the northwest corner of Ottawa County.

³Market data are as of June 30, 1972.

viable area for new entry. Given these factors, the Board concludes that consummation of the proposed acquisition would eliminate the likelihood that Applicant would enter de novo and thus would have an adverse effect on potential competition.

The Board is further concerned that Applicant is in the process of acquiring a position of dominance in a four-county region in western Michigan (approximated by Kent, Ottawa, and Muskegon Counties, plus the lower one-third of Newaygo County). Within this four-county region are located the Grand Rapids, Holland, Fremont and Muskegon-Grand Haven banking markets. Applicant is the leading organization in the Grand Rapids market, and has just consummated significant acquisitions in the Holland and Fremont markets, both adjacent to the Grand Rapids market. Applicant now proposes to acquire the second largest bank in the Muskegon-Grand Haven market, another market with close proximity to Grand Rapids. At present, Applicant controls approximately 37 percent of the total deposits in this four-county region. Consummation of the present proposal would increase Applicant's share of deposits in the region to about 42 percent, whereas, the second largest banking organization in the region, Union Bank and Trust Company, Grand Rapids (deposits of \$313.5 million), holds 15.6 percent of the total deposits. Approval of this application would amplify the present size disparity among the banking organizations in this area of the State, as well as increasing concentration. The Board believes that, were this trend allowed to continue, it would have significantly adverse effects upon competition in this area of Michigan. In addition, approval of this acquisition would remove Bank as an entry vehicle for a bank holding company not already represented in this region and thus it would make deconcentration less likely.

On the basis of the foregoing and other facts of record, the Board concludes that competitive considerations relating to this application weigh sufficiently against approval so that it should not be approved unless the anticompetitive effects are outweighed by considerations relating to the financial and managerial resources and future prospects of Applicant and Bank or the convenience and needs of the communities to be served.

The financial and managerial resources and future prospects of Applicant and its subsidiary banks are regarded as satisfactory and consistent with approval of the application. Bank has sound financial resources and satisfactory management, but its earnings are below those of other banks in its size class in Michigan, and prospects for Bank's management succession are uncertain. While Applicant has the resources to remedy Bank's problems, it appears to the Board that those problems could be remedied by other less anticompetitive means.

Applicant has indicated that it would effect changes in Bank's services in the areas of its physical facilities, manage-

ment, trust services, international services and services for larger commercial customers. However, there is no evidence that the banking needs of the relevant market are not presently being met.

The Board finds that the anticompetitive aspects of the proposed acquisition are not outweighed by considerations relating to financial and managerial resources or the probable effect of the transaction in meeting the convenience and needs of the community to be served.

On the basis of all relevant facts in the record,⁴ the Board concludes that approval of the proposed acquisition is not in the public interest, and the application is denied for the reasons summarized above.

By order of the Board of Governors,⁴ effective January 25, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-3392 Filed 2-11-74;8:45 am]

TEXAS COMMERCE BANCSHARES, INC. Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Plaza Commerce Bank, N.A., Greenway Plaza, Houston, Texas, a proposed new bank. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of 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 March 3, 1974.

Board of Governors of the Federal Reserve System, February 4, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-3391 Filed 2-11-74;8:45 am]

GENERAL FINANCIAL SYSTEMS, INC. Acquisition of Bank; Correction

In FR Doc. 74-1970, appearing on page 2807 of the issue for Thursday, January 24, 1974, the first paragraph should read:

General Financial Systems, Inc., Riviera Beach, Florida, has applied for the Board's approval under section 3(a)(3)

^{3a}Dissenting Statement of Governors Daane and Sheehan filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

⁴Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Bucher and Holland. Voting against this action: Governors Daane and Sheehan whose dissenting statements were filed as part of the original document.

of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 55 percent of the voting shares of Jupiter National Bank, Jupiter, Florida, 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)).

Board of Governors of the Federal Reserve System, February 2, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-3390 Filed 2-11-74; 8:45 am]

SMALL BUSINESS ADMINISTRATION

FIRST CAROLINA CAPITAL CORP.

Surrender of License

Notice is hereby given that, pursuant to § 107.105 of the Small Business Administration (SBA) rules and regulations governing Small Business Investment Companies (38 FR 30836), First Carolina Capital Corp., P.O. Box 7606 Asheville, North Carolina, incorporated under the laws of the State of North Carolina has surrendered its license No. 04/04-0046 issued by the SBA on September 19, 1961.

First Carolina Capital Corp. has complied with all conditions set forth by SBA for surrender of its license. Therefore, under the authority vested by the Small Business Investment Act of 1958 as amended, and pursuant to the above cited regulation, the license of First Carolina Capital Corp. is hereby accepted and it is no longer licensed to operate as a small business investment company.

Dated: January 30, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.74-3378 Filed 2-11-74; 8:45 am]

TARIFF COMMISSION

[337-L-70]

ANTENNA ROTATOR SYSTEMS

Notice of Complaint Received

The United States Tariff Commission hereby gives notice of the receipt on October 1, 1973, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by The Alliance Manufacturing Company, Inc., Alliance, Ohio, alleging unfair methods of competition and unfair acts in the importation and sale of antenna rotator systems which are embraced within the claims of U.S. Patent Nos. 3,297,923 and 3,327,187 owned by the complainant. The complainant names Cornell-Dubilier Electronics, 150 Avenue L, Newark, New Jersey 07101, as importing and offering for sale the subject product.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the issues raised in the complaint for

the purpose of determining whether there is good and sufficient reason for a full investigation, and if so whether the Commission should recommend to the President the issuance of a temporary exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than March 8, 1974. Extensions of time for submitting information will not be granted unless good and sufficient cause is shown thereon. Such information should be sent to the Secretary, United States Tariff Commission, 8th and E Streets NW., Washington, D.C. 20436. A signed original and nineteen (19) true copies of each document must be filed.

By order of the Commission.

Issued: February 6, 1974.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-3376 Filed 2-11-74; 8:45 am]

DEPARTMENT OF LABOR

Office of Labor-Management and Welfare Pension Reports

ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS

Notice of Meeting

Pursuant to section 14 of the Welfare and Pension Plans Disclosure Act (29 U.S.C. 308e) a meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on February 25, 1974, at 10:00 a.m. in Departmental Auditorium Conference Room B, 12th and Constitution Avenue, NW., Washington, D.C. The meeting will be open to members of the public who will signify an intention to attend.

The agenda for the meeting follows:

1. Approval of Minutes of Last Meeting
 2. Status of Plans Developed by the Department Pension Task Force
 3. Prohibited Transactions and Federal Preemption Provisions of Pending Pension Reform Legislation
- Persons desiring to attend should notify Mr. Edward F. Lysczek, Executive Secretary to the Advisory Council, (301) 427-8150.

Signed at Washington D.C., this 5th day of February, 1974.

PAUL J. FASSER, JR.,
Assistant Secretary for
Labor-Management Relations.

[FR Doc.74-3388 Filed 2-11-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 241; Fourteenth Revised
Exemption No. 43]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ET AL.

Car Service Rules

The Atchison, Topeka & Santa Fe Railway Co. Burlington Northern, Inc. Chicago & North Western Transportation Co. Chicago, Milwaukee, St. Paul & Pacific Railroad Co. Chicago, Rock Island & Pacific Railroad Co. Illinois Central Gulf Railroad Co. Missouri Pacific Railroad Co. *Norfolk & Western Railway Co. St. Louis-San Francisco Railway Co. Soo Line Railroad Co. Union Pacific Railroad Co.

It appearing, That there are massive movements of grain, including rice and soybeans, in progress in the states of Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri,* Montana, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, and of cotton in certain of the aforementioned states; that present supplies of plain boxcars owned by the railroads serving these states are inadequate to move the newly harvested grain and cotton to terminal facilities for safe storage; that use of available plain boxcars owned by other carriers for movements of this grain and cotton will substantially augment the car supplies of the railroads named herein.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, the railroads named herein, and their short line connections, are hereby authorized to use and to accept from shippers shipments of grain and cotton originating at stations located in Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri,* Montana, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, when loaded into plain 40-ft. narrow-door boxcars of various ownerships without regard to the requirements of Car Service Rule 2.

Exception: This exemption shall not apply to plain boxcars subject to Association of American Railroads' Car Relocation Directive No. 44.

Effective 11:59 p.m., February 1, 1974.

Expires 11:59 p.m., February 28, 1974.

Issued at Washington, D.C., February 1, 1974.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[FR Doc.74-3482 Filed 2-11-74; 8:45 am]

[Ex Parte No. 241; Amendment No. 3 to
Exemption No. 56]

ERIE LACKAWANNA RAILWAY CO. AND PENN CENTRAL TRANSPORTATION CO.

Car Service Rules

Erie Lackawanna Railway Company,
Thomas F. Patton and Ralph S. Tyler,

Jr., Trustees. Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees.

Upon further consideration of Exemption No. 56 issued October 31, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 56 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire April 30, 1974.

This amendment shall become effective January 31, 1974.

Issued at Washington, D.C., January 30, 1974.

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

[FR Doc.74-3484 Filed 2-11-74;8:45 am]

**NATIONAL REFRIGERATED TRANSPORT,
INC. AND NORTH AMERICAN VAN
LINES, INC.**

[Ex Parte No. MC-43]

**Lease and Interchange of Vehicles by
Motor Carriers**

At a Session of the INTERSTATE COMMERCE COMMISSION, Motor Carrier Leasing Board, held at its office in Washington D.C., on the 31st day of January, 1974.

It appearing, That petition has been filed by National Refrigerated Transport, Inc. (MC-118159 and numerous subs) and North American Van Lines, Inc. (MC-107012 and numerous subs), under common control, for waiver of paragraphs (a) (3), (b) and (c) of § 1057.4 of the Lease and Interchange of Vehicles Regulations (49 CFR 1057) concerning equipment leased between them;

It further appearing, That they have a jointly administered program applying the same standards of inspection and maintenance to equipment in accordance with the motor carrier safety regulations of the U.S. Department of Transportation;

It further appearing, That neither has seriously violated the motor carrier safety regulations so as to warrant an adverse recommendation by the Bureau of Motor Carrier Safety of the U.S. Department of Transportation, but that Bureau will continue surveillance and in the event compliance deteriorates will immediately recommend withdrawal of any effective waiver;

And it further appearing, That because petitioners are commonly controlled a single agent may effectively represent each to execute equipment receipts to fulfill the purpose of the requirements of paragraph (b) of § 1057.4, especially in view of the fact that no such requirements exist respecting the interchanging of the equipment;

It is ordered, That waiver of paragraphs (a) (3) and (c) of § 1057.4, be, and it is hereby granted, provided that the equipment is inspected on the day it is leased and found to meet the require-

ments of the safety regulations of the U.S. Department of Transportation and that petitioners remain in satisfactory compliance with those regulations and under common control;

It is further ordered, That in view of the common ownership of petitioners a single agent may act on behalf of both the lessee and the equipment owner giving and taking the receipts for equipment augmented as required by paragraph (b) of § 1057.4.

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-3479 Filed 2-11-74;8:45 am]

[Ex Parte No. 241; Amendment No. 3 to
Exemption No. 55]

**NORFOLK AND WESTERN RAILWAY CO.
AND PENN CENTRAL TRANSPORTA-
TION CO.**

Car Service Rules

Norfolk and Western Railway Company, Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees.

Upon further consideration of Exemption No. 55, issued October 31, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 55 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire April 30, 1974.

This amendment shall become effective January 31, 1974.

Issued at Washington, D.C., January 30, 1974.

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

[FR Doc.74-3485 Filed 2-11-74;8:45 am]

[No. AB-85]

UNION TERMINAL CO.

**Abandonment of Operations and
Ownership**

The Union Terminal Co. abandonment of operations over and ownership of 2.09 miles of rail line in Dallas County, Tex.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321 et seq.; and good cause appearing therefor;

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general

circulation in Dallas County, Tex., within 15 days of the date of service of this order, and certify to this Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 4th day of February, 1974.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated February 4, 1974, it has been determined that the proposed abandonment in the above-entitled proceeding of 2.09 miles of lines in Dallas County, Tex., if approved by the Commission, would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321 et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(c) of the NEPA.

It was concluded, among other things, that the proposed abandonment, if approved, would facilitate the transfer of ownership of the line from the Union Terminal Company to eight line-haul railroads which serve Dallas. There will be no change in existing freight service and no track or facilities will be removed. The terminal building has been sold to the city which will use it as a passenger terminal (Amtrak will reinstitute rail passenger service to Dallas and will use the facilities of the Union Terminal Building). Even though the Union Terminal Company will no longer maintain ownership of the facilities, no service presently provided will be terminated and passenger service is expected to be re-instituted. The abandonment, therefore, is entirely consistent with local land use plans and contemplated transportation patterns. The determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423, telephone 202-343-6989.

Interested parties may comment on the matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C., on or before February 22, 1974.

[FR Doc.74-3483 Filed 2-11-74;8:45 am]

[Notice No. 22]

**MOTOR CARRIER TEMPORARY
AUTHORITY APPLICATIONS**

FEBRUARY 7, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act

provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 61231 (Sub-No. 75 TA), filed January 30, 1974. Applicant: ACE LINES, INC., 4143 East 43rd Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Irrigation systems, pipe, tubing, light poles, mast arms, brackets, bases, and transmission poles*, and (2) *materials and supplies* used in the manufacture and installation of the commodities named in (1) above, between Valley, Nebr., on the one hand, and, on the other, points in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming, for 180 days. SUPPORTING SHIPPER: Valmont Industries, Inc., Valley, Nebr. 68064. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 100300 (Sub-No. 11 TA), filed January 30, 1974. Applicant: H. B. NELSON & SONS, INC., 2510 Broadway, P.O. Box 241, Alexandria, Minn. 56308. Applicant's representative: Robert D. Givold 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from Olympia, Wash., to points in Minnesota, and (2) *empty containers, pallets, and rejected or returned shipments*, from points in Minnesota, to Olympia, Wash., for 180 days. SUPPORTING SHIPPER: Olympia Brewing Company, P.O. Box 947, Olympia, Wash. 98507. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Fed-

eral Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 103051 (Sub-No. 301 TA), filed January 29, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: William G. North (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed supplements*, in bulk, in tank vehicles, from Knoxville, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia, for 180 days. SUPPORTING SHIPPER: National Molasses Company, 220 Davidson Street, Nashville, Tenn. 37213. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803 1808 West End Building, Nashville, Tenn. 37203.

No. MC 107496 (Sub-No. 936 TA), filed January 30, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 885, 50304, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic feed ingredients*, in bulk, in tank vehicles, from Weeping Water, Nebr., to Stockton and Long Beach, Calif., for 150 days. SUPPORTING SHIPPER: National Molasses Company, Willow Grove, Pa. 19090. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 114211 (Sub-No. 221 TA), filed January 30, 1974. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, 50704, Waterloo, Iowa 50701. Applicant's representative: Robert J. Molinaro (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by manufacturers and distributors of panels, paneling, shelving, mantels, and beams, and related decorative items (except commodities in bulk), from Lodi, N.J., and Deer Park, N.Y., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Washington, Utah, Wisconsin, and Wyoming, for 180 days. SUPPORTING SHIPPER: Barclay Industries, Inc., 65 Industrial Road, Lodi, N.J. 07644. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 114239 (Sub-No. 3 TA), filed January 17, 1974. Applicant: FARRIS TRUCK LINE, Faucett, Mo. 64448, Mail: 3209 S. Highway 169, St. Joseph, Mo. 64503. Applicant's representative: Tom B. Kretsinger, Suite 910 Fairfax Building, 101 Eleventh St., Kansas City, Kans. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural pesticides and ingredients thereof*, dry, in bulk and in containers (other than in tank vehicles), and *agricultural pesticides*, liquid, in containers, (1) from North Kansas City, Mo., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming; (2) from points in Arkansas, California, Colorado, Florida, Illinois, Iowa, Michigan, Mississippi, Nevada, New Jersey, New Mexico, Ohio, and Tennessee, to North Kansas City, Mo., with no transportation for compensation on return except as otherwise authorized; (3) from points in Texas, Louisiana, Alabama, Georgia, Arizona, and Indiana, to North Kansas City, Mo., with no transportation for compensation on return except as otherwise authorized; (4) from the plantsite of Missour Chemical Company at Los Angeles, Calif., to points in Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Georgia, Florida, and New York, with no transportation for compensation on return except as otherwise authorized; and (5) from Denver, Colo., to points in Nebraska, Wyoming, South Dakota, North Dakota, Minnesota, Wisconsin, Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, Missouri, Kansas, and Iowa, with no transportation for compensation on return except as otherwise authorized, restricted to transportation under continuing contracts with Farmland Industries, Inc., the Missouri Chemical Company, and Techne Corporation, for 180 days. SUPPORTING SHIPPERS: Farmland Industries, Inc., 3315 N. Oak Trafficway, North Kansas City, Mo.; the Missouri Chemical Company, 4th and Monterey, St. Joseph, Mo.; Techne Corporation, 4th and Monterey, St. Joseph, Mo. SEND PROTESTS TO: Vernon V. Coble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 118883 (Sub-No. 2 TA), filed January 29, 1974. Applicant: VAN E. HAMLETT, 1322 Dickerson Road, P.O. Box 8009, Nashville, Tenn. 37307. Applicant's representative: Don R. Binkley, 500 Court Square Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Fertilizer and pesticides, in containers when moving with fertilizer, (1) between points in Davidson and Gibson Counties, Tenn., on the one hand, and, on the other hand, points in Alabama on, north and west of a line beginning at the intersection of U.S. Highway 78 and the Mississippi-Alabama State line, thence over U.S. Highway 78 to the intersection of U.S. Highway 78 and U.S. Highway 278, thence over U.S. Highway 278 to the intersection of U.S. Highway 411, thence over U.S. Highway 411 to the Alabama-Georgia State line; (2) between points in Davidson and Gibson Counties, Tenn., on the one hand, and, on the other hand, points in Kentucky on and west of a line beginning at the intersection of Interstate Highway 75 and the Tennessee-Kentucky State line; thence over Interstate Highway 75 to the Kentucky-Ohio State line; (3) between points in Davidson and Gibson Counties, Tenn., on the one hand, and, on the other hand, points in Georgia on and north of a line formed by the Southern boundaries of the counties of Floyd, Bartow, Cherokee, Dawson, Lumpkin, White, Habersham, and Stephens Counties, Ga.; and (4) from points in Colbert County, Ala., on the one hand, and, on the other hand, points in Tennessee, and Kentucky, for 180 days. SUPPORTING SHIPPERS: Swift Chemical Company, 111 W. Jackson Blvd., Chicago, Ill. 60604; Federal Chemical Co., P.O. Box 90205, Nashville, Tenn. 37209; and W. R. Grace & Co., Agricultural Chemicals Group, P.O. Box 277, Memphis, Tenn. 38101. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803 1808 West End Building, Nashville, Tenn. 37203.

No. MC 123580 (Sub-No. 1 TA), filed January 31, 1974. Applicant: CLYDE H. JOHNSON, 222 S. Chicago Avenue, Geneseo, Ill. 61254. Applicant's representative: Robert T. Lawley, 300 Reich Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feeds and dry ingredients thereof*, in bags, between Geneseo, Ill., on the one hand, on, on the other, Kansas City, Mo., and from Norfolk, Nebr., to Kansas City, Mo., Storm Lake and Atlantic, Iowa, for the account of Columbian Hog and Cattle Powder Co., restricted to traffic originating at or destined to the plant-sites and warehouse facilities of Columbian Hog and Cattle Powder Co. at Geneseo, Ill., Kansas City, Mo., Norfolk, Nebr., Storm Lake and Atlantic, Iowa, for 180 days. SUPPORTING SHIPPER: Columbian Hog and Cattle Powder Co., Robert Sette, Mgr., Production & Distribution, Box 69, Geneseo, Ill. 61254. SEND PROTESTS TO: District Supervisor Richard K. Shullaw, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 129222 (Sub-No. 2 TA), filed January 30, 1974. Applicant: MARVIN

FORD, doing business as FORD TRUCK LINE, Tipton, Iowa 52772. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, from the storage facilities utilized by Twin-State Engineering & Chemical Company located in the Davenport, Iowa, Chemical Zone to points in Illinois, for 180 days. SUPPORTING SHIPPER: Twin-State Engineering & Chemical Company, 3732 West River Drive, Davenport, Iowa 52802. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 129645 (Sub-No. 51 TA), filed January 31, 1974. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's representative: Basil J. Smeester (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salvaged materials* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, in tank vehicles, and commodities requiring special equipment), between the plant site and warehouse facilities of D & B Distributors and Iron Mountain Freight Sales (both under common ownership) located at or near Iron Mountain and Kingsford, Mich., and points in Alabama, Georgia, Illinois, Indiana, Iowa, Ohio, Tennessee, Texas, and Wisconsin, for 180 days. SUPPORTING SHIPPER: D & B Distributors and Iron Mountain Freight Sales, West Ludington, Iron Mountain, Mich. 49801. SEND PROTESTS TO: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 133574 (Sub-No. 16 TA), filed January 31, 1974. Applicant: TREK EXPRESS, LTD., 6036 Metcalf, Shawnee Mission, Kans. 66202. Applicant's representative: Marshall D. Becker, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite and storage facilities of Shurtens Foods, Inc. at Cedartown, Ga., to points in the United States (except Alaska, Delaware, Hawaii, Maine, Nevada, New Hampshire, North Dakota, Rhode Island, South Dakota, Vermont, and Wyoming), for 180 days. SUPPORTING SHIPPER: Shurtens Foods, Inc., Cedartown, Ga. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 133867 (Sub-No. 7 TA), filed January 29, 1974. Applicant: STARLING TRANSPORT LINES, INC., 3501 S. Federal Highway, P.O. Box 1733, Ft. Pierce, Fla. 33450. Applicant's representative: Bernard C. Pestcoe, 19 West Flagler Street, Miami, Fla. 33130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery ingredients*, from Clifton, N.J., to point in Louisiana and Mississippi, for 180 days.

NOTE.—Applicant intends to tack with the existing authority in its lead docket number MC 133867.

SUPPORTING SHIPPER: Globe Preserves, Inc., P.O. Box 616, Clifton, N.J. SEND PROTESTS TO: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operation, Palm Coast II Building, Suite 208, 5255 NW 87th Avenue, Miami, Fla. 33166.

No. MC 134060 (Sub-No. 9 TA), filed January 31, 1974. Applicant: DAVINDER FREIGHTWAYS LTD., 435 Trunk Road, Duncan, British Columbia, Canada. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Baled pulp*, from ports of entry on the United States-Canada International Boundary line at or near Blaine and Sumas, Wash., to Everett, Wash., for 180 days. SUPPORTING SHIPPER: B.C. Forest Products Limited, 1190 Melville St., Vancouver, B.C., Canada. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 134405 (Sub-No. 19 TA), filed January 30, 1974. Applicant: BACON TRANSPORT COMPANY, a Corporation, P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt and fuel oil*, in bulk, in tank vehicles, from Enid and Ardmore, Okla., to points in Arkansas, for 180 days. SUPPORTING SHIPPER: Riffe Petroleum Company, O. Homer Riffe, Exec. Vice Pres., 1700 Philtower Bldg., Tulsa, Okla. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 136711 (Sub-No. 6 TA), filed January 30, 1974. Applicant: DAVID G. MCCORKLE TRUCK LINE, 2780 S. High, P.O. Box 95181, Oklahoma City, Okla. 73109. Applicant's representative: G. Timothy Armstrong, 280 Nat. Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in open dump trailers, from

the plant site of the United Coal Corporation near Inola, Okla., and the plant site of the Sierra Coal Corporation near Forum, Okla., to the plant sites of General Portland Cement Co., at Ft. Worth and Dallas, Tex., and Fredonia, Kans., for 180 days. SUPPORTING SHIPPERS: United Coal Corporation, Jim Beam, Gen. Supt. Inola, Okla.; General Portland Cement Company, W. W. Marten, T.M. P.O. Box 324, Dallas, Tex. 75221. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 138328 (Sub-No. 7 TA), filed January 29, 1974. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Ave. (P.O. Box 831), Council Bluffs, Iowa 51501. Applicant's representative: D. L. Ehrlich (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, from the facilities of Wolf Creek Lumber Division of Slaughter Brothers, Inc., in Sedgwick County, Kans., to points in Colorado, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota, for 180 days. SUPPORTING SHIPPER: Wolf Creek Lumber, Division of Slaughter Bros., Inc., B. R., Boatman, Traffic Manager, P.O. Box 12148, Dallas, Tex. 75225. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, Suite 620 Union Pacific Plaza, Omaha, Nebr. 68102.

No. MC 138646 (Sub-No. 1 TA), filed February 1, 1974. Applicant: CEMENT TRANSPORT, INC., P.O. Box 10207, Charleston, S.C. 29411. Applicant's representative: Frank B. Hand, Jr., P.O. Box 446, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from the plant facilities of Gifford-Hill & Company, Inc., near Harleyville, Dorchester County, S.C., to points in Georgia and North Carolina, for 180 days. SUPPORTING SHIPPER: Gifford-Hill & Company, Inc., One Woodlawn Green, Charlotte, N.C. 28209. SEND PROTESTS TO: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 302, 1400 Building, 1400 Pickens Street, Columbia, S.C. 29201.

No. MC 139330 (Sub-No. 1 TA), filed January 31, 1974. Applicant: FRANCIS J. VESELY, doing business as FRANCIS VESELY TRUCKING, 106 Howard Drive, Williamstown, N.J. 08094. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool, mineral wool products, insulation, and insulation materials* (except commodities in bulk), from the plant site of

Certain-teed Products Corp., Williamstown Junction, N.J., and its warehouse and storage facilities in Camden and Cumberland Counties, N.J., to points in Delaware, District of Columbia, Maryland, Pennsylvania, New York, and Connecticut, for 180 days. SUPPORTING SHIPPER: Certain-teed Products Corp., P.O. Box 860, Valley Forge, Pa. 19482. SEND PROTESTS TO: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, N.J. 08608.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-3486 Filed 2-11-74; 8:45 am]

[Notice No. 21]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 6, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 26396 (Sub-No. 112 TA), filed January 24, 1974. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, P.O. Box 990, Livingston, Mont. 59047. Applicant's representative: Charlotte Vicars (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beehive lumber and bee keeping equipment*, from Polson, Mont., to Paris, Tex.; Sioux City, Iowa; and Lynchburg, Va., and between Polson, Mont., and Hamilton, Ill., for 180 days. SUPPORTING SHIPPER: Western Bee Supplies, Inc., P.O. Box 8, Polson, Mont. 59860.

SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 33322 (Sub-No. 15 TA), filed January 30, 1974. Applicant: JOHN N. APGAR, SR. (Irving L. Apgar, John N. Apgar, Jr. and The First National Bank of Central Jersey, Executors and Trustees), STERLING E. APGAR (Morris Ruter, Trustee) AND DOROTHY E. ANDERSON, doing business as APGAR BROS., 2324 West Union Blvd., Bound Brook, N.J. 08805. Applicant's representative: Irving L. Apgar (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in hopper van containers, from Piscataway, N.J., to Milford, N.H., for 180 days. SUPPORTING SHIPPER: Union Carbide Corporation, Chemicals and Plastics, River Road, Bound Brook (Piscataway), N.J. 08805. SEND PROTESTS TO: District Supervisor Robert E. Johnston, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

No. MC 107295 (Sub-No. 691 TA), filed January 29, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by manufacturers and distributors of panels, paneling, shelving, mantels, and beams and related decorative items, from the plantsite and warehouse facilities of Barclay Industries, Inc., at Lodi, N.J., and Deer Park, N.Y., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming, for 180 days. SUPPORTING SHIPPER: Larry Kurnentz, Traffic Manager, Barclay Industries, Inc., 65 Industrial Road, Lodi, N.J. 07644. SEND PROTESTS TO: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Bldg., 527 East Capitol Avenue, Room 414, Springfield, Ill. 62701.

No. MC 110063 (Sub-No. 4 TA), filed January 29, 1974. Applicant: DELTA MARAUSZWSKI, doing business as BILLY'S TRUCKING, 13 Clarendon Street, Pittsfield, Mass. 01201. Applicant's representative: John E. Fay, 630 Oakwood Avenue, West Hartford, Conn. 06110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machine parts, product samples, test materials* for customers or potential customers, *display products, and associated materials*,

between Pittsfield, Mass., on the one hand, and points in Connecticut, New York, Maine, Indiana, Kentucky, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, and Vermont, on the other hand, for 180 days. SUPPORTING SHIPPER: Plastics Business Department of General Electric Company of Pittsfield, Mass., One Plastics Avenue, Pittsfield, Mass. 01201. SEND PROTESTS TO: District Supervisor Joseph W. Balin, Interstate Commerce Commission, Bureau of Operations, 338 Federal Building and U.S. Courthouse, 436 Dwight Street, Springfield, Mass. 01103.

No. MC 110098 (Sub-No. 143 TA), filed January 30, 1974. Applicant: ZERO REFRIGERATED LINES, a Corporation, 1400 Ackerman Road, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. W. Cothren (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plant site and warehouse facilities of Jenos, Inc., at Duluth, Minn., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas, for 180 days. SUPPORTING SHIPPER: Jenos, Inc., 525 Lake Avenue South, Duluth, Minn. 55801. SEND PROTESTS TO: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 301 Broadway Building, Room 206, San Antonio, Tex. 78205.

No. MC 110525 (Sub-No. 1086 TA), filed January 30, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acetone*, in bulk, in tank vehicles, from Lee's Summit, Mo. (Western Electric Plant), to Newark and Rahway, N.J., and Fort Washington, Pa., for 180 days. SUPPORTING SHIPPER: Chemical Commodities, Inc., 300-320 S. Blake, P.O. Box 129, Olathe, Kans. 66061. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 2338, 600 Arch Street, Philadelphia, Pa. 19106.

No. MC 110541 (Sub-No. 13 TA), filed January 30, 1974. Applicant: MARK E. YODER, INC., P.O. Box 346, Schuylkill Haven, Pa. 17972. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum coke*, in bulk, from the refinery of Getty Oil Company at Delaware City, Del., to points in Schuylkill County, Pa., and (2) *Anthracite coal*, mixed with petroleum coke, from points in Schuylkill County, Pa., to Bainbridge, N.Y., for 90 days. SUPPORTING SHIPPER: Frederick A. Potts Co., Inc., 1935 West Market Street, Pottsville, Pa. 17901. SEND PROTESTS TO: Paul J.

Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 115331 (Sub-No. 356 TA), filed January 28, 1974. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk in tank vehicles, (A) from Dublin and Jordan, Ind., to points in Illinois, Kentucky, Michigan, and Ohio, and (B) from Breese and Valmeier, Ill., to points in Indiana and Kentucky, for 180 days. SUPPORTING SHIPPER: Agrico Chemical Company, P.O. Box 3166, Tulsa, Okla. 74101. SEND PROTESTS TO: District Supervisor J. P. Werthmann, Bureau of Operations, Interstate Commerce Commission, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 115331 (Sub-No. 357 TA), filed January 29, 1974. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals*, other than in bulk, from the plant site and warehouse facilities of Monsanto Company near Muscatine, Iowa, to points in Alabama, Florida, Georgia, Massachusetts, North Carolina, Mississippi, and South Carolina, for 180 days. SUPPORTING SHIPPER: Monsanto Company, 800 North Lindbergh, St. Louis, Mo. 63166. SEND PROTESTS TO: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 116763 (Sub-No. 272 TA), filed January 29, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal food* (except in bulk), from the plantsite and/or warehouse facilities of Lipton Pet Foods, Inc., at or near Woburn, Mass., to Los Angeles, Richmond and Santa Cruz, Calif., and Denver, Colo., for 180 days. SUPPORTING SHIPPER: Lipton Pet Foods, Inc., 209 New Boston Street, Woburn, Mass. 01801. SEND PROTESTS TO: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5514-B Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 124692 (Sub-No. 132 TA), filed January 28, 1974. Applicant: SAMMONS TRUCKING, P.O. Box 1447, Missoula, Mont. 59801. Applicant's representative: James B. Hovland, 425 Gate City Building, Fargo, N. Dak. 58102. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, roofing, and insulation materials* (except iron and steel and commodities in bulk), and *materials* used in the manufacture, installation and distribution thereof, between the plantsites and warehouse facilities of Certain-teed Products Corp. in Scott County, Minn., on the one hand, and, on the other, points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming, restricted to traffic originating at or destined to the plantsite and warehouse facilities of Certain-teed Products Corp. in Scott County, Minn., for 180 days. SUPPORTING SHIPPER: Certain-teed Products Corporation, P.O. Box 860, Valley Forge, Pa. 19482. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222 U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 126600 (Sub-No. 9 TA), filed January 30, 1974. Applicant: EHR SAM TRANSPORT, INC., 108 North Factory, Enterprise, Kans. 67441. Applicant's representative: Bob W. Storey, 310 Columbian Title Bldg., 820 Quincy, Topeka, Kans. 66612. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Elevator and power transmission equipment, materials handling and processing equipment, foundry castings, materials, and supplies* used in manufacture of such commodities (except the commodities in the transportation of which because of their size and weight require use of special equipment and commodities in bulk rate), between Junction City, Kans., on the one hand, and points in the United States (except Alaska and Hawaii), on the other, for 180 days. SUPPORTING SHIPPER: North Central Foundry, Inc., Junction City, Kans. 66441. SEND PROTESTS TO: Thomas P. O'Hara, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 234 Federal Building, Topeka, Kans. 66603.

No. MC 128383 (Sub-No. 49 TA), filed January 31, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Avenue, Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Class A and B explosives, and motor vehicles requiring the use of special equipment), in vehicles equipped with roller bed floors, and restricted to containers commonly referred to as igloos, between J. K. Kennedy International Airport, New York, N.Y., and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, the Douglas Municipal Airport at Charlotte, N.C.; Greenville, S.C.; Columbia, S.C.; Spartanburg, S.C.; the Hartsfield International Airport at

Atlanta, Ga.; and Miami International Airport at Miami, Fla., for 180 days. **RESTRICTION:** Restricted to the transportation of traffic having a prior or subsequent movement by air or moving in a substitute for air service and further restricted against the transportation of traffic to Miami International Airport at Miami, Fla., which has a subsequent movement by air in foreign commerce. **SUPPORTING SHIPPERS:** Sulzer Bros., Inc., P.O. Box 5332, Spartanburg, S.C. 29301; Emo Trans, Inc., 177-25 Rockaway Blvd., Jamaica, N.Y.; Jacky Maeder Air Cargo Ltd., 147-29 182d St., Jamaica, N.Y.; and John S. James, Inc., P.O. Box 20933, Atlanta, Ga. 30320. **SEND PROTESTS TO:** Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch Street, Philadelphia, Pa. 19106.

No. MC 129910 (Sub-No. 5 TA), filed January 29, 1974. Applicant: **PORT OF NEW YORK EXPRESS CO., INC.**, 145 Morgan Street, Jersey City, N.J. 07302. Applicant's representative: Martin Werner, 2 West 45 Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic sheetings, chemical resins, textile and paint chemicals, and cameras, optical instruments, and accessories thereof* (except commodities in bulk), between points in the New York, N.Y., Commercial Zone, on the one hand, and, on the other, West Caldwell, N.J., under contract with Marubeni America Corporation, for 180 days. **SUPPORTING SHIPPER:** Marubeni America Corporation, 200 Park Avenue, New York, N.Y. 10017. **SEND PROTESTS TO:** District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 9 Clinton Street, Newark, N.J. 07102.

No. MC 133119 (Sub-No. 46 TA), filed January 30, 1974. Applicant: **HEYL TRUCK LINES, INC.**, 235 Mill Street, P.O. Box 206, Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Duluth, Minn., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas, for 180 days. **SUPPORTING SHIPPER:** Jenos's Inc., Robert E. Ryan, General Traffic Manager, 525 Lake Avenue South, Duluth, Minn. 55801. **SEND PROTESTS TO:** Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 134477 (Sub-No. 53 TA), filed January 24, 1974. Applicant: **SCHANNO TRANSPORTATION, INC.**, P.O. Box 3496, West St. Paul, Minn. 55165. Applicant's representative: Thomas Fischbach, 5 West Mendota Road, West St.

Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products*, as defined by the Commission in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from St. Paul and South St. Paul, Minn., to points in Alabama, Georgia, Mississippi, New Jersey, Massachusetts, New York, Ohio, Pennsylvania, and Virginia, for 180 days. **SUPPORTING SHIPPER:** John Morrell & Co., 208 So. La Salle, Chicago, Ill. 60604. **SEND PROTESTS TO:** A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 135797 (Sub-No. 21 TA), filed January 28, 1974. Applicant: **J. B. HUNT TRANSPORT, INC.**, 833 Warner Street SW., Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, 1587 Phoenix Blvd., Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets and parts thereof*, from the plant-site of Ozark Forest Products, Inc., at Fayetteville, Ark., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, for 180 days. **SUPPORTING SHIPPER:** Ozark Forest Products, Inc., P.O. Box 1054, Fayetteville, Ark. 72701. **SEND PROTESTS TO:** William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 135819 (Sub-No. 1 TA), filed January 30, 1974. Applicant: **WILLIAM H. PHILLIPS AND WILLIAM L. PHILLIPS**, doing business as **PHILLIPS & PHILLIPS TRUCKING COMPANY**, P.O. Box 1304, Storm Lake, Iowa 50588. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except commodities and hides in bulk) as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Storm Lake and Cherokee, Iowa, to points in Ohio, Pennsylvania, New York, New Jersey, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Mississippi, and Missouri, for 180 days. **SUPPORTING SHIPPER:** Hygrade Food Products Corporation, Don Montgomery, Assistant to the General Traffic Manager, P.O. Box 4771, Detroit, Mich. 48219. **SEND PROTESTS TO:** Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 135874 (Sub-No. 33 TA), filed January 24, 1974. Applicant: **LTL PERISHABLES, INC.**, 132d and Q Streets, Mailing: P.O. Box 37468 (Box Zip 68152), Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plant-site and warehouse facility of Jenos's, Inc., at Duluth, Minn., to points in Iowa, Kansas, Nebraska, South Dakota, and Missouri, for 180 days. **SUPPORTING SHIPPER:** Jenos's Inc., Robert E. Ryan—General Traffic Manager, 525 Lake Avenue South, Duluth, Minn. **SEND PROTESTS TO:** Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136777 (Sub-No. 7 TA), filed January 28, 1974. Applicant: **POPELKA TRUCKING CO.**, doing business as **THE WAGGONERS**, P.O. Box 990, Livingston, Mont. 59047. Applicant's representative: Charlotte Vicars (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flattened vehicles and scrap metal for recycling*, (1) from points in Montana, Wyoming, North Dakota, South Dakota, Nebraska, Idaho, Colorado, and Kansas, to Spokane, Seattle, Renton, and Kent, Wash.; Portland, Oreg.; San Francisco Bay Area, Los Angeles, and San Diego, Calif.; Phoenix, Ariz.; Salt Lake City and Provo, Utah; Denver and Pueblo, Colo.; Norfolk and Omaha, Nebr.; Kansas City, Kans.; Kansas City and St. Louis, Mo.; Council Bluffs, Des Moines, Waterloo, Davenport, and Centerville, Iowa; St. Paul and Minneapolis, Minn.; Beloit and Milwaukee, Wis.; Chicago, Rockford, Sterling, and Alton, Ill.; and the International Boundary Line between the United States and Canada located in Washington, Idaho, Montana, North Dakota, and Minnesota, and (2) from points in Iowa, Minnesota, Missouri, Kansas, and Wisconsin, to St. Paul and Minneapolis, Minn.; Beloit and Milwaukee, Wis.; Council Bluffs, Des Moines, Waterloo, Davenport, and Centerville, Iowa; Norfolk and Omaha, Nebr.; Chicago, Rockford, Sterling, and Alton, Ill.; Kansas City, Kans.; and Kansas City and St. Louis, Mo., for 180 days. **SUPPORTING SHIPPER:** Krushette Klean, P.O. Box 661, Livingston, Mont. 59047. **SEND PROTESTS TO:** Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 138162 (Sub-No. 1 TA), filed January 29, 1974. Applicant: **SEATON MOVING & STORAGE CO.**, 618 South Kansas, Olathe, Kans. 66061. Applicant's representative: Gregory M. Rebman, 1230 Boatmen's Bank Building, St. Louis, Mo. 63102. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Household goods*, including *hold baggage*, under Pack and Crate contract with the U.S. Military, between points and places within a thirty-mile radius of Richards-Gebaur AFB, on the one hand, and, on the other, points in Bates, Cass, Clay, and Jackson Counties, Mo., and Johnson, Wyandotte, and Miami Counties, Kans., for 180 days. SUPPORTING SHIPPER: The Department of Defense, Regulatory Law Office, Office of The Judge Advocate General, Washington, D.C. 20310. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 138313 (Sub-No. 8 TA), filed January 28, 1974. Applicant: MACK E. BURGESS, doing business as BUILDERS TRANSPORT, 409 14th Street SW., Great Falls, Mont. 59404. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beet pulp pellets*, from Drayton, N. Dak.; Crookston, Minn.; East Grand Forks, Minn.; and Moorhead, Minn., to points in Montana and Wyoming, for 180 days. SUPPORTING SHIPPER: Dependable Feed Service, Inc., 2120 IDS Center, Minneapolis, Minn. 55402. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 222 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 139456 TA, filed January 25, 1974. Applicant: GASOLINE TRANSPORT CO., a Corporation, 10403 Clayton Road, St. Louis, Mo. 63131. Applicant's representative: Meyer Kopolow (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Electric transformer oil*, in bulk, in tank vehicles, from the River terminal of Marine Petroleum Co., 201 E. Nagel St., St. Louis, Mo., over Interstate Highway 55 to junction Interstate Highway 44, thence over Interstate Highway 44 to junction Interstate Highway 244, thence over Interstate Highway 244 to junction Interstate Highway 70, thence over Interstate Highway 70 to Kingdom City, Mo., thence south on U.S. Highway 54 to the plantsite of Westinghouse Electric Co., Jefferson City, Mo., for 180 days. SUPPORTING SHIPPER: Westinghouse Electric Corporation, Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222. SEND PROTESTS TO: District Supervisor J. P. Werthmann, Bureau of Operations, Interstate Commerce Commission, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 139461 TA, filed January 25, 1974. Applicant: GRAYSON L. LITTLE AND GARY O. BROWN, a Partnership, doing business as FOREST TRANSPORTATION CO., 10619 Huebner Road, San Antonio, Tex. 78213. Applicant's representative: Grayson L. Little (same address as applicant). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potable water*, in bulk, in tank vehicles, (1) from Caddo Springs, located 8 miles west of Norman, Ark., to St. Louis and Kansas City, Mo.; Topeka, Salina, and Wichita, Kans.; Roswell, N. Mex.; Shreveport and New Orleans, La.; Oklahoma City, Healdton, Tulsa, Bartlesville, Altus, and Blackwell, Okla.; Nashville and Memphis Tenn.; and points in Texas, and (2) from Hot Springs, Ark., to San Antonio, Houston, and Kilgore, Tex.; St. Louis, Mo.; Chicago, Ill.; Jackson, Miss.; and Winterhaven, Fla., for 180 days. SUPPORTING SHIPPERS: Ouachita Springs, Inc., 249 W. La Chappelle St., San Antonio, Tex. 78204, and Music Mountain Mineral Water Co., No. 1 Music Mountain Road, Hot Springs, Ark. 71901. SEND PROTESTS TO: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 301 Broadway Building, Room 206, San Antonio, Tex. 78205.

No. MC 139462 TA, filed January 28, 1974. Applicant: RONALD R. PLUTA, doing business as BRONCO VAN & STORAGE, 1061 Tervin Avenue, Salinas, Calif. 93901. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Monterey, Santa Cruz, San Luis Obispo, and San Benito Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement in containers and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating and decontainerization of such traffic, for 180 days. SUPPORTING SHIPPERS: Fernstrom Storage and Van Company, Seattle, Wash., Dan Morris, Manager, Overseas Division and Columbia Export Packers, Inc., 19032 South Vermont Avenue, Torrance, Calif. 90502, Duncan Kimball, Vice President-Sales. SEND PROTESTS TO: District Supervisor Claud W. Reeves, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 139643 TA, filed January 30, 1974. Applicant: TABB TRUCKING CO., INC., Route 4, Box 79, Colquitt, Ga. 31737. Applicant's representative: W. Ferrell Tabb (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Center-pivot irrigation systems*, from Valley, Nebr., to points in Georgia on and south of U.S. Highway 280 and west of U.S. Highway 41, for 180 days. SUPPORTING SHIPPER: Valmont Industries, Inc., Valley, Nebr. 68064. SEND PROTESTS TO: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 W. Bay St., Jacksonville, Fla. 32202.

MOTOR CARRIERS OF PASSENGERS

No. MC 138141 (Sub-No. 1 TA), filed January 28, 1974. Applicant: LOUIS SANTORA, JR., doing business as AAA UNITED LIMOUSINE SERVICE, P.O. Box 114, Raritan, N.J. 08869. Applicant's representative: Paul J. Keeler, P.O. Box 253, So. Plainfield, N.J. 07080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations in nonscheduled door-to-door service of not more than seven passengers in any one vehicle not including the driver thereof, between points in Somerset and Hunterdon Counties, N.J., on the one hand, and, on the other, La Guardia Airport and John F. Kennedy International Airport, New York, N.Y., for 180 days. SUPPORTING SHIPPERS: (1) Mack Trucks, Inc., U.S. Highway 22, Somerville, N.J. 08876; (2) Johns-Manville Corp., 200 North Main St., Manville, N.J. 08876; (3) Nichols Engineering & Research Corp., Belle Mead, N.J. 08502; (4) John Wiley & Sons, Inc., 1 Wiley Drive, Somerset, N.J. 08873, and 20 Individuals as Edward W. Steward, Matheson Rd., Whitehouse Station, N.J. SEND PROTESTS TO: District Supervisor Robert S. H. Vance, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

By The Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-3487 Filed 2-11-74; 8:45 am]

[Notice No. 21]

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 March 4, 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-74025. By order of July 18, 1973, The Commission, Review Board Number 5, approved the transfer to Hoccan Distributors, Inc., Jersey City, N.J., of the remaining portion of Certificate No. MC-129738, issued July 18, 1968 to Arbor Motor Lines, Inc., authorizing the

transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between New York, N.Y., on the one hand, and, on the other, Newark and Elizabeth, N.J., the sale to Pinter Bros., Inc., in No. MC-F-11690 of a portion of the general commodity authority between New York, N.Y., on the one hand, and, on the other, Brunswick, N.J., having also been granted on July 18, 1973. John P. Tynan, attorney for applicants, 65-12 69th Place, Middle Village, N.Y. 11379.

No. MC-FC-74922. By order of February 1, 1974 the Motor Carrier Board approved the transfer to Harold W. Meyers and Jack W. Meyers, d.b.a. Meyers Moving and Storage, 911 North Nottawa Road, Sturgis, Mich., of Certificate and Permits Nos. MC-60082 (Cert.) and MC-104707 (Permit) respectively, both issued June 30, 1965 to Harold W. Meyers, Sturgis, Mich., authorizing the transportation of: Household goods, fresh meats, poultry, packinghouse products, and such commodities as are dealt in by wholesale and retail department stores, between points in Michigan and Indiana.

No. MC-FC-74928. By order of February 5, 1974, the Motor Carrier Board approved the transfer to Emory S. Miller, Jr., Spring Grove, Pa., of Certificate No. MC-118586 issued November 6, 1959, to John Phillips, East Berlin, Pa., authorizing the transportation of: Agricultural limestone, from Jackson Township, Pa., to specified points in Maryland. John E. Fullerton, Attorney, 407 N. Front St., Harrisburg, Pa. 17101.

No. MC-FC-74932. By order of February 5, 1974, the Motor Carrier Board approved the transfer to Phyllis B. Ramsey, doing business as Ramsey Transfer, Manning, Iowa, of Certificate No. MC-65887 issued to M. C. Ramsey and E. H. Ramsey, doing business as Ramseys, Manning, Iowa, authorizing the transportation of: General commodities, with the usual exceptions, and other specified commodities, between specified and areas in Iowa and Nebraska.

No. MC-FC-74941. By order of February 5, 1974, the Motor Carrier Board approved the transfer to Arthur Bongiorno, Maspeth, N.Y., of Certificate No. MC-119437 issued to John Yodice,

Brooklyn, N.Y., authorizing the transportation of: Homing pigeons, feed, and crates for same, in seasonal operations, between New York, N.Y., and points in New Jersey, and Bristol, Pa. Truman O. Murrell, Attorney, 1871 Victory Blvd., Staten Island, N.Y. 10314.

No. MC-FC-74953. By order entered February 5, 1974, the Motor Carrier Board approved the transfer to Eureka Terminals, Inc., New Hyde Park, N.Y., of the operating rights set forth in Permit No. MC-134896, issued November 11, 1971, to Pegony Truck Rental, Inc., New Hyde Park, N.Y., authorizing the transportation of wearing apparel and piece goods, between Garden City Park, N.Y., on the one hand, and, on the other, points in that part of the New York, N.Y., Commercial Zone within which local "exempt" operations may be conducted, restricted to a transportation service to be performed under a continuing contract with Sidney Gould Company, Ltd. Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-3480 Filed 2-11-74; 8:45 am]

[Notice No. 442]

ASSIGNMENT OF HEARINGS

FEBRUARY 7, 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 the date of this publication.

MC 116254 Sub 137, Chem-Haulers, Inc., now assigned March 4, 1974, will be held in the Dept. of Labor Conference Room, 908 South 20th St., Birmingham, Ala.

MC 126305 Sub 55, Boyd Brothers Transportation Co., Inc., now assigned March 6, 1974, will be held in the Dept. of Labor Conference Room, 908 S. 20th St., Birmingham, Ala.

MC 61592 Sub 216, Jenkins Truck Line, Inc., MC 115840 Sub 79, Colonial Fast Freight Lines, Inc., now assigned March 11, 1974, will be held in the Dept. of Labor Conference Room, 908 South 20th St., Birmingham, Ala.

MC 114273 Sub 147, Cedar Rapids Steel Transportation, Inc., now assigned March 20, 1974, at Chicago, Ill., will be held in Room 672, 536 South Clark Street.

MC 138558 Sub 1, Roy Zenere Trucking & Excavating, Inc., now assigned March 12, 1974, will be held in Room 672, 536 S. Clark St., Chicago, Ill.

MC 138854, Horse Transportation, Inc., now assigned February 11, 1974, at Washington, D.C., is cancelled and application dismissed.

MC 113678 Sub 497, Curtis, Inc., continued to March 19, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 1668 Sub-5, Riteway Express, Inc., now being assigned March 25, 1974, at New York, New York, in a hearing room to be later designated.

MC-F-12028, Robco Transportation, Inc.—Purchase (Portion)—Brown Transport Corp., now being assigned hearing March 19, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 106497 Sub 86, Parkhill Truck Company, MC 125433 Sub 44, F-B Truck Line Company, now being assigned hearing April 8, 1974, (1 week) at Denver, Colo., in a hearing room to be later designated.

MC 107452 Sub 4, R. D. Brown, doing business as Dan Brown Trucking, now being assigned hearing April 15, 1974 (2 days), at Denver Colo., in a hearing room to be later designated.

MC 123310 Sub 12, Hunt Trucking Inc., now being assigned hearing April 17, 1974 (3 days), at Denver, Colo., in a hearing room to be later designated.

MC 73165 Sub 331, Eagle Motor Lines, Inc., now being assigned hearing April 22, 1974 (3 days), at Dallas, Texas, in a hearing room to be later designated.

MC-C-8217, Advance Leasing, Inc., Marilyn Diver, Oral Lee Diver, Douglas Ray Diver, James L. Baker, Earl Baker, James W. Rains, Jim Tatman's Mobile Homes, Inc., and Golden West Mobile Homes, Inc.—Investigation of Operations and Practices—now being assigned hearing April 25, 1974 (2 days), at Dallas, Tex., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-3481 Filed 2-11-74; 8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

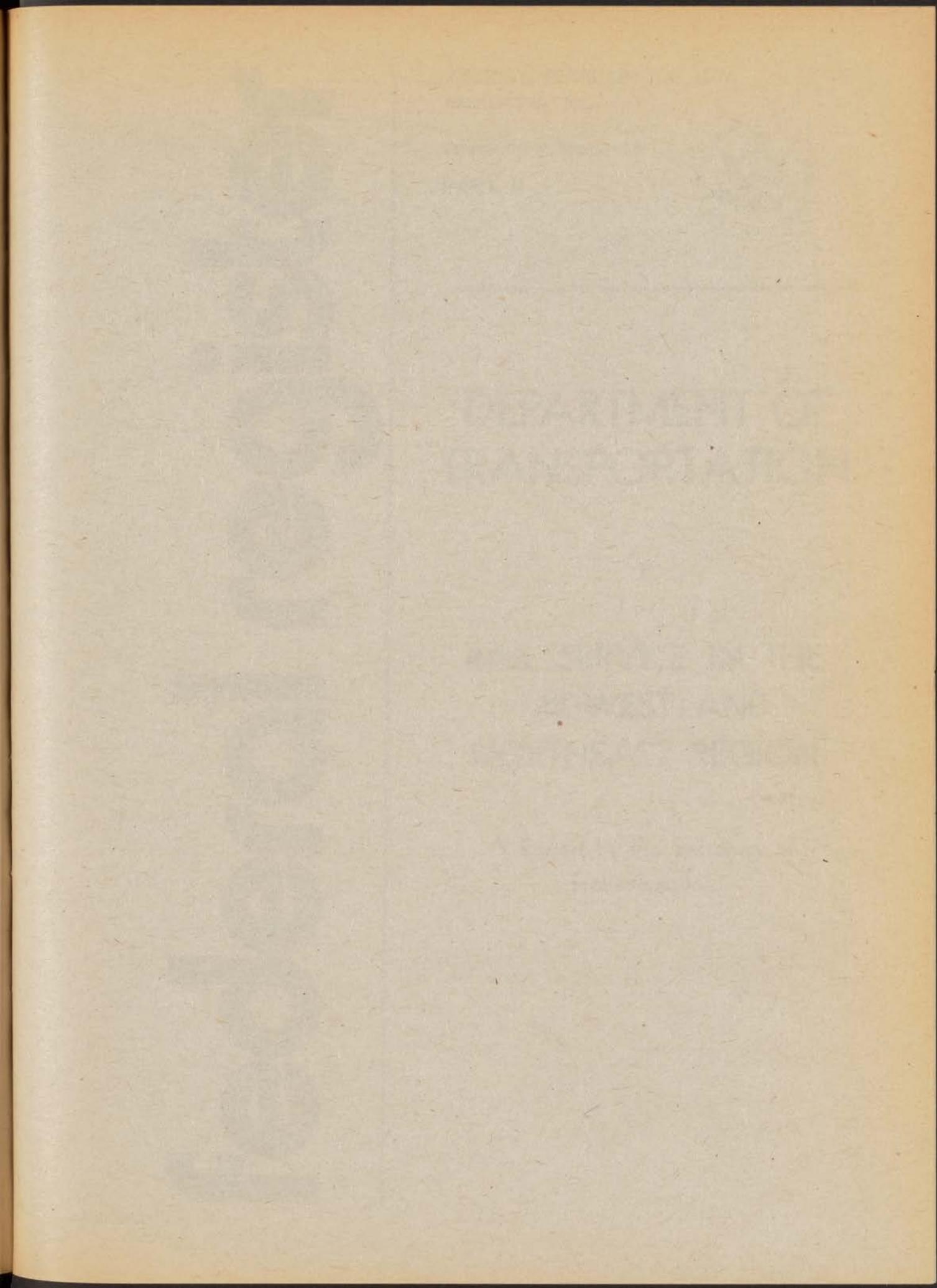
The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during February.

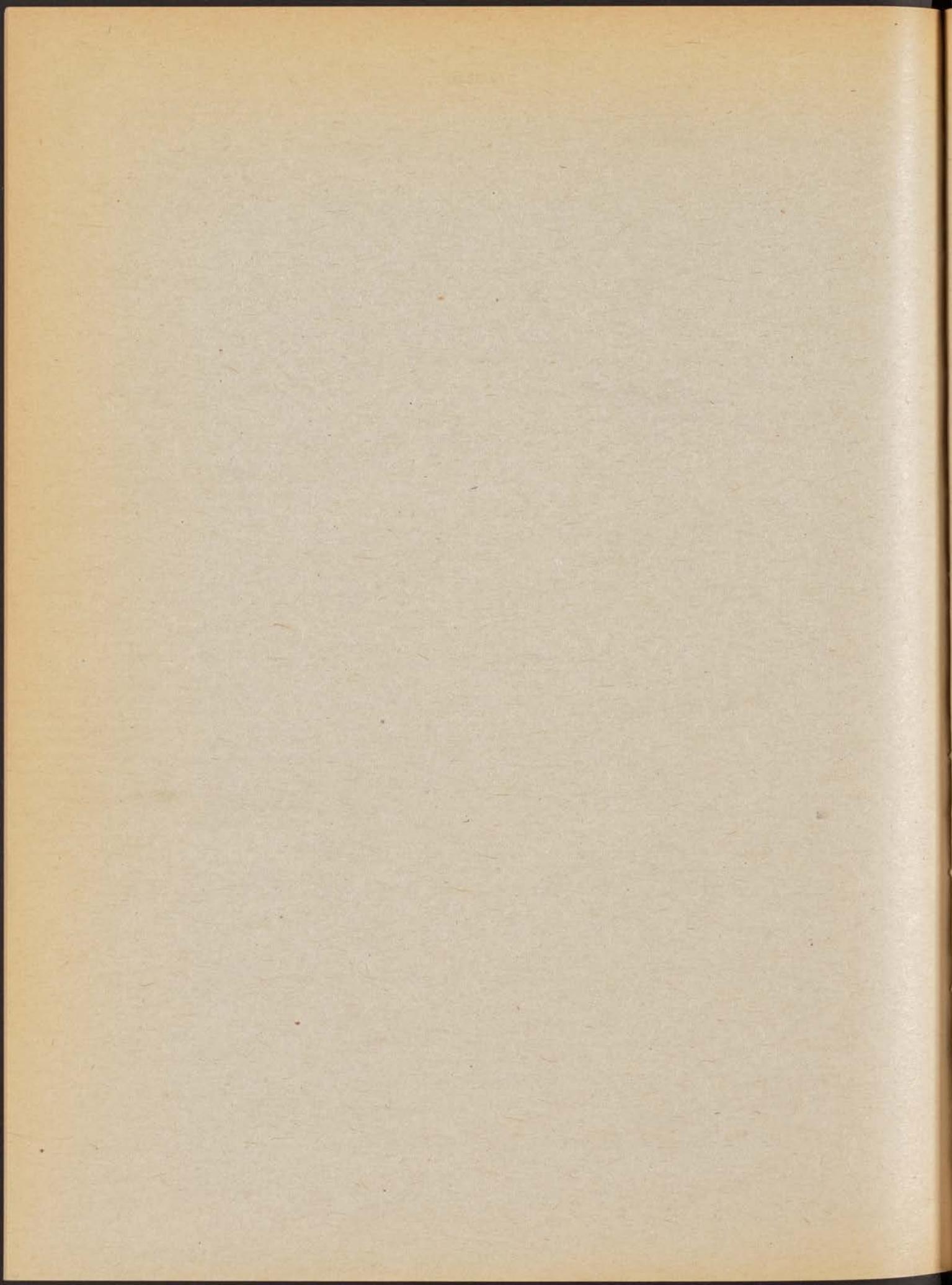
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PART II



DEPARTMENT OF TRANSPORTATION

■

RAIL SERVICE IN THE MIDWEST AND NORTHEAST REGION

A Report by the Secretary of
Transportation

**DEPARTMENT OF
TRANSPORTATION****Federal Railroad Administration****RAIL SERVICE IN THE MIDWEST AND
NORTHEAST REGION****Report by the Secretary**

FEBRUARY 1, 1974.

The Regional Rail Reorganization Act of 1973 (P.L. 93-236), enacted January 2, 1974, directed the Secretary of Transportation to submit a comprehensive report containing his conclusions and recommendations with respect to the geographic zones in the midwest and northeast region within and between which rail service should be provided. This report is submitted in accordance with that provision.

I urge the United States Railway Association, the Interstate Commerce Commission, the Congress, and other affected

parties to consider carefully these conclusions and recommendations. I believe they provide the proper guidelines for the difficult task of developing a viable system that meets the rail service needs of the region.

This report, which was prepared under my supervision, is the product of a joint task force from the Federal Railroad Administration and the staff of the Office of the Secretary. Although a great many individuals contributed to its preparation, I would like to give special recognition to James Hagen, William Loftus, James McClellan, and Gerald Davies of the Federal Railroad Administration; to Barrs Lewis and Gary Broemser of the Office of Transportation Policy Development; to Ralph Mueller of the Office of Planning and Program Review; and to Asaph Hall, Special Assistant to the Secretary.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

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VOLUME II—LOCAL RAIL SERVICE RECOMMENDATIONS ¹

¹ Volume II has been filed as a part of the original document with the Office of the Federal Register and incorporated by reference. Copies are available for inspection or purchase as indicated below, following Volume I.

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INTRODUCTION AND SUMMARY

LEGISLATIVE MANDATE

Much of the railroad system in the region comprising the Northeast and portions of the Midwest has fallen into serious physical disrepair and financial insolvency.¹ Seven of the region's Class I and one of its Class II railroads are undergoing reorganization under section 77 of the Bankruptcy Act, and some are close to liquidation.² There are also 15 subsidiaries of the Penn Central that have filed for reorganization.

The Regional Rail Reorganization Act of 1973 (P.L. 93-236) ("the Act") which became law on January 2, 1974:

(1) Established the United States Railway Association to plan and finance the restructuring of this ailing rail system;

(2) Directed the establishment of the Consolidated Rail Corporation to operate and modernize parts or all of the restructured system;³

(3) Allowed for the future abandonment of unnecessary services; and

(4) Established an interim joint Federal-State subsidy program for the continuation and improvement of local rail services which would otherwise not be included in the Corporation's or other solvent railroads' operations.

The planning process for restructuring rail service within this region is to be accomplished in seven basic steps:

(1) Within 30 days of the date of enactment of the Act, the Secretary of Transportation will submit a report containing his conclusions and recommendations for rail service within and between the several geographic zones of the region and describing the criteria used in developing those conclusions and recommendations. This document, consisting of two volumes, is that report.

(2) The Rail Services Planning Office ("Office") of the Interstate Commerce Commission ("ICC"), established pursuant to the Act, will hold public hearings on the Secretary's report and prepare a report containing an evaluation of the Secretary's recommendations.

(3) The United States Railway Association will prepare a detailed Preliminary System Plan based upon the reports prepared by the Secretary of Transportation and the ICC Office.

(4) The ICC Office will hold public hearings on the Preliminary System Plan and prepare a report evaluating the Plan.

(5) The Association will then prepare a Final System Plan reflecting the changes recommended by the ICC Office report on the Preliminary System Plan.

(6) The ICC will prepare an evaluation of the Final System Plan.

(7) The Congress will approve or reject the Final System Plan before it is implemented. (If rejected, the Plan must be revised by the Association and returned to the Congress for approval.)

Once approved by the Congress, the Final System Plan will become the basis on which specific rail properties of the existing bankrupt⁴ and solvent railroads in the region are transferred or conveyed to the Corporation or other solvent railroads to make up the restructured system or are abandoned (unless retained for the provision of rail service under the subsidy provisions of the Act).

Three of the six purposes set out in the declaration of policy in the Act are directly relevant to this planning process. They are:

"to provide for—

(1) the identification of a rail service system in the midwest and northeast region which is adequate to meet the needs and service requirements of this region and of the national rail transportation system;

¹The region, as designated in the Act, includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Ohio, Indiana, Illinois, Michigan, Virginia, West Virginia, and those portions of contiguous States in which are located rail properties owned or operated by railroads doing business primarily in the aforementioned jurisdictions (as determined by the Interstate Commerce Commission by order). In its order in *Ex Parte No. 293* approved January 14, 1974, and served January 23, 1974, the Commission delineated areas in the vicinity of Louisville, Kentucky, St. Louis, Missouri, and Kewaunee and Manitowoc, Wisconsin, as included in the region.

²Railroad operating companies are classified by the Interstate Commerce Commission on the basis of operating revenue, with those carriers with \$5 million or more of annual revenue classified as Class I and those with less than \$5 million classified as Class II. The Class I railroads in reorganization are the Ann Arbor, Boston & Maine, Central Railroad of New Jersey, Erie Lackawanna, Lehigh Valley, Penn Central, and Reading. The Class II railroad in reorganization is the Lehigh & Hudson River.

³If the Association deems it necessary for competitive or other reasons, there could be two or more new rail corporations established to operate the system.

⁴The term "bankrupt railroad" is used throughout this report to identify a railroad which is within the definition of "railroad in reorganization" in section 102(12).

(2) the reorganization of railroads in this region into an economically viable system capable of providing adequate and efficient rail service to the region;

* * * * *

(6) necessary Federal financial assistance at the lowest possible cost to the general taxpayer."

The Act provided specific guidelines for the restructuring and reorganization process in terms of the goals to be sought in the Final System Plan. Among those goals are (1) the creation of a financially self-sustaining rail service system in the region; (2) the establishment and maintenance of a rail service system adequate to meet the rail transportation needs and service requirements of the region; (3) the preservation, to the extent consistent with other goals, of existing patterns of service by railroads, and of existing railroad trackage in areas in which fossil fuel natural resources are located, and the utilization of those modes of transportation in the region which require the smallest amount of scarce energy resources and which can most efficiently transport energy resources; (4) the retention and promotion of competition in the provision of rail and other transportation services in the region; and (5) the attainment and maintenance of environmental standards, particularly the applicable national ambient air quality standards and plans established under the Clean Air Act Amendments of 1970, taking into consideration the environmental impact of alternative choices of action.

Other factors which the Act directs the Association to consider in arriving at the Final System Plan include: the need for and the cost of rehabilitation and modernization of track, equipment and other facilities; methods of achieving economies in the cost of rail operations in the region; means of achieving rationalization of rail services and the rail system in the region; marketing studies; the impact on railroad employees; consumer needs; traffic analyses; financial studies; and any other factors identified by the Association or in the report of the Secretary.

This summary of the legislative mandate shows the important role of this report in the reorganization planning process. In essence, the purpose of this report is to launch the planning process and to give it direction as to where rail service should be provided in the restructuring of the region's rail system.

Thus, the objectives of this report are to provide:

- A description of the existing rail system in the region;
- An analysis of the capital and operating problems that exist and possible improvements that might be realized; and
- Recommendations as to where rail service should be provided and for the restructuring and consolidation of interstate and local rail service.

The report first discusses the railroad problem in the region with reference to the specific factors addressed by the Act. It then discusses the criteria on which the recommendations for rail service are based both for the interstate and local service rail networks, and presents conclusions and recommendations for use by the Association in its development of the Preliminary and Final System Plans.

CONCLUSIONS

The Department's analysis of rail service in the region has led to several basic conclusions which underlie the recommendations contained in this report. These conclusions are:

- A fundamental consolidation and restructuring of the region's railroad industry (including both bankrupt and solvent carriers) is required if the public policy goals described in the Act are to be realized.
- The major benefits to be realized from this consolidation and restructuring will be, first, improved capital productivity and a viable financial base for the Corporation and other railroads in the region. This improvement will then lead to higher quality rail service for the entire region.
- In order to achieve improved productivity, the existing, highly duplicative and underutilized individual railroad interstate mainlines in the region should be consolidated into a high volume, upgraded interstate network.
- In order to maintain and enhance rail competition and improve efficiency of operations within the region, the Corporation and other solvent carriers should, to the fullest extent practicable, share facilities and coordinate operations over the high volume network.
- Local rail service requirements in the region should be fulfilled generally with single carrier, direct rail service in order to give the rail mode a viable economic base and to support effective intermodal competition.
- The existing, highly duplicative, feeder and local service network used for local rail services should be streamlined by permitting the abandonment of rail facilities which are not financially self-sustaining.

RECOMMENDATIONS

Based on the above conclusions, the Department makes the following recommendations:

- The solvent carriers in the region are urged to become full participants in the planning and restructuring of the region's rail system.
- The Association should concentrate its planning efforts on two levels of the region's rail system—local rail service and high volume, interstate rail service. Each of these levels must be restructured in order to improve the economic efficiency and financial viability of rail operations in the region.
- At the local service level, continued direct rail service should be provided for nearly all of the region's normal rail freight traffic. Less than 4 percent of the region's rail traffic is originated or terminated on lines which are potentially excess and most of this traffic can be retained by the rail mode through subsidy programs or combined motor carrier/rail service.
- At the interstate level, duplicative lines and facilities should be downgraded or eliminated and service coordinated with the goal of substantially increasing utilization of the consolidated and restructured system.

- At the local level, rail pick-up and delivery service should be coordinated so that it is provided by a single railroad in a given geographic area.
- Existing interstate routes should be consolidated to establish a high volume interstate network which warrants a major modernization program.
- Rail competition should be maintained only over the high volume interstate network between major traffic generating centers which provide a sufficient volume of rail traffic to produce at least eight train loads per day each moving more than approximately 200 miles in the same general direction. In our judgment other points do not require mainline service by more than one railroad.

Table 1 summarizes, by State in the region, the Secretary's recommendations on regional rail service, comparing current levels of traffic and route mileage with the levels resulting from the recommendations as to points in the region which should receive direct local rail service. As

can be seen in the table, at least 96 percent of the region's rail traffic would continue to receive direct rail service. Of the remaining 4 percent of the traffic, a part may be covered by additions to the Association's Final System Plan, other elements may continue under the short term subsidy provisions contained in the Act, and the remainder can be served by motor carrier or joint motor carrier/rail service. Thus, the overall impact of the recommended cutback in rail freight service is quite small.

Approximately 25 percent of the region's railroad route mileage appears to be potentially excess, either because it is uneconomic or clearly redundant. However, it is emphasized that this constitutes only a rough estimate of the route mileage which may be classified as excess in the Final System Plan. The available mileage data is neither current nor precise, and additional analysis by the Association will be necessary to establish the mileage involved and further define the potentially excess trackage.

TABLE 1.—SUMMARY OF SECRETARY'S RECOMMENDATIONS

States	1972 Route Mileage			1972 Annual Carloads Generated ¹		
	State Totals (Miles)	Potentially Excess ² Rail Line		State Totals (Thousands)	Retained In Service Recommendations	
		Miles	Percent of Total		Carloads (Thousands)	Percent of Total ³
Connecticut.....	664	175	26	161	154	95
Delaware.....	291	75	26	157	154	98
District of Columbia.....	30	—	—	180 ⁴	167 ⁴	93
Illinois.....	10,822	2,650	24	4,541 ⁵	4,393 ⁵	97
Indiana.....	6,405	2,350	37	1,846 ⁶	1,733 ⁶	94
Maine.....	1,666	75	5	309	289	94
Maryland.....	1,110	225	20	631	613	97
Massachusetts.....	1,430	475	33	399	375	94
Michigan.....	6,159	2,275	37	2,053	1,985	97
New Hampshire.....	817	400	49	71	63	88
New Jersey.....	1,742	300	17	819	809	99
New York.....	5,595	1,875	34	1,330	1,258	95
Ohio.....	7,804	2,500	32	3,979	3,837	96
Pennsylvania.....	8,273	1,450	18	3,539	3,389	96
Rhode Island.....	146	25	17	41	38	91
Vermont.....	766	250	33	60	52	88
Virginia.....	3,895	275	7	1,872	1,824	97
West Virginia.....	3,569	200	6	1,985	1,916	97
Total for Region.....	61,184	15,575	25	23,973	23,049	96

¹ Total, originating or terminating traffic.

² Estimated from zone maps (see Volume II); does not include mileage in zones not served by bankrupt railroads.

³ It is expected that some additional traffic will also continue to be carried by rail, either directly or via motor carrier/rail piggy-back combinations.

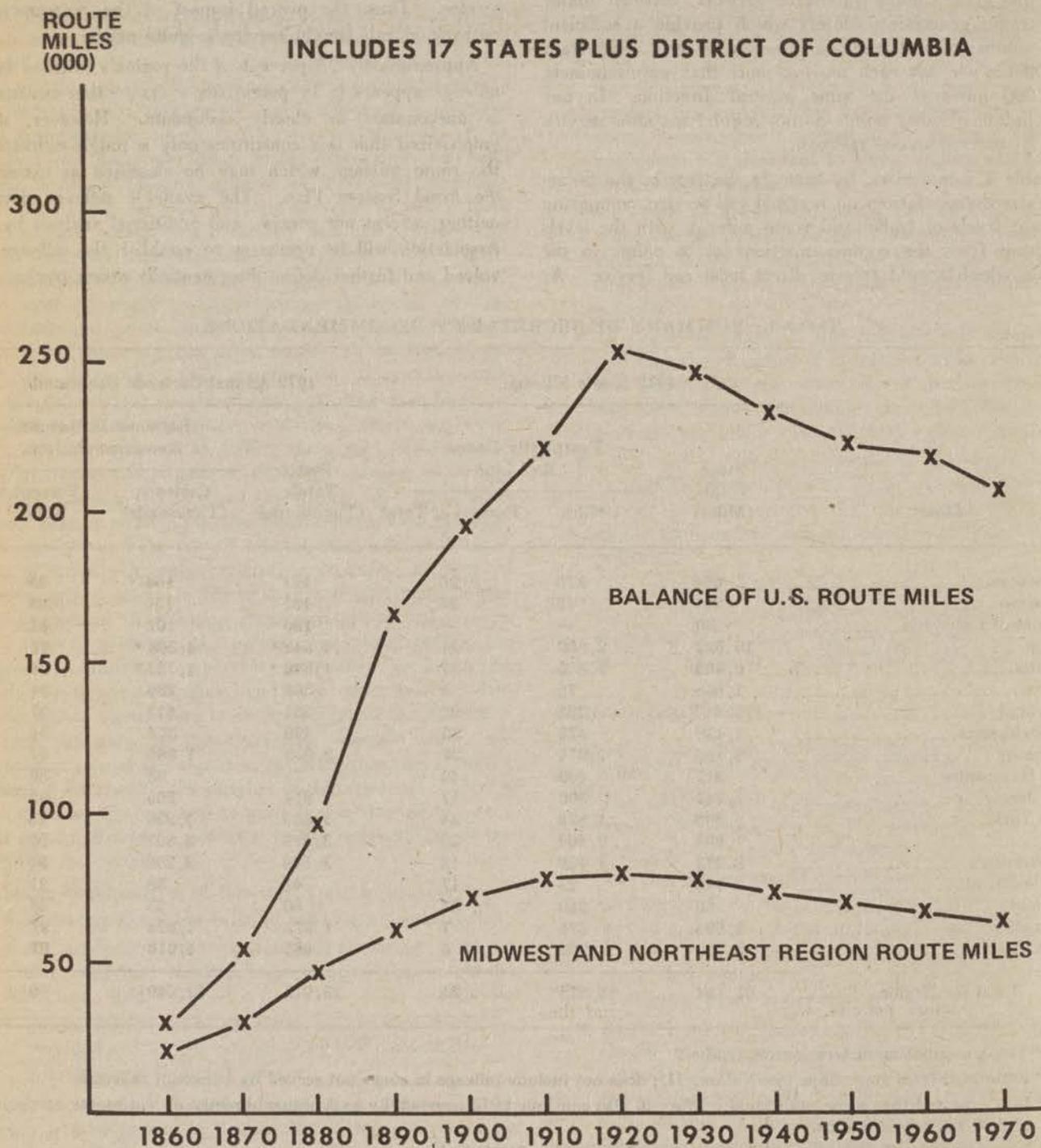
⁴ Includes entire Washington, D.C., Standard Metropolitan Statistical Area.

⁵ Includes St. Louis, Missouri.

⁶ Includes Louisville, Kentucky.

Data Sources: (1) State Mileage from *Transport Statistics in the U.S.*, Interstate Commerce Commission; (2) State annual carloads from Federal Railroad Administration, Office of Economics, compiled from traffic data supplied by the region's Class I railroads.

FIGURE 1
ROUTE MILES OF RAILROAD IN THE REGION
(1860 TO 1971)



SOURCE: STATISTICAL ABSTRACTS OF THE UNITED STATES, U. S. DEPARTMENT OF COMMERCE, AND TRANSPORTATION STATISTICS IN THE UNITED STATES FOR THE YEAR ENDED DECEMBER 31, INTERSTATE COMMERCE COMMISSION.

PART I

THE RAILROAD PROBLEM IN THE MIDWEST AND NORTHEAST REGION

PROBLEM

Any analysis of rail service in the midwest and northeast region must take into account the fundamental problems facing the rail industry in the region, the importance of the rail industry to the economic base both of the region and the nation as a whole, and the role of the bankrupt railroads as essential elements in the region's transportation system. Since these subjects have been well documented in previous reports,¹ this report only summarizes these important factors, with primary emphasis on aspects related directly to the restructuring process established by the Act.

The causes of the region's rail problems are both external and internal to the industry. The major external factors are limited access to capital markets due to historic low profit rates; trends in intermodal competition; shifts in regional transportation demand; unbalanced Federal investment policies; and adverse regulatory policies. The main internal factors are operating inefficiencies, low service quality, resistance to change by both management and labor, and lack of innovations in marketing and pricing strategies and operating practices. The restructuring process for the region's rail system can only hope to improve certain of these factors. Specifically, in dealing with external factors, the process can serve to improve: (1) the effectiveness of rail as a competitor with other transportation modes; (2) indirectly, the balance of Federal investment among the various transportation modes; and (3) the ability of the railroads in the region to attract capital. In dealing with internal factors it can influence primarily those relating to difficulties with operating efficiency and quality of service, although hopefully it will also help bring more flexibility into the future roles of management and labor.

It is important to realize that other factors adversely affecting the rail industry in the region will not be changed simply through a "successful" restructuring process. Still remaining will be the long-term effects of restrictive and outdated regulatory policies, work rule practices, and the inability of both rail management and labor to adapt more quickly to changing technology and market conditions.

This report concentrates on the discussion and development of recommendations for improving the operating efficiency of both the bankrupt and solvent railroads in the region through a restructuring and consolidating process

as set forth as a primary objective of the Act. While these steps will go a long way toward improving the industry's financial viability and service quality, they must, of course, be supplemented by action to deal with the other factors. These other actions, however, are beyond the scope of this report.

Historical Background

From a meager start in about 1830, the rail system in the region grew rapidly following the Civil War. By 1900 the construction phase along the northeastern sea-coast was nearly completed; by 1910 the growth in route mileage in the entire region was practically ended and the physical basis for today's system was set. As shown in Figure 1, 90 percent of the peak route mileage in the region was in place by 1900, and 99 percent was in place by 1910. Since 1920, when the peak of 78,000 route miles was reached, route mileage has declined slowly at an average yearly rate of about 330 miles. The present system totals 61,000 miles.

The capacity of this system continued to increase after 1920, despite the leveling off in total route mileage. Tonnage capacity multiplied several times as freight cars became larger and locomotives more powerful. Moreover,

TABLE 2.—RAIL SYSTEM CAPACITY

	Signal System			
	Automatic Block Signal		Centralized Traffic Control	
	Number of Tracks	Trains Per Day ¹	Trains Per Day ¹	Trains Per Day ¹
Single.....	40	62	60	93
Double.....	120	186	160	250

¹ Total both directions.

² Gross ton miles per route mile; total both directions.

Data Source: Federal Railroad Administration, Office of Research, Development & Demonstrations.

Note: This table represents the engineering capacity of the respective lines. Practical capacity will be affected by terrain, train size, tonnage, operating procedures, etc.

¹ Notably in *The Penn Central and Other Railroads*, a report to the Senate Committee on Commerce, December 1972; *The Northeastern Railroad Problem*, U.S. Department of Transportation, March 1973; and *Improving Railroad Productivity*, Final Report of the Task Force on Railroad Productivity to the National Commission on Productivity and the Council of Economic Advisers, November 1973.

track capacity increased dramatically as centralized track control (CTC) signal systems were installed. The increased capacity associated with the installation of various signal systems on a given track is illustrated in Table 2, which shows that the change from an automatic block system to a CTC signal system results in a 50 percent increase in the train capacity of a single track roadway.¹

While capacity of the rail system increased after 1920, the economic fortunes of the railroads in the region began to decline significantly. This decline was a result of the combined influences of changing demand for transportation service from bulk commodities (particularly coal) to high value processed goods, the decentralization of manufacturing, and the inability of the railroads to adjust their operations and physical plant to changing market conditions.

During the same period intercity motor carriage captured much of the short and medium haul, high value, high rated traffic, leaving the railroads with the lower value, lower rated and long haul commodities. This was, of course, the logical result of the rapid development of a national highway network which accelerated the emergence of highly flexible and responsive motor carriers which could provide fast, frequent and reliable freight service.

Also during this period new technology for inland waterway barge operations was emerging in the form of larger, more powerful towboats and larger barges. In addition, large Federal investments in waterway, lock and dam facilities (but without appropriate charges to the users) were producing new and low cost competition for railroads for the movement of such long haul, bulk commodities as coal and grain. On a national basis, the rail share of intercity freight ton-miles dropped from more than 75 percent in 1929 to 36 percent in 1970.

The legacy of these changing conditions and the railroads' inability to adjust to them is a physical plant with a capacity far exceeding the foreseeable demand for rail service, and with a need of substantial upgrading.

Despite these adverse conditions, rail remains an essential element of the total transportation system of the region. Table 3, which gives the proportion of manufacturing output shipped by rail for the region's 16 major production areas, shows that railroads carry 32 percent of the originating tonnage. The significance of these data is underscored by the fact that 15 of the nation's top 25 major production areas are located in the region.

TABLE 3.—ORIGINATING TONNAGE, MODAL SHARE, AND LENGTH OF HAUL FOR REGION'S MAJOR CENSUS PRODUCTION AREAS

(Manufacturing Output)

Production Area City	Originating Tonnage (Million Tons)				Modal Share ¹ (Percent)			Average Length of Haul (Miles)		
	Total	Rail	Truck	Other	Rail	Truck	Other	All Modes	Rail	Truck ²
Chicago, IL.....	62.2	23.5	33.0	5.7	38	53	9	275	377	208
Philadelphia, PA.....	52.7	7.1	21.7	23.9	13	41	45	396	473	201
Detroit, MI.....	41.4	20.0	19.8	1.6	48	48	4	277	404	156
Pittsburgh, PA.....	37.5	15.7	15.0	6.8	42	40	18	347	375	229
Cleveland, OH.....	33.9	11.9	21.8	0.2	35	64	1	273	406	196
St. Louis, MO.....	28.3	8.0	13.0	7.3	28	46	26	302	529	182
Newark, NJ.....	27.3	3.8	15.7	7.8	14	58	29	247	620	227
Buffalo, NY.....	23.4	9.9	8.4	5.1	42	36	22	300	375	235
Baltimore, MD.....	12.0	4.1	7.6	0.4	34	63	3	262	394	184
Boston, MA.....	11.6	1.1	10.2	0.3	10	88	3	377	662	340
Cincinnati, OH.....	11.2	3.9	7.2	0.1	35	65	1	326	491	234
Allentown, PA.....	8.3	2.6	5.6	0.1	32	68	1	196	234	153
New York, NY.....	6.9	0.9	5.4	0.6	14	78	9	408	666	310
Syracuse, NY.....	6.7	3.1	3.6	0.1	45	54	1	312	411	214
Harrisburg, PA.....	6.2	1.9	4.3	0.0	31	69	—	259	408	194
Hartford, CT.....	4.9	1.0	3.7	0.2	20	77	3	454	921	321
16—Area Totals.....	374.5	118.5	196.0	60.2	32	52	16	309	420	212
U.S. Totals.....	1,385.0	454.0	560.0	371.0	33	40	27	490	550	229

¹ Totals may not add to 100 percent in all cases because of rounding.

² Weighted by tons carried by motor carrier and private truck.

Data Source: 1967 Census of Transportation, Volume III, Commodity Transportation Survey, U.S. Department of Commerce

¹ It is interesting to note that while the train capacity of the system, in engineering terms, increased with the installation of more sophisticated signal systems, the number of trains operating over the system did not increase proportionately. This results from the fact that the impetus for installation of more productive traffic control systems was less that of increasing system capacity and more that of reducing the labor cost associated with the less sophisticated systems.

TABLE 4.—SELECTED STATISTICS FOR EASTERN DISTRICT CLASS I RAILROADS
(1972)

Railroads	Miles of Road Operated			Revenue Ton Miles			Operating Revenues		
	Total	Percent of		Amount	Percent of		Amount	Percent of	
	(Miles)	District	U.S.	(Billions)	District	U.S.	(\$ Millions)	District	U.S.
Bankrupt Railroads									
Ann Arbor.....	300	0.5	0.1	0.7	0.3	0.1	11	0.2	0.1
Boston and Maine.....	1,416	2.6	0.7	2.6	1.2	0.3	77	1.6	0.6
Central RR of New Jersey.....	402	0.8	0.2	0.8	0.3	0.1	42	0.9	0.3
Erie Lackawanna.....	2,979	5.5	1.4	13.3	5.8	1.7	264	5.5	2.0
Lehigh Valley.....	972	1.8	0.5	2.7	1.1	0.3	51	1.1	0.4
Penn Central.....	19,853	36.9	9.5	83.2	36.0	10.7	1,825	38.2	13.6
Reading.....	1,169	2.2	0.6	3.5	1.5	0.5	111	2.3	0.8
Total, 7 Bankrupts.....	27,091	50.3	13.0	106.8	46.2	13.7	2,381	49.8	17.8
Selected Solvent Railroads									
Chessee System ¹	11,354	21.1	5.5	57.0	24.6	7.3	1,002	21.0	7.5
Delaware and Hudson.....	717	1.3	0.3	2.3	1.0	0.3	42	0.9	0.3
Pittsburgh and Lake Erie.....	211	0.4	0.1	1.3	0.6	0.2	38	0.8	0.3
Maine Central.....	908	1.7	0.4	0.9	0.4	0.1	28	0.6	0.2
Norfolk and Western.....	7,616	14.2	3.7	48.7	21.1	6.3	795	16.6	5.9
Richmond, Fredericksburg and Potomac.....	110	0.2	0.1	1.1	0.5	0.1	25	0.5	0.2
Detroit, Toledo & Ironton.....	476	0.9	0.2	1.4	0.6	0.2	42	0.9	0.3
Total, 7 Solvents.....	21,392	39.8	10.3	112.7	48.8	14.5	1,972	41.3	14.7
Other Eastern Solvents—Total.....	5,338	9.9	2.6	11.6	5.0	1.5	430	8.9	3.2
Total Eastern Solvents.....	26,730	49.7	12.8	124.3	53.8	16.0	2,402	50.2	17.9
Eastern District—Total.....	53,821	100.0	25.9	231.1	100.0	29.8	4,783	100.0	35.7
United States—Total.....	208,044	—	100.0	778.1	—	100.0	13,411	—	100.0

¹ Statistics given for the Chessee System represent the combined statistics for the B&O, the C&O, and the Western Maryland

Data Sources: (1) Statistics for individual railroads: *Moody's Transportation Manual*, 1973, supplemented by Association of American Railroads statistics.

(2) Miles of Road Operated, Revenue Ton-Miles and Operating Revenue Totals for the Eastern District and the United States: Association of American Railroads.

A summary of data on the major railroads in the Eastern District¹ is shown in Table 4. The importance of the bankrupt Class I railroads is indicated by the fact that, in 1972, they accounted for 46 percent of the District's ton-mile rail freight volume and 14 percent of the total U.S. rail freight volume. In addition, a high percentage of rail traffic is interchanged between bankrupt and solvent carriers. For example, 74 percent of Penn Central's 1972 traffic was handled in conjunction with some 80 other railroads.

FACTORS INFLUENCING RAILROAD EFFICIENCY

As pointed out earlier, a basic purpose of the restructuring process established by the Act is to maintain adequate rail service while revising the existing rail system so that financially viable, privately-operated railroads will continue to serve the region. This process necessarily involves all of the railroads in the region—both bankrupt

and solvent—since the operations of each impact on all the others. Therefore, the need is to improve the operating efficiency of the region's railroads as a whole, although the most noticeable end product of the process will be a reorganization of the bankrupt carriers under a new corporate organization.

To identify those areas where operating efficiency may be improved, it is useful to analyze the rail system on two levels. One level covers the interstate mainline network over which the individual rail carriers operate. This network consists basically of the system's comparatively high quality, high density rail lines. On the other level, there is the local service, pick-up and delivery and feeder network which serves to feed the interstate mainline structure. The following discussion deals first with efficiencies in the production of rail services in general and then with the provision of those services within the framework of intramodal and intermodal competition.

¹ The Eastern District, as defined by the Interstate Commerce Commission, differs from the region addressed in this report in that it excludes the northwestern third of Illinois and the Upper Peninsula of Michigan.

To understand the factors which influence the economic viability of a specific rail service, it is necessary to consider separately the major operations involved: (1) origination and termination switching; (2) intermediate switching; and (3) the line haul. Overall operating efficiency is closely linked to the generation of sufficient traffic volumes to achieve high utilization of labor and equipment in the line haul operation.

Because individual shippers seldom generate the traffic volumes required to fill an entire train, carriers must pick up cars from several shippers and assemble them into efficient-sized trains for the line haul portion of the overall movement. The specific location of the shipper's siding also has an important influence on the cost of rail pick-up and delivery service, a cost that can be measured in both time and money. If a shipper generates a large number of cars which can be efficiently assembled into trains with a minimum of crew and engine time, there will be a lower per unit cost. If, however, a shipper generates only one or a few cars at a time, the unit cost of assembling trains will be high.

Each individual rail carrier providing service within a given area generally provides yards for the assembly and disassembly of trains, and each of these yards must be maintained, staffed with train and yard crews, and equipped with switching locomotives. Thus, where two or more railroads provide local service, the resultant redundancy and under-utilization of resources increases the overall cost to the system of providing pick-up and delivery services within that area. In this connection, it should be noted that the time taken to assemble trainload volumes represents essentially lost time to shippers because their goods are not moving toward their destination. To the extent that this assembly process is prolonged by the presence of more than one carrier in a given local area, the "cost" to the shipper is just that much more.

In addition, a shipment's delay in transit will be further increased if the train cannot move through to its ultimate destination without additional switching enroute. Such intermediate switching is required in three types of situations. First, it is necessary when cars are added or dropped off at small traffic-generating points along the route. Second, such switching results from the fragmentation of locally generated traffic among the mainline systems of the several railroads providing the local service. In both of these cases it is necessary to reclassify (or regroup) cars at major junction points in order to keep traffic moving in trainload lots. Finally, intermediate switching occurs where a shipment moves out of one carrier's territory into another's.

The optimum train operation, obviously, is the direct movement of trainload lots from one origin to one termination. The cost for this highly efficient type of direct service is roughly half that of the average train movement. However, as traffic volumes decline, the rates of labor and equipment utilization, and hence efficiency, also decline.

Of the three principal factors of production involved in the provision of rail services (labor, capital and materials), labor and capital costs each amount to approximately 44 percent of total expenses.¹

Thus, while the efficiency of rail operations can be improved in many ways, the significant improvements will have to be realized through increases in capital and/or labor productivity. In our opinion, one of the greatest opportunities for increasing productivity is in finding ways to change inflexible labor work rules to permit better utilization of both labor and capital. However, since the Act does not provide any direct mechanism for making such changes, the focus of this report is on obtaining improvements in capital productivity. Such improvements may also provide a means for increasing rail revenues by attracting new and higher rated traffic.

Means of Improving Capital Productivity

The greatest potential for improvement in capital productivity lies in increasing the rate of utilization of the fixed plant (right-of-way and yards), increasing the productivity of equipment, and eliminating unnecessary excess capacity. The opportunities for accomplishing this in the region are clearly evident, and include mainline² and local tracks and facilities as well as equipment, especially freight cars.

Duplicate Mainlines: The region's existing 36,000 miles of mainline track contain some segments which carry the highest traffic density (measured in terms of gross ton-miles per track mile per year) of any rail lines in the nation. However, the average traffic density on most of this mainline network is very low relative to capacity. As shown in Table 5, almost a third of the Eastern District's mainline track falls into the traffic density category having only three average-sized trains per day or 1.5 trains in each

TABLE 5.—MAINLINE TRACK UTILIZATION
(In Eastern District, 1972)

Million Gross Ton Miles Per Track Mile Per Year	Number of Average Sized Trains Per Day ¹	Percent of Total Track Miles In District ²
1—9.9	0.6—6.1	27
10—19.9	6.2—12.3	39
20—29.9	12.4—18.5	23
30—39.9	18.6—24.7	10
40 and over	24.8 and over	1

¹ Based on Eastern District average train size of 4,254 tons in 1972, data contained in *Class I Railroad Financial and Operating Statistics*, Interstate Commerce Commission

² Eastern District as defined by the Interstate Commerce Commission

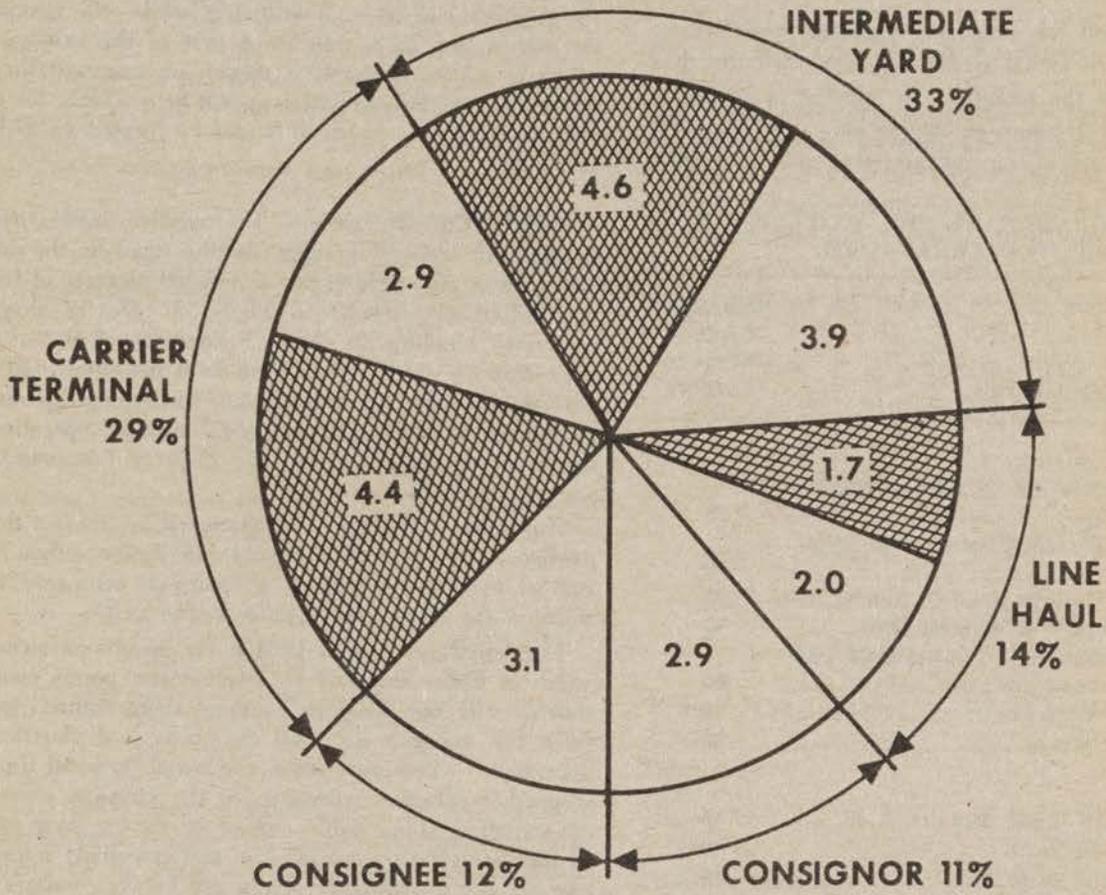
Data Source: Federal Railroad Administration, Office of Economics, compiled from traffic density maps supplied by region's Class I railroads.

¹ *Improving Railroad Productivity*, November 1973, p. 79.

² In this report a section of track is classified as "mainline" if it is equipped with railroad signals.

FIGURE 2

TYPICAL FREIGHT CAR CYCLE
IN DAYS



TOTAL 25.6 DAYS PER CYCLE



direction per day. Only one percent of the District's mainline trackage is found in the highest density category which represents at least one train per hour.

An insight into the low rate of capacity utilization represented by these data can be gained by comparing it with the practical capacity of a track equipped with an automatic block signal system. As shown earlier, the capacity of a single track automatic block signal system is 40 trains per day (total in both directions). For a CTC signal system on a single track the daily capacity is 60 trains.

A second method for measuring mainline track utilization is to compare actual traffic densities with practical line capacities for the mainlines in selected areas of the region and other sections of the nation. As shown in Table 6, such a comparison indicates that utilization rates

TABLE 6.—MAINLINE CAPACITY UTILIZATION IN SELECTED AREAS—(1972)

Selected Area	Estimated Typical Utilization (Percent)
In Region	
Eastern Seaboard to the Alleghenies (Harrisburg/Cumberland).....	25
Mainlines through the Alleghenies to Pittsburgh.....	40
New York and New England to Buffalo....	20
East-West Mainlines in Central Ohio.....	30
North-South Mainlines in Central Ohio and Central Indiana.....	25
Mainlines into St. Louis.....	25
Mainlines into Chicago.....	30
Outside Region	
Mainlines through Rocky Mountains.....	45
Los Angeles to the North.....	40
Los Angeles to the East.....	45

Data Source: Federal Railroad Administration, Office of Economics, compiled from traffic density maps supplied by Class I railroads.

for the region range from 20 to 45 percent of practical capacity but center around 25 percent. In contrast, utilization rates in the western part of the U.S. are substantially higher.

This low utilization of capacity results primarily from duplicative mainlines. This suggests that one obvious solution to this problem is to either eliminate or downgrade to secondary feeder status the unnecessary mainlines and utilize the remaining lines at a much higher level.

Excess Local Lines: As discussed in detail in Part II of this report, the region abounds with low density local lines which were laid during an era when rail transportation was the only efficient way to move goods. With the changing structure of the economy of the region and the great increase in transportation by motor carrier, the traffic over many of these lines is so light that the cost of their operation far exceeds the revenue produced. However, by introducing certain changes in operating procedures, by using the services of a different rail carrier in some cases, and by adjusting some tariff rates, continued direct rail service should be possible to almost all the region's current rail customers while still permitting the elimination of a significant part of the existing rail network. Also, alternative means of transportation by motor carrier/rail combinations will be available for those few shippers who could no longer be located on a direct rail line.

Freight Car Utilization: The relative inefficiency of present rail industry practices is illustrated by the utilization pattern of freight cars. A national measure of freight car utilization is shown in Figure 2. Out of a typical car cycle totalling 26 days, 14 percent of the average car's time is spent in the line haul operation while 33 percent is spent in intermediate switching operations. 29 percent is spent in a railroad's terminal operations at origin or termination points, and 23 percent is spent at the shipper's siding.

The region's problem is compounded by the fact that its average daily car mileage is substantially lower than in the rest of the country—about 41 miles as compared to 52 miles in the south and 72 miles in the west.

The length of time a freight car spends in switching yards at either terminal or intermediate points contrasts sharply with the physical length of time required to perform the actual mechanical switching and classification operation.¹ Obviously, some additional terminal time beyond that actually necessary for the physical process of car switching is inevitable. However, the excessive amount of time freight cars are idled in this essentially unproductive activity is indicative of the gap between today's train operations and what is possible.

Impact on Costs: The impact of the present low rates of plant and equipment utilization upon the industry's cost structure is evident if one considers the large amount of capital currently invested in freight cars. The net investment of Class I railroads on road and equipment in 1972 was estimated to be \$25 billion. Of this, freight cars account for \$8 billion or roughly 33 percent.² In addition a significant portion of the nation's railroad equipment fleet is owned by entities other than railroads (e.g., shippers, financial institutions, etc.). The total value of such non-railroad owned equipment is unknown but has been estimated to be as high as \$5 billion (by the

¹ The average length of time required to perform the actual switching or classification process at origin or termination terminals is less than 30 minutes, and the time required to perform the actual switching and reclassification operation at each intermediate switching point along the line haul movement requires less than ten minutes.

² *Transport statistics in the United States, 1973*, Interstate Commerce Commission.

TABLE 7.—ESTIMATED COST TO MODERNIZE TRACK AND ROADWAY

Track Factors		Estimated Modernization Costs		
Type of Modernization	Total Miles of Track ¹	Cost Per Mile	Total Modernized (Percent)	Total Cost (Billions)
Major Rebuild of Signalled Track ² -----	36,000	\$225,000	100 25 10	\$8.1 2.0 0.8
Minor Rebuild ³ of Signalled and Unsignalled Track-----	75,000	\$20,000	100 25 10	\$1.5 0.4 0.2

¹ There are approximately 75,000 miles of track (excluding yard and way-switching tracks) in the ICC Eastern District of which 36,000 miles are signalled.

² Includes rebuilding subgrade and ballast, new ties and rails, and rehabilitating signal systems.

³ Includes necessary tie and rail replacement, resurfacing and alignment.

Data Sources: (1) Cost estimates from Federal Railroad Administration Offices of Economics; Research, Development and Demonstration; and Safety.
(2) Total track miles from *Transport Statistics in the United States, 1971* Interstate Commerce Commission.
(3) Signalled track miles from Federal Railroad Administration, Office of Safety; as of 1970.

Task Force on Railroad Productivity).¹ If that estimate is correct, then freight cars could account for some 50 percent of the total net capital investment involved in providing rail service. Any reduction in the proportion of the freight car cycle which is spent in non-productive terminal operations would thus appreciably increase the productivity of the industry's capital investment.

Similarly, any increase in the industry's utilization of its mainline capacity would also permit an appreciable increase in the industry's capital productivity. Improved utilization of the mainline becomes particularly important when considering the magnitude of the estimated capital costs of rehabilitating the region's mainline system.

The poor capital productivity resulting from the rail system's excess capacity is clearly one of the causes of rail's low rate of return on investment. Moreover, the great cost of major plant modernization coupled with this low rate of return tends to deter the individual railroad from risking such investments. Needless to say, given the

current precarious financial situation of much of the rail industry, most railroads find it difficult to raise expansion and modernization capital.

The magnitude of this problem is placed in sharp focus by the data in Table 7. The data indicate that major rebuilding of all existing signalled track in the Eastern District would require some \$8 billion. This cost is, of course, not only prohibitive, but would also be a poor investment. Investment is warranted only where the utilization of the fixed plant is high enough to produce an acceptable return on the investment. We believe that in a restructured system only between 10 and 25 percent of the current track miles would require major or minor rebuilding.

Similarly, maintenance costs, as shown in Table 8, would be so large as to be prohibitive if the entire track network in the Eastern District were to remain in place and be properly maintained. Retention of the existing track structure and patterns of operation would require (1) maintenance of approximately 36,000 miles of signalled track at an annual cost of about \$430 million, (2) maintenance of 39,000 miles of unsignalled track at an annual cost of approximately \$195 million, and (3) maintenance of yard and way switching tracks at an

TABLE 8.—ESTIMATED ANNUAL COST TO MAINTAIN MODERNIZED TRACK AND ROADWAY

Track Factors		Estimated Annual Maintenance Costs		
Type of Track	Total Miles of Track ¹	Cost per Mile ²	Total Maintained (Percent)	Total Cost (Millions)
Signalled Track (primarily heavy density)	36,000	\$12,000	100 40	\$430 170
Unsignalled Track (primarily light density)-----	39,000	\$5,000	100 75	\$195 145

¹ ICC Eastern District.

² Signalled track assumed maintained to Federal Railroad Administration Track Safety Standards, minimum Class 4 and maximum Class 5; unsignalled track to minimum Class 3 and maximum Class 4.

Data Sources: (1) Cost estimates from Federal Railroad Administration, Offices of Economics; Research, Development and Demonstration; and Safety.

(2) Total track miles from *Transport Statistics in the United States, 1971* Interstate Commerce Commission.

(3) Signalled track miles from Federal Railroad Administration Office of Safety; as of 1970.

¹ *Improving Railroad Productivity*, November 1973.

annual cost of approximately \$150 million—a total of \$775 million. It is estimated that the annual cost of maintaining a restructured and modernized system would be approximately \$450 million.

Reducing Variable Costs: The Department evaluated the impact upon variable costs of changes in two selected aspects of operating efficiency. For line haul operation, potential variable cost savings were calculated on the basis of various possible reductions in the circuitry of carrier routing in the region. On the average trains within the region follow routes that are 13 percent longer than the shortest available rail routes. In the case of switching operations, potential variable cost savings were calculated on the basis of reductions in the average amount of time required to perform the actual switching operation. The results of these calculations are shown in Table 9, which summarizes the estimated 1970 variable cost and the range of estimated variable cost savings for four primary rail operations at improved levels which the Department believes to be achievable:

1. *Line haul services*—Consolidation of traffic flows on a more direct and reduced mainline network could eliminate 30 to 50 percent of the existing circuitry—saving \$60 to \$110 million annually.

2. *Terminal switching*—Consolidation of local service rail operations could produce an estimated 20 to 40 percent improvement in the amount of time required for terminal switching—saving \$105 to \$215 million annually.

TABLE 9.—ESTIMATED VARIABLE COSTS FOR RAILROADS IN THE REGION—(1970)

Cost Element	Cost Factor			
	Line Haul	Terminal Switching	Interchange Switching	Enroute Switching
At 100 Percent of 1970 Average Circuitry (percent) ¹	13	—	—	—
Switch Minutes (per car)	—	31	14	8
<i>Costs</i>				
Roadway (\$ millions)	250	30	10	10
Equipment (\$ millions)	510	60	30	20
Direct Labor (\$ millions)	290	270	120	90
All Other (\$ millions)	730	170	80	60
Total (\$ millions)	1,780	530	240	180
Probable Percent Improvement Attainable	30-50 ²	20-40	40-60	30-50
Possible Annual Saving (\$ millions)	60-110	105-215	95-145	55-90

¹ Percent in excess of shortest available rail distance.

² Percent reduction in 13 percent circuitry.

Data Source: Federal Railroad Administration
Office of Economics

¹ SMSA's (Standard Metropolitan Statistical Areas) are comprised of one or more contiguous counties having a total population in excess of 50,000 and sharing certain socio-economic characteristics as established by the United States Office of Management and Budget.

3. *Interchange switching*—Consolidation of operations of the bankrupt railroads in the region would eliminate much of the interchange switching that now goes on among them; also, consolidation of both mainlines and local service lines and the coordination of services over those lines would further reduce the need for interchange switching—all together saving 40 to 60 percent or \$95 to \$145 million annually.

4. *Enroute switching*—Consolidation of local service operations would serve to concentrate line haul traffic flows and thereby reduce the need for enroute switching by 30 to 50 percent—saving \$55 to \$90 million annually.

These savings are representative of the variable costs of these four operations to the extent they can be quantified. It is expected that further savings will accrue in these and other operations when overall operating efficiency is improved.

Reducing Service Duplication: Setting aside for the moment considerations of rail competition which are discussed in the following section, the rail industry has the problem of too many railroads competing in low density markets that can support only a single rail carrier. Moreover, the quality of rail service is substantially below that required by the region's rail users. The greatest potential for service improvements lies in the elimination of duplicative service in order to permit the more frequent scheduling of efficient train size lots from origin terminals, and to permit more direct origin-to-destination service without intermediate stops for reclassification (regrouping) of trains.

The poor service levels which result from duplication of service is best measured by the large amount of time the average freight car is idled in essentially unproductive activity, as discussed above. This unproductive activity, which results primarily from the holding of cars for trainload lots and from switching cars into trains, represents delay in the movement of cars toward their destination and therefore is viewed as a reduction in service quality by the shipper. In addition, the low average daily car movement further reduces service quality. Thus, rail's long average transit time places it at a competitive disadvantage with the motor carrier.

Some further insight into the problem of mainline service duplication can be gained by comparing the total traffic generated at 17 of the region's major freight generating SMSA's¹ to the number of rail carriers serving them. Table 10 shows that the average number of daily trains per carrier is eight or more for only eight of these major SMSA's. The result is fragmented traffic flows, reduced service frequency by each carrier, and overall, lower quality service than would be possible with fewer carriers.

Rail Competition: The required improvements in rail operating efficiency cannot be achieved without making some significant reductions in interrailroad competition. Railroads compete with each other largely on the basis of quality of service, which includes freight car availability. Price competition among railroads is also a factor,

TABLE 10.—TRAFFIC GENERATED BY SELECTED MAJOR SMSA's IN REGION¹ (1972)

SMSA	Average No. of Trains Per Day ²	Number of Line Haul Rail Carriers
Chicago, IL.....	175	16
Pittsburgh, PA.....	91	6
Detroit, MI.....	80	8
St. Louis, MO.....	75	14
Philadelphia, PA/Camden, NJ.....	69	4
Newark, NJ.....	56	6
Cleveland, OH.....	53	5
Baltimore, MD.....	47	3
Gary, IN.....	41	8
Buffalo, NY.....	36	8
New York, NY.....	25	5
Cincinnati, OH.....	24	6
Boston, MA.....	19	2
Indianapolis, IN.....	17	5
Peoria, IL.....	16	9
Washington, DC.....	16	5
New Brunswick, NJ.....	16	4

¹ Includes both originating and terminating traffic to SMSA noted.

² Computed on the basis of an average of 30 loaded cars per train (actual 1972 Eastern District average number of loaded cars per train was 38).

Data Source: Federal Railroad Administration
Office of Economics

but not of the same magnitude. For most traffic, competition in such service quality as transit time, reliability, and handling care is minimal, largely because a railroad's actual market (i.e., the origin-destination dimensions of a specific shipment) often lies outside its own service area and therefore involves other railroads. Since most traffic must be interchanged with another carrier, any single railroad is unable to control the efficiency of a shipment's total movement and thereby loses much of the incentive to try.

Despite the fact that a shipper may be served directly by only a single railroad, he can still choose among competing railroads by specifying the routing of his traffic. Thus, the shipper can switch his shipments from the railroad which provides his local service to another railroad at the nearest interchange point. This form of shipper control provides some significant measure of competitive leverage since it can deprive the originating railroad of the revenue from the more desirable line-haul segment of the overall movement. In instances where an individual shipper generates a large volume of traffic and where the shipper is located in a metropolitan area which also generates large volumes of rail freight traffic, direct rail access is even less of a constraining factor in a shipper's choice

of railroads. In such areas, railroads often enter into agreements which allow one carrier to serve a shipper directly by using the tracks of another railroad.

By far the most significant market force facing the rail industry is intermodal competition. Though limited by geography, the relative efficiency of water carriers in the movement of bulk commodities has forced railroads to take innovative steps in the areas of rates, operating techniques, and freight car design. However, competition from motor carriers is more significant because of the large number of trucks and their ability to provide reliable, high quality service. These factors, together with the growth of the importance of service-sensitive manufactured commodities in the total transportation sector, the decentralization of manufacturing activity, and the inefficiencies of the existing rail system, have limited the effectiveness of railroads in competing with other modes. As shown in Table 11, when compared with motor carriers, the railroads clearly find it hard to compete in the short-haul markets of under 200 miles.

The primary reasons for rail's decline as an effective intermodal competitor are two: (1) the economic advantages of motor carriers in the shorter haul markets by providing greater flexibility in pick-up and delivery operation, greater load factor efficiency for less than trainload shipments, and more reliable service; and (2) the different intermodal environment in which the rail industry now competes, which has been significantly affected by an uneven public policy toward each of the modes. We believe that rail has been the net loser from this unevenness.

TABLE 11.—DISTRIBUTION OF NONURBAN FREIGHT TRAFFIC BY TYPE OF CARRIER AND LENGTH OF HAUL—(1965)

Length of Haul (Miles)	Percentage of Total Ton-Miles Hauled				
	Total, all Carriers ¹	Motor Rail	Motor Carrier	Domestic Water	Pipeline
0 and under 2.5.....	*	—	*	—	—
2.5 and under 20.....	2.9	0.1	2.2	0.1	0.6
20 and under 50.....	7.9	1.3	4.2	1.3	1.1
50 and under 200.....	20.6	3.4	8.6	4.7	3.9
200 and under 400.....	19.5	4.7	4.3	5.4	5.1
400 and under 600.....	9.4	4.3	1.2	1.9	2.0
600 and under 1,000.....	14.7	6.0	0.8	5.6	2.3
1,000 and over.....	25.0	17.4	0.2	6.2	1.2
Total, all Hauls.....	100.0	37.3	21.5	25.1	16.1

¹ Includes air (less than 0.1 percent of total for all hauls).

* Less than 0.1 percent

Note: Figures may not add to totals due to rounding.

Data Source: U.S. Department of Transportation,
1972 National Transportation Report.

The rail industry, however, still retains important advantages over its intermodal competition in certain areas. The principal advantages of rail over water carriers are a more flexible pickup and delivery operation, a more extensive network, faster transit time, and greater load factor efficiency at volumes less than barge-load. The advantages of rail over motor carrier are lower costs, the alternative of converting to non-petroleum electric motive power, and the potential of fast long haul transit times.

RESTRUCTURING PROCESS

As the Association, the ICC and the Congress carry out the remainder of the planning process, they will have to consider various trade-offs among the countervailing pressures for equitable (or favored) treatment of particular groups. This section points out the principal areas where these choices must be made prior to publication of the Association's Final System Plan.

Participation by the Region's Solvent Railroads

Although the legislation did not specify that the region's solvent railroads *must* participate in the restructuring process, our analysis indicates the potential value and importance of their participation. Full participation would offer the solvent railroads not only the long term financial advantages of a streamlined and rationalized system but would also preclude the possibility that their own viability would be threatened by a Federally-assisted new rail system. Their nonparticipation would prevent full realization of the rail industry's economic potential in the region. The Department urges the solvent railroads to become participants in the planning and restructuring process.

Both the Association and the solvent railroads should consider the options of the Corporation buying lines and facilities from the solvent railroads, or selling lines and facilities to them, or joining with them in coordinated operations. In the local service area, the solvent railroads should consider abandoning service on lines they own which are excess to the system, and combining services with the Corporation or other railroads to points which are jointly served. On the mainlines, solvent railroads should consider combining some operations with the Corporation, either by buying or selling lines or by joint use of lines where this would improve efficiency.

Interrailroad Competition vs. Financial Viability

Under the private enterprise organization of our economy, balanced competition is a vital mechanism for regulating efficiency and safeguarding the public interest. In the rail industry today, both the enhancement of the competitive balance in the region's multi-modal transportation system and the need for rail consolidation require a major competitive reorganization of the industry.

Our view of the promotion of competition in the provision of rail freight transportation has two aspects. First, where traffic volumes are low or where the length of haul is short, public policy should seek to encourage intermodal competition between rail and motor carriers. Second, where traffic volumes are high and the length of haul is

relatively long, public policy should promote interrailroad competition. Also, in those markets where barge operations are a relevant factor, intermodal competition between water carriers and rail should be encouraged.

Based on the evaluation of the nature of the excess capacity and service duplication problem and our view of the appropriate public policy, it is clear that the competitive realignment of the rail industry should be conducted differently at the mainline and local service levels. At the local service level, rail operations should in most, if not all, cases be consolidated so that service is provided by only one railroad. On the mainlines, inter-railroad competition should generally be maintained for direct service between the region's major traffic generating centers. In certain areas, this competitive service may be provided over the same right-of-way.

These conclusions are based on explicit policy trade-offs. We believe that the benefits of financial viability, economic efficiency, and effective intermodal competition all outweigh the disadvantages associated with the creation of local service rail monopolies. Resolution of the financial viability problem should permit the railroads competing in the region's major interstate markets to maintain a more vital level of competitive innovation than was possible when their basic financial viability was under constant threat. In addition to receiving the benefits of industry-wide innovations, shippers in local service areas will still have the benefits of interrailroad competition since they will be able to switch to a competing railroad at mainline interchange points.

Optimizing Investment

Given the serious need for upgrading which exists in the region's present rail system and the limitations on the amount of funds which can productively be invested, an optimum allocation of the available resources for modernization is essential. The magnitude of the costs required for significant up-grading of the region's physical rail system coupled with the level of utilization required to make this investment economic constitutes one of the strongest arguments for substantial consolidation. In addition, joint usage of the rebuilt right-of-way, where possible, would enhance the efficiency in the use of resources.

Energy Considerations

The energy efficiency of rail in intercity freight ranges from two to five times that of motor carriers in long-haul service. Consequently, an improvement in the competitive posture of the rail vis-a-vis the motor carrier mode would work toward greater energy conservation in the nation's transportation system. Moreover, consolidation of the large rail traffic flows over a mainline network shared by rail carriers could warrant electrification of many of the mainline routes as an economic and energy-effective improvement.

In contrast, the energy efficiency of motor carriers is greater than that of rail for short haul and very low volume movements. In this case, the objective of energy conservation would be promoted by the elimination of

light density, short haul rail movements. In many other cases, substitution of truck or containerized intermodal (piggyback) movements would also improve the energy efficiency of the overall transportation system.

Environmental Considerations

Consolidation of traffic onto a reduced rail system and the modernization of that system can serve to reduce existing adverse environmental impacts in three ways. First, the movement of rail traffic can be made more efficient with the consequent reduction in resource consumption and pollution. Second, the railroads' improved intermodal competitive ability can attract traffic back to rails from the highways either as piggyback or freight car traffic. Third, rights-of-way released by the restructuring process can be employed for other more useful public purposes.

We recognize that the abandonment of rail freight lines as part of the restructuring process could have other inter-related impacts on the environment, including the potential social and economic effects on a few local communities that might lose rail service. From the standpoint of the communities, it appears that nearly all of the region's rail traffic will continue to move by direct rail service, and employment and other economic impacts will thus be minimal. The availability of substitute transportation and of the short-term rail service continuation subsidy support under the Act can also serve to eliminate these impacts. It is not expected that rail passenger service will be ad-

versely affected; in fact it should be materially improved as a result of the modernization of the rail system in the region.

The shift of freight from rail to motor carrier may have a small impact upon the existing ambient air quality in a few instances. The amount of the impact would depend upon the level of efficiency of the rail operations to be dropped. In the case of some inefficient current rail operations, the emissions per ton-mile exceed those for motor carrier operations. From the long range view, the key point is that an improvement in the competitive position of the railroads versus motor carriers will lead to more freight being moved by rail and relatively less by motor carrier.

Regarding land use impacts, the opportunity exists to promote positive effects if care is taken, particularly at the State and local levels, to provide for continued transportation use of rail rights-of-way scheduled for abandonment or, in the event that is not feasible, to promote the use of such corridors for other public purposes.

* * * * *

Proceeding from the analysis of the region's rail system and the potential for its improvement, Part II of this Volume presents criteria and recommendations concerning the restructuring process at both the interstate and local service levels. Volume II presents the Secretary's recommendations for specific points to receive direct local rail service based on the criteria and analysis described in this volume, together with maps and other pertinent information on each of the 184 zones.

PART II

RECOMMENDATIONS FOR RAIL SERVICE

OBJECTIVES AND METHODOLOGY

The process of restructuring the region's rail services must achieve these four objectives:

1. *The resulting rail system should be capable of providing service of adequate quality to meet user requirements.* Service of unacceptable quality will cause continued diversion of traffic from rail carriers to less efficient modes or, where other modes do not represent a long-term alternative, changes in the location of productive activity in order to minimize dependence on rail service.

2. *The resulting rail system should have sufficient capacity to meet the needs of the region's commerce.* The process of consolidation of services and rationalization of facilities must not proceed so far as to preclude access to the resulting rail system by a significant portion of existing or projected traffic flows.

3. *The resulting rail system should improve efficiency in the use of resources.* Inefficiency results in the consumption of excessive amounts of resources not only in the transportation sector but throughout those sectors of the economy which require transportation services.

4. *The resulting rail system should be financially viable.* Long-term financial stability is essential so that the rail system will be capable of efficiently meeting the region's transportation requirements without further major restructuring or continuing Federal financial involvement.

General Methodology

Attainment of the above objectives requires the application of different guidelines, criteria and analyses according to the type of rail service under study. For the purposes of this report, the region's rail freight services have been divided into two groups classed as either interstate (high volume traffic between zones) or local (pick-up and delivery within zones and feeder connections to the interstate network). The problems associated with each type of service are different, as is the approach to rationalizing and revitalizing them.

The interstate service network is that portion of the rail freight system which carries the major traffic flows between traffic generating areas (zones). The existing interstate rail network is characterized by many duplicate, underutilized facilities due to the fragmentation of the traffic flows. The overall goal of the restructuring of the interstate network is the concentration of traffic flows onto a reduced network of track and associated yards and terminals. Such concentrated flows enable the efficient use of

roadway, equipment and labor, and serve to make financially possible the investment in and maintenance of facilities necessary to provide high quality service.

The local service network is that portion of the rail freight system which connects the rail user in a zone to the interstate network. Thus, the local service network provides pickup and delivery service to the system's users and funnels that traffic onto the high volume interstate mainlines. The region's local service network is characterized by substantial redundancy in facilities and services with resulting poor efficiency, excessive costs and fragmentation of interstate traffic flows. Overall, the goal of the process of restructuring the local service network is the elimination of redundancy in order to make the network financially viable and more economically efficient, but yet provide adequate service.

The Act specifies that this report contain "... conclusions and recommendations with respect to the geographic zones within the region in and between which rail service should be provided . . .". The basis for identification of these zones may be SMSA's, groups of SMSA's, counties, or groups of counties having similar economic characteristics such as mining, manufacturing, or farming.

This zone approach facilitates the analysis of the region's rail requirements in four ways:

1. It permits the analysis of an area which is small enough to allow the inclusion of a substantial amount of detail and the identification of each traffic generating point.

2. It emphasizes local rail service requirements by excluding the need to consider traffic which now flows through the zone on mainlines but which may not continue to be routed through the zone in the future. If the points in a zone generate sufficient traffic to justify local rail service, that service will continue regardless of the ultimate configuration of the mainlines which carry traffic through the area.

3. It maintains a neutral position with respect to the present railroad corporate structures and their related track networks. The zone approach emphasizes the area's basic demand for rail service—where the traffic originates or terminates—and defines alternatives that allow the rail system (not specific companies) to meet that demand as efficiently as possible.

4. It facilitates the grouping of traffic generated in the zone in order to evaluate the requirements of the mainline rail network.

The region has been divided into a total of 184 zones, shown in Figure 3. The zones were created in two steps.

First, the SMSA's were used as the basis for defining the initial set of zones. Second, those areas of the region outside of SMSA's were aggregated into groupings of contiguous counties (townships in the New England States) with similar socio-economic characteristics. The resulting 184 zones include St. Louis and Louisville, which are in States contiguous with the States specified in the Act as constituting the region. With these two exceptions, the 184 zones do not include any zones in States contiguous with those specified States.¹

Of the 184 zones, 21 do not contain facilities or operations of bankrupt carriers. These zones are on the periphery of the region and include two zones in the Upper Peninsula of Michigan, six zones in northern and western Illinois, one zone in West Virginia, nine zones across southern Virginia and the three most northerly zones in Maine.

Following the identification of the zones, information was gathered for each zone with regard to major highways, rail lines and their characteristics (e.g., number of tracks, type of signal system, traffic density, etc.), and railroad traffic generating points. This information is needed for an understanding of each zone's overall transportation system, the capacity of its rail network and the sources of rail freight traffic.

Traffic data for 1972 originations and terminations were then obtained from all Class I railroads operating in the region. After these data were sorted by zone, they represented a comprehensive information base as to traffic, station loadings and the commodities involved. Table 12 summarizes total originating or terminating traffic for each of the 184 zones in the region.

Using this traffic data and rail facility information for each zone, the analysis was conducted on two levels with a continuous iterative process between the two. First, adjacent zones were analyzed on a state wide basis to determine connecting traffic flows between adjacent zones and to points outside the region. Next, zone traffic was aggregated to give a first cut at determining the major traffic generating centers which would support high volume, mainline interstate traffic in the region. The possible mainline routes connecting these centers were then identified on the zone maps.

From this point, various criteria were applied on a zone-by-zone basis to determine which points in each zone should be recommended for local rail service. Similarly, other criteria were applied on a regional basis to determine which major traffic generating centers should be recommended for competitive rail service on an interstate network. Both sets of criteria and recommendations are discussed in detail in the sections that follow.

Each of the 184 zones has been analyzed uniformly with regard to recommendations of points to receive direct rail service. However, for the 163 zones served by bankrupt railroads, the analysis went one step further by identifying

potentially excess rail lines which are not necessary to serve the points recommended for service or are duplicate light-density feeder lines. This additional analysis is intended as a potential planning tool for the Association and for the States and local communities in determining where their own analysis should be concentrated during the remainder of the planning process.

For the remaining 21 zones we did not carry out the additional analysis of potentially excess lines. This type of analysis, when it impacts only on solvent carriers, can best be made in the context of the Association's overall dealings with these carriers.

TABLE 12.—SUMMARY OF TRAFFIC BY ZONES
(Ranked in Order of Traffic Volume)
(1972)

No.	Zone Name and State	Total Originating or Terminating Traffic	
		Annual Carloads (Thousands)	Cumulative Percentage of all Regional Carloads
131	Chicago, IL	1,906	8.3
076	Pittsburgh, PA	974	12.5
155	Detroit, MI	874	16.3
195	Beckley, WV	836	19.9
323	St. Louis, MO	805	23.4
066	Philadelphia, PA	749	26.7
194	Bristol, VA	627	29.4
094	Cleveland, OH	579	31.9
060	Newark, NJ	573	34.4
087	Baltimore, MD	501	36.5
113	Toledo, OH	460	38.5
146	Carbondale, IL	449	40.5
184	Norfolk, VA	430	42.3
130	Gary, IN	420	44.2
049	Buffalo, NY	390	45.9
200	Huntington, WV	354	47.4
075	New Castle, PA	339	48.9
197	Clarksburg, WV	334	50.3
093	Youngstown, OH	303	51.6
092	Ashtabula, OH	291	52.9
205	Louisville, KY	280	54.1
078	Johnstown, PA	276	55.3
098	Steubenville, OH	276	56.5
058	New York, NY	266	57.7
106	Cincinnati, OH	256	58.8
091	Lorain, OH	230	59.8
123	Vincennes, IN	223	60.7
014	Boston, MA	199	61.6
122	Indianapolis, IN	187	62.4
199	Charleston, WV	187	63.2
069	Allentown, PA	183	64.0
100	Sandusky, OH	176	64.8
099	Wheeling, WV	175	65.5

¹As indicated in the first footnote in the Introduction and Summary, the Commission served on January 23, 1974, an order delineating four areas to be included in the region which are in States not specified by the Act as constituting part of the region. The Department anticipated the delineation by the Commission of the areas in the vicinity of Louisville and St. Louis. There was insufficient time to adjust this report to the delineation of the areas in the vicinity of Kewaunee and Manitowoc, Wisconsin. The Department will publish an addendum to this report dealing with those two zones.

TABLE 12 (continued)
SUMMARY OF TRAFFIC BY ZONES
(Ranked in Order of Traffic Volume)
(1972)

<i>Total Originating or Terminating Traffic</i>			
No.	Zone Name and State	Annual Carloads (Thousands)	Cumulative Percentage of all Regional Carloads
156	Flint, MI	168	66.2
090	Washington, DC	167	67.0
137	Peoria, IL	166	67.7
062	New Brunswick, NJ	164	68.4
185	Newport News, VA	160	69.1
001	Bangor, ME	148	69.7
107	Hamilton/Middletown, OH	144	70.4
166	Escanaba, MI	137	71.0
097	Dover, OH	136	71.5
046	Syracuse, NY	136	72.1
134	La Salle/Peru, IL	135	72.7
074	State College, PA	132	73.3
103	Columbus, OH	128	73.8
186	Petersburg, VA	127	74.4
082	Pottsville, PA	126	74.9
083	York, PA	125	75.5
081	Harrisburg, PA	122	76.0
139	Kankakee, IL	120	76.5
084	Wilmington, DE	119	77.0
167	Marquette, MI	117	77.5
117	Kokomo, IN	115	78.0
047	Rochester, NY	115	78.5
136	Galesburg, IL	112	79.0
196	Martinsburg, WV	111	79.5
124	Evansville, IN	107	79.9
145	Mt. Vernon, IL	105	80.4
108	Dayton, OH	103	80.8
163	Grand Rapids, MI	98	81.3
187	Richmond, VA	96	81.7
193	Radford, VA	94	82.1
198	Parkersburg, WV	94	82.5
142	Decatur, IL	92	82.9
125	Terre Haute, IN	92	83.3
190	Staunton, VA	90	83.7
133	Sterling, IL	89	84.1
135	Davenport, IA/Rock Island, IL	87	84.4
042	Albany, NY	87	84.8
161	Lansing, MI	84	85.2
002	Augusta, ME	83	85.6
141	Mattoon, IL	82	85.9
102	Zanesville, OH	82	86.3
165	Traverse City, MI	80	86.6
088	Hagerstown, MD	78	86.9
095	Akron, OH	78	87.3
112	Marion, OH	77	87.6
096	Canton, OH	75	87.9
150	Battle Creek, MI	72	88.3
162	Midland, MI	69	88.6

TABLE 12 (continued)
SUMMARY OF TRAFFIC BY ZONES
(Ranked in Order of Traffic Volume)
(1972)

<i>Total Originating or Terminating Traffic</i>			
No.	Zone Name and State	Annual Carloads (Thousands)	Cumulative Percentage of all Regional Carloads
105	Portsmouth, OH	68	88.8
132	Rockford, IL	65	89.1
188	Charlottesville, VA	62	89.4
126	Crawfordsville, IN	62	89.7
044	Watertown, NY	60	89.9
077	Uniontown, PA	59	90.2
143	Lincoln, IL	55	90.4
052	Elmira, NY	54	90.7
068	Reading, PA	54	90.9
116	Ft. Wayne, IN	54	91.1
148	Quincy, IL	53	91.3
159	Saginaw, MI	50	91.6
024	Springfield, MA	47	91.8
041	Plattsburg, NY	46	92.0
189	Winchester, VA	46	92.2
101	Mansfield, OH	45	92.4
065	Vineland, NJ	45	92.6
151	Kalamazoo, MI	44	92.7
110	Bellefontaine, OH	43	92.9
157	Port Huron, MI	43	93.1
153	Ann Arbor, MI	43	93.3
114	Defiance, OH	42	93.5
067	Lancaster, PA	41	93.7
111	Lima, OH	41	93.8
158	Bay City, MI	40	94.0
010	Montpelier, VT	38	94.2
027	Providence, RI	38	94.3
005	Portland, ME	38	94.5
051	Erie, PA	38	94.7
085	Dover, DE	35	94.8
191	Roanoke, VA	35	95.0
144	Springfield, IL	34	95.1
073	Williamsport, PA	34	95.3
192	Lynchburg, VA	33	95.4
072	Wilkes-Barre, PA	32	95.5
121	Bloomington, IN	31	95.7
149	Benton Harbor, MI	31	95.8
070	Lehigh, PA	31	95.9
120	Richmond, IN	31	96.1
032	Hartford, CT	30	96.2
037	New Haven, CT	30	96.3
089	Waldorf, MD	30	96.5
050	Jamestown, NY	30	96.6
140	Champaign, IL	30	96.7
080	Chambersburg, PA	29	96.9
012	Lawrence, MA	29	97.0
008	Nashua, NH	29	97.1
025	Worcester, MA	28	97.2
071	Scranton, PA	26	97.3

TABLE 12 (continued)
SUMMARY OF TRAFFIC BY ZONES
(Ranked in Order of Traffic Volume)
(1972)

<i>Total Originating or Terminating Traffic</i>			
<i>Zone</i>		<i>Annual</i>	<i>Cumulative</i>
<i>No.</i>	<i>Name and State</i>	<i>Carloads</i>	<i>Percentage of all</i>
		<i>(Thousands)</i>	<i>Regional Carloads</i>
035	Bristol, CT	26	97.5
115	Elkhart, IN	26	97.6
128	Michigan City, IN	26	97.7
183	Fredericksburg, VA	24	97.8
129	South Bend, IN	24	97.9
119	Anderson, IN	22	98.0
104	Athens, OH	22	98.1
164	Muskegon, MI	20	98.2
127	Lafayette, IN	20	98.2
007	Berlin, NH	19	98.3
063	Trenton, NJ	19	98.4
079	Altoona, PA	18	98.5
045	Utica/Rome, NY	15	98.6
031	Middletown, CT	15	98.6
004	Biddeford, ME	15	98.7
011	Rutland, VT	14	98.7
118	Muncie, IN	14	98.8
056	Poughkeepsie, NY	13	98.9
030	Norwich, CT	13	98.9
038	Bridgeport, CT	13	99.0
021	Greenfield, MA	13	99.0
054	Cortland, NY	12	99.1
152	Jackson, MI	12	99.1
053	Binghamton, NY	12	99.2
020	Fitchburg, MA	12	99.2
036	Waterbury, CT	10	99.3
009	Manchester, NH	10	99.3
048	Batavia, NY	10	99.4
055	Hudson, NY	9	99.4

TABLE 12 (continued)
SUMMARY OF TRAFFIC BY ZONES
(Ranked in Order of Traffic Volume)
(1972)

<i>Total Originating or Terminating Traffic</i>			
<i>Zone</i>		<i>Annual</i>	<i>Cumulative</i>
<i>No.</i>	<i>Name and State</i>	<i>Carloads</i>	<i>Percentage of all</i>
		<i>(Thousands)</i>	<i>Regional Carloads</i>
138	Bloomington, IL	9	99.4
109	Springfield, OH	8	99.5
029	Putnam, CT	8	99.5
013	Lowell, MA	8	99.5
019	Marlboro, MA	7	99.6
022	Pittsfield, MA	6	99.6
003	Lewiston, ME	6	99.6
017	New Bedford, MA	6	99.7
016	Taunton, MA	6	99.7
061	Sparta, NJ	5	99.7
018	Fall River, MA	5	99.7
086	Salisbury, MD	5	99.7
015	Brockton, MA	5	99.8
006	Portsmouth, NH	4	99.8
160	Owosso, MI	4	99.8
023	Adams, MA	4	99.8
064	Atlantic City, NJ	4	99.8
033	New Britain, CT	3	99.8
043	Amsterdam, NY	3	99.9
040	Stamford, CT	2	99.9
039	Norwalk, CT	1	99.9
026	Webster, MA	1	99.9
034	Meriden, CT	1	99.9
182	Cape Charles, VA	0	
028	Westerly, RI	0	

Note: Totals do not add to 100% due to rounding.

Data Source: 1972 Traffic data from Class I railroads.

FIGURE 3 ZONE MAP OF THE MIDWEST AND NORTHEAST REGION

Zones are either Standard Metropolitan
Statistical Areas (1970 SMSA)
or contiguous county groupings

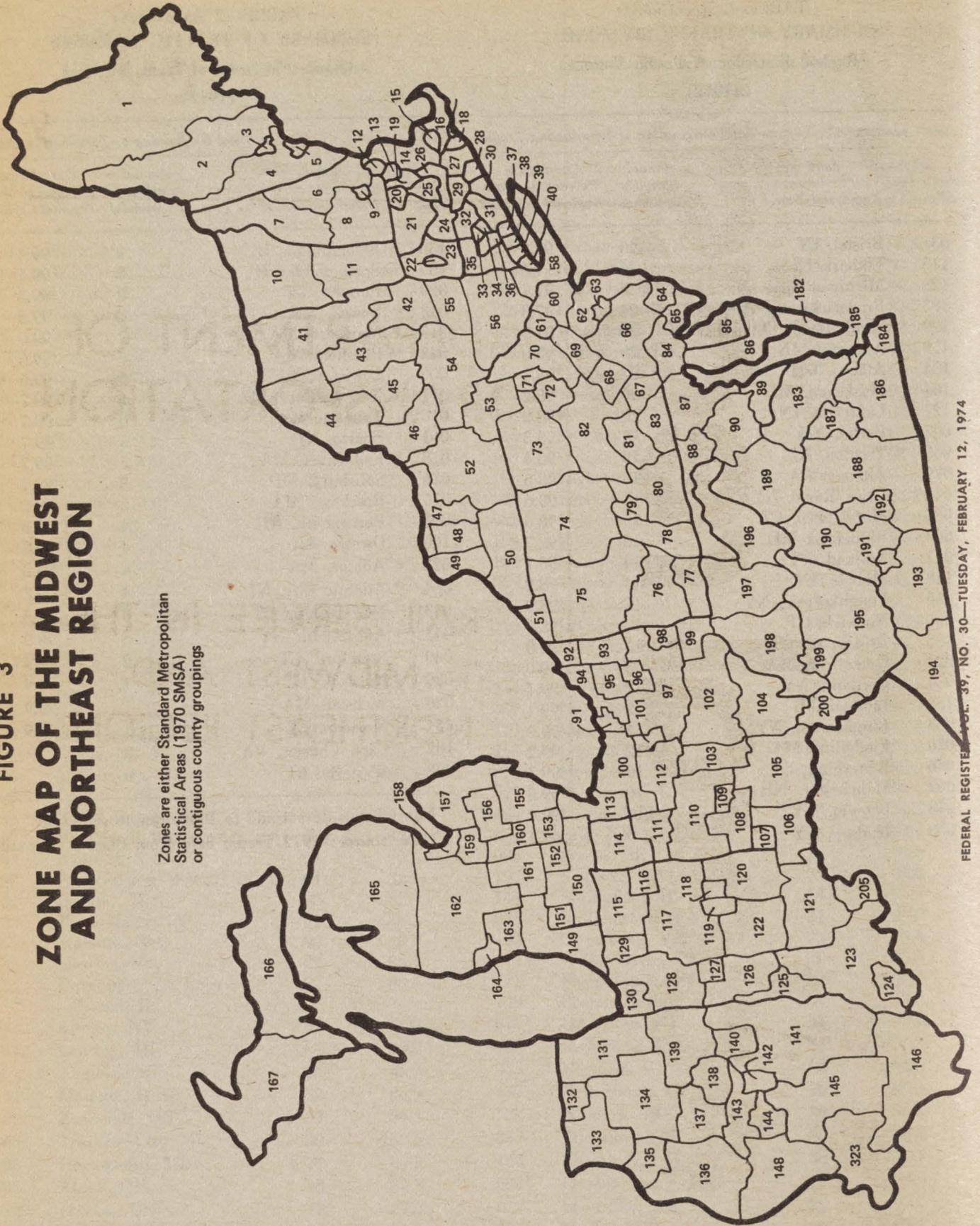


FIGURE 3

ZONES LISTED BY NUMERICAL ORDER

Zone Number	Zone Name	Zone Number	Zone Name	Zone Number	Zone Name
001	Bangor, ME	065	Vineland, NJ	127	Lafayette, IN
002	Augusta, ME	066	Philadelphia, PA	128	Michigan City, IN
003	Lewiston, ME	067	Lancaster, PA	129	South Bend, IN
004	Biddeford, ME	068	Reading, PA	130	Gary, IN
005	Portland, ME	069	Allentown, PA	131	Chicago, IL
006	Portsmouth, NH	070	Lehigh, PA	132	Rockford, IL
007	Berlin, NH	071	Scranton, PA	133	Sterling, IL
008	Nashua, NH	072	Wilkes-Barre, PA	134	La Salle/Peru, IL
009	Manchester, NH	073	Williamsport, PA	135	Davenport, IA/Rock Island, IL
010	Montpelier, VT	074	State College, PA	136	Galesburg, IL
011	Rutland, VT	075	New Castle, PA	137	Peoria, IL
012	Lawrence, MA	076	Pittsburgh, PA	138	Bloomington, IL
013	Lowell, MA	077	Uniontown, PA	139	Kankakee, IL
014	Boston, MA	078	Johnstown, PA	140	Champaign, IL
015	Brockton, MA	079	Altoona, PA	141	Mattoon, IL
016	Taunton, MA	080	Chambersburg, PA	142	Decatur, IL
017	New Bedford, MA	081	Harrisburg, PA	143	Lincoln, IL
018	Fall River, MA	082	Pottsville, PA	144	Springfield, IL
019	Marlboro, MA	083	York, PA	145	Mt. Vernon, IL
020	Fitchburg, MA	084	Wilmington, DE	146	Carbondale, IL
021	Greenfield, MA	085	Dover, DE	148	Quincy, IL
022	Pittsfield, MA	086	Salisbury, MD	149	Benton Harbor, MI
023	Adams, MA	087	Baltimore, MD	150	Battle Creek, MI
024	Springfield, MA	088	Hagerstown, MD	151	Kalamazoo, MI
025	Worcester, MA	089	Waldorf, MD	152	Jackson, MI
026	Webster, MA	090	Washington, DC	153	Ann Arbor, MI
027	Providence, RI	091	Lorain, OH	155	Detroit, MI
028	Westerly, RI	092	Ashtabula, OH	156	Flint, MI
029	Putnam, CT	093	Youngstown, OH	157	Port Huron, MI
030	Norwich, CT	094	Cleveland, OH	158	Bay City, MI
031	Middletown, CT	095	Akron, OH	159	Saginaw, MI
032	Hartford, CT	096	Canton, OH	160	Owosso, MI
033	New Britain, CT	097	Dover, OH	161	Lansing, MI
034	Meriden, CT	098	Steubenville, OH	162	Midland, MI
035	Bristol, CT	099	Wheeling, WV	163	Grand Rapids, MI
036	Waterbury, CT	100	Sandusky, OH	164	Muskegon, MI
037	New Haven, CT	101	Mansfield, OH	165	Traverse City, MI
038	Bridgeport, CT	102	Zanesville, OH	166	Esکانaba, MI
039	Norwalk, CT	103	Columbus, OH	167	Marquette, MI
040	Stamford, CT	104	Athens, OH	182	Cape Charles, VA
041	Plattsburg, NY	105	Portsmouth, OH	183	Fredericksburg, VA
042	Albany, NY	106	Cincinnati, OH	184	Norfolk, VA
043	Amsterdam, NY	107	Hamilton/Middletown, OH	185	Newport News, VA
044	Watertown, NY	108	Dayton, OH	186	Petersburg, VA
045	Utica/Rome, NY	109	Springfield, OH	187	Richmond, VA
046	Syracuse, NY	110	Bellefontaine, OH	188	Charlottesville, VA
047	Rochester, NY	111	Lima, OH	189	Winchester, VA
048	Batavia, NY	112	Marion, OH	190	Staunton, VA
049	Buffalo, NY	113	Toledo, OH	191	Roanoke, VA
050	Jamestown, NY	114	Defiance, OH	192	Lynchburg, VA
051	Erie, PA	115	Elkhart, IN	193	Radford, VA
052	Elmira, NY	116	Fort Wayne, IN	194	Bristol, VA
053	Binghamton, NY	117	Kokomo, IN	195	Beckley, WV
054	Cortland, NY	118	Muncie, IN	196	Martinsburg, WV
055	Hudson, NY	119	Anderson, IN	197	Clarksburg, WV
056	Poughkeepsie, NY	120	Richmond, IN	198	Parkersburg, WV
058	New York, NY	121	Bloomington, IN	199	Charleston, WV
060	Newark, NJ	122	Indianapolis, IN	200	Huntington, WV
061	Sparta, NJ	123	Vincennes, IN	205	Louisville, KY
062	New Brunswick, NJ	124	Evansville, IN	323	St. Louis, MO
063	Trenton, NJ	125	Terre Haute, IN		
064	Atlantic City, NJ	126	Crawfordsville, IN		

INTERSTATE RAIL SERVICE

The purpose of this section is to establish a methodology and to identify a set of prerequisites for planning the development of a rail system capable of efficiently handling the region's interstate mainline freight movement both between zones in the region and to points outside the region. This section addresses the service from zone accumulation points (e.g. Lansing, Michigan) to major yards (e.g. Detroit) and the movement of traffic between major traffic generating points (e.g. Detroit-Buffalo). This section does not address pick-up and delivery and intrazone feeder lines and facilities which are analyzed on a zone-by-zone basis in the Local Rail Service section. Figure 4 shows conceptually the distinctions among these categories of rail service.

As discussed previously, we believe that the process for identifying rail service requirements between zones in the region must: (1) reduce duplicate facilities and service to permit efficient rail operations; (2) maintain sufficient interrailroad competition to assure a competitive approach to rates, quality and innovative service, and car supply to shippers in the region; and (3) demonstrate that the resultant system has sufficient potential economic efficiency to warrant major modernization and rehabilitation. The resulting rail network should meet the region's future rail transportation needs.

The planning process must determine the amount of fixed plant required to meet the region's large interstate traffic movements. The key portion of the regional interstate network should be a series of high volume, modernized mainline routes between major traffic generating centers in the region. Since competitive carriers can use facilities jointly, traffic volume should set the requirements for interstate facilities. The fact that two or more railroads serve a market does not necessarily require that each maintain an entire set of separate facilities, although the general practice today is for each carrier to have its own yards and line haul track. Therefore, the methodology seeks to determine first, the fixed plant requirements for efficient connectivity of the system and second, those zones which can support competitive rail service.

The remainder of this section will (1) describe the existing interstate rail network in the region and the key factors which have shaped its development; (2) identify the key factors which the Association must consider in planning the consolidation of the existing network's mainline facilities into a more efficient system; and (3) recommend a level of competitive service between zones in the region. The final portion of the section consists of eight example analyses of routes between major traffic generating zones. These examples describe how our recommendations regarding efficient fixed plant and competitive service can be applied by the Association in the planning process.

The Existing Interstate Rail Network

The planning process should start with an understanding of the present mainline network. The basic rail physical facilities are already in place and the planning process

must, therefore, deal with changes to an existing network.

The physical plant of the existing interstate network in the region, especially its mainline routes, developed over time in response to two primary interrelated factors: (1) the need to serve the dominant traffic generating centers; and (2) the region's geography. An analysis of the present configuration of the interstate network indicates that there are a series of predominant traffic flows which link the region's major rail traffic generators and over which a substantial portion of the interzone traffic moves. The concentration of the region's interstate flow along predominant patterns is apparent in Figure 5 which shows schematically the freight densities of the region's mainline traffic.

The heavy traffic concentrations over the broad bands of the region not only define the major current interstate traffic flows but also define the principal mainline routings which the Association must review to achieve the substantial route consolidation and rationalization required to establish an efficient interstate rail network. Because the two primary factors which caused the development of the existing interstate network are still present, it is important to understand their relevance in shaping today's structure.

Traffic: Of the region's 184 zones, 40 zones generate the region's dominant interstate flows. Their location in the region is illustrated in Figure 6. Cumulatively they account for 70 percent of the region's total carload originations and terminations. In terms of broad commodity categories, 28 of the zones generate primarily processed and manufactured product commodities and 12 of the zones generate primarily unprocessed bulk commodities—e.g. coal.

In addition to those zones which generate large volumes of traffic as a result of their local economic base, there are four major rail "gateways" located along the perimeter of the region which influence the dominant traffic flows. These gateways are largely the consequence of the institutional organization of the rail industry. The industry is structured so that the nation is composed of several major regions, each of which is served by separate rail carriers. This causes a convergence of interregional traffic flows at rail gateways to interchange freight between the rail carriers serving the separate regions. Like the major traffic generating centers these gateways along the region's perimeter anchor the predominant traffic flows. The major flows between the northeast and midwest region and the region west of the Mississippi go through Chicago and St. Louis. Similarly, the major flows between the northeast and midwest region and the southeast region go through Cincinnati and Washington, D.C. Although there are additional gateways along the region's perimeter, these four dominate the interregional traffic flows.

Geography: The geography of the region has also had a profound influence upon the configuration of the traffic flow pattern. For example, the Allegheny Mountains force the interstate flows along the east-west axis of the region's northern boundary to converge upon the Cleveland area in a narrow belt which extends along the southern shore of Lake Erie. Likewise, Lake Michigan causes flows to and from the northern plains states and the northwest region to converge at Chicago. East-west flows oriented

FIGURE 4

SCHEMATIC OF RAIL SERVICE CATEGORIES

RELATIONSHIP OF TRAFFIC GATHERING AND LINE HAUL FUNCTIONS IN RAIL OPERATION

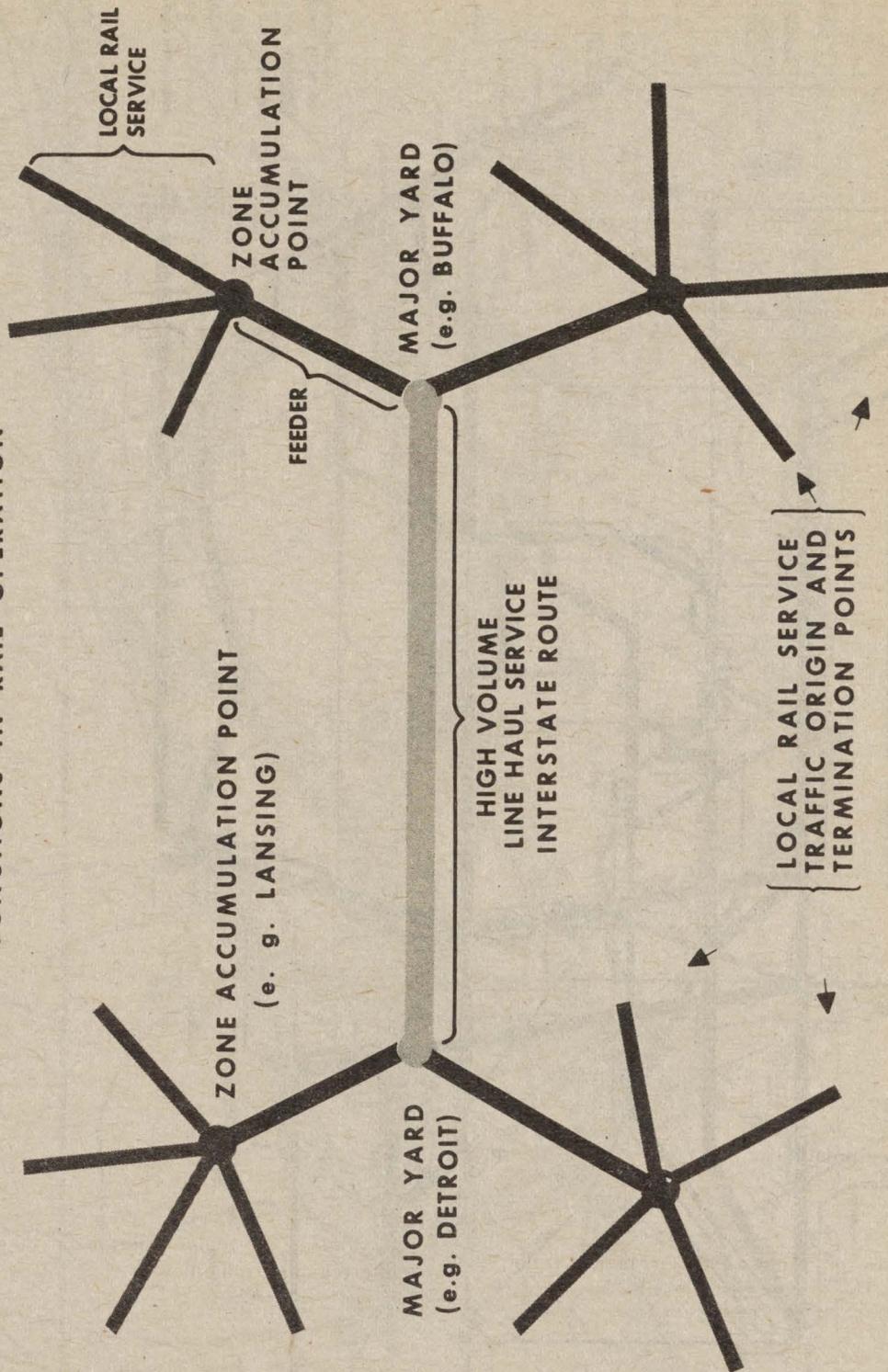
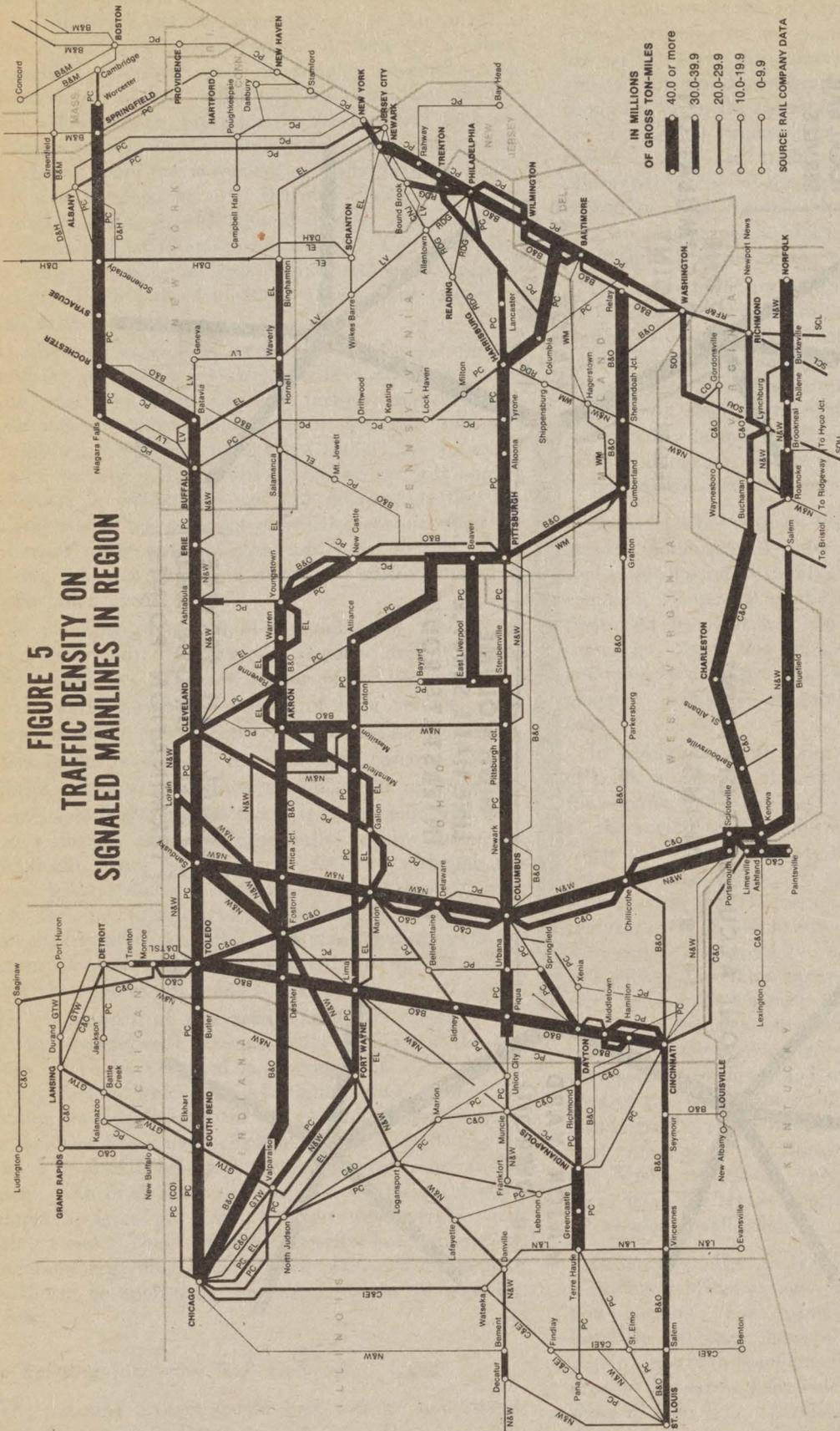


FIGURE 5
TRAFFIC DENSITY ON
SIGNALLED MAINLINES IN REGION



along the southern portion of the region converge upon a natural passage through the Allegheny Mountains via Pittsburgh.

From these factors the following broad patterns have emerged to shape today's physical plant. The northernmost series of concentrated east-west freight movements span the region from Chicago to the East Coast and serve the heavy concentration of industrial activity along the Great Lakes. The other series of major east-west freight movements span the region from St. Louis to the East Coast and serve principal concentrations of economic activity in the southern half of the region. These two heavy traffic flows converge and overlap in the Akron-Cleveland-Youngstown area in the form of an "X". This permits diagonal flows across the region—for example, from St. Louis to Buffalo or Boston, or from Baltimore to Chicago.

Of the two principal freight patterns oriented along a north-south axis, one serves the north-south flows east of the Alleghenies from the Canadian border to Washington, D.C. and the Virginia area. The second is anchored in the north at the western end of Lake Erie and extends south to the Cincinnati area and the West Virginia coal mining region.

When all these factors are considered, what emerges is a series of multiple parallel routes handling major traffic flows which converge at a limited number of points in the region. Between these points the actual rail lines, for various historical and institutional reasons, diverge and serve broader market areas. The existence of major parallel flows through a limited number of points provides a means of breaking the existing, complex regional network into smaller segments which reflect the overall patterns of rail commerce in the region.

The major segments are as follows:

<i>Traffic Flows</i>	<i>Major Interstate Rail Segment</i>
Buffalo area to mid-Atlantic	Buffalo-Albany Albany-New York/Newark Buffalo-New York/Newark (via Waverly, N.Y.)
Buffalo area to New England	Buffalo-Albany (same as above) Albany-Boston
Alleghenies to Eastern Seaboard	Pittsburgh-Harrisburg/ Cumberland Harrisburg/Cumberland- Philadelphia/Newark Harrisburg/Cumberland- Baltimore/Washington
North-South on the Eastern Seaboard	Newark-Washington
Coalfields to the Virginia Tidewater	Beckley/Bristol-Norfolk/ Newport News
East-West flow along the Great Lakes	Buffalo-Detroit (via Canada) Detroit-Chicago Buffalo-Cleveland Cleveland-Chicago
Western Lake Erie area to the South	Detroit-Cincinnati Toledo-Beckley/Bristol
Lake Michigan area to the South	Chicago to Cincinnati
Alleghenies to Lake Erie area	Pittsburgh-Cleveland
Alleghenies to the Southwest	Pittsburgh-St. Louis

These basic flows are shown in Figure 6.

Consolidating and Modernizing the Regional Interstate Network

To determine the mainline route and facilities required for an efficient interstate rail freight system capable of providing high quality service, it will be necessary for the Association to follow a process such as the following:

1. Determine minimum traffic levels on mainline routes necessary to achieve efficient utilization of rail facilities.
2. Compare the present regional system to these minimums.
3. Identify excess capacity so that actions can be taken to increase utilization to levels that will justify major rehabilitation and modernization of these mainlines.

The initial step in determining mainline route and facility requirements is one of estimating the minimum traffic levels required to operate mainline routes. Based on a review of current traffic densities throughout the nation, it is the Department's judgment that an average route density of at least 30 million gross ton-miles per track mile per year (about 18 average size trains per day) is a reasonable goal for efficient utilization of a modern single track mainline equipped with a Centralized Traffic Control (CTC) signal system. We recognize that such key factors as terrain, the traffic mix, and scheduling vary from route-to-route and will affect the traffic levels required for efficient use of facilities on a specific route. However, densities of 30 million gross tons per year on single track routes have been achieved by a number of the nation's rail carriers under a wide variety of operating and geographic conditions. In fact some single track routes achieve density levels substantially in excess of this density.

The 30 million gross ton-mile per track mile goal represents a capacity utilization rate of approximately 30 percent of the design capacity of a single track line equipped with a CTC signal system. (See Table 2 for a listing of rail system capacity by number of tracks and type of signal system.) As traffic volumes increase (as they have in the west and the south) the tonnage capacity of a basic single track CTC line is increased by lengthening existing sidings and adding new sidings. This process may ultimately result in certain segments of a single track railroad becoming double track. The capacity of a single track line need not remain fixed. There is considerable latitude in adjusting capacity to traffic levels in excess of the 30 million gross tons goal. At some point, however, efficiency is increased by going to a double track operation because the additional capital and maintenance costs are offset by improved train operating efficiency.

A modern double track route with traffic control has an estimated design capacity of 250 million gross ton-miles per route mile per year (about three times that of a single track CTC line). At a 30 percent utilization rate, through-puts of 80 million gross ton-miles per route miles are achievable. Currently, except for very short links, such traffic levels are not achieved on the highest density double track routes in the country. However, the restructuring process could produce densities of this magnitude.

TABLE 13.—TRAFFIC FLOWS ON MAJOR SEGMENTS

Route Segment	Railroad	No. of Tracks	Annual Traffic Ton-Miles ¹ (Millions)	Route Segment	Railroad	No. of Tracks	Annual Traffic Ton-Miles ¹ (Millions)
Buffalo-Albany	D&H	1	23	Buffalo-Cleveland	PC	2	63
	PC	2	63		N&W	1	17
	Total	3	86		EL	1-2	28
Albany-New York/Newark	PC	2	13	Total	4+	108	
	(Hudson Div.)			Cleveland-Chicago	PC	2	51
	PC	1	26		B&O	1-2	45
(West Shore)			N&W		1	23	
Total	3	39	EL	1-2	24		
Buffalo-New York/Newark (via Waverly, N. Y.)	EL	2	37	PC	2	31	
	LV	1	12	Total	7+	174	
	Total	3	49	Detroit-Cincinnati	B&O	1-2	56
Albany-Boston	PC	2	43		PC	1-2	18
	B&M	1	20		Total	2+	74
	Total	3	63	Toledo-Beckley/Bristol	N&W	1-2	52
Pittsburgh-Harrisburg/ Cumberland	PC	3	120		C&O	2	37
	B&O	2	28		Total	3+	89
	WM	1	10	Chicago-Cincinnati	PC	1	13
Total	6	158	C&O		1	13	
Harrisburg/Cumberland- Philadelphia/Newark	PC	2 ²	67		Total	2	26
	RDG	2	20	Pittsburgh-Cleveland/ Akron-Canton	N&W	1	21
	Total	4	87		PC	2	51
Harrisburg/Cumberland- Baltimore/Washington	PC	1	41		B&O	2	52
	B&O	2	63	P&LE (PC)	2	25	
	WM	1	10	Total	7	149	
Total	4	114	Pittsburgh-St. Louis	PC	1-2	42	
Newark-Washington	PC	1-2 ²		50	N&W	1	28
	B&O	1-2		31	B&O	1	30
	Total	2+	81	Total	3+	100	
Beckley/Bristol- Norfolk/Newport News	C&O	1-2	36	Buffalo-Detroit (via Canada)	PC	2	8
	N&W	1-2	58		N&W	— ³	2
	Total	2+	94		C&O	— ⁴	10
Detroit-Chicago	N&W	1	11	Total	2+	20	
	PC	1-2	12	Detroit-Chicago	N&W	1	11
	C&O	1	20		PC	1-2	12
GTW	2	21	C&O		1	20	
Total	5+	64	GTW	2	21		

NOTE: 1-2 indicates that a significant part of the route has double track.

¹ Annual traffic measured in millions of gross ton-miles per route mile.

² Shared track with major passenger operation; number shown is estimate of track used for freight service.

³ Trackage rights.

⁴ Carrier has facilities for half of the route distance and trackage rights for the remainder.

Data Source: Railroad company traffic data, 1972.

Compared to the utilization goal of 30 million gross tons, the present 36,000-mile mainline trackage in the region is very poorly utilized. Approximately 90 percent of the region's mainline trackage experienced a density level of less than 30 million gross tons in 1972; and 27 percent had a density of less than 10 million gross tons.

Actually, such gross regional totals can be misleading. Table 13 lists each of the major interstate segments and shows their respective annual traffic flows by individual interstate mainline in each segment. It can be seen that only some segments of the interstate network can economically support multiple mainline routes, based on the 30 million gross tons goal. For any network segment where the traffic volume of individual routes is less than 30 million gross tons, the consolidation of parallel routes should be considered. For example, the Chicago-Cincinnati segment has a total annual traffic flow of 26 million gross tons divided between a Penn Central line and a Chessie System line. The analysis of this segment would indicate that these two lines should be consolidated into a single track high volume interstate route, shared by the two competitors.

One of the first tasks for the Association is the determination through engineering studies of the practical capacity for each of the major segments in the interstate network. The Association must next measure the use of these facilities against this capacity. This comparison should indicate the amount of consolidation which should occur in each of these segments of the interstate mainline network to assure efficient utilization. At this stage of the planning process efficient handling of the region's interstate traffic flows should be determined without regard to corporate ownership of the facilities if the efficiency goal is to be attained.

The decision to consolidate routes must be based on such factors as the commodity composition of the traffic and the current physical status of the routes. In addition, the Association should consider—to the extent that such service is consistent with operating efficiency—the objectives of serving the maximum number of local traffic generating points with high quality mainline service.

The consolidation process will require downgrading of some existing mainlines, elimination of duplicate mainline or excess double track, and implementing joint operating agreements. It may also provide for the electrification of some of the high volume interstate lines where economically feasible. The precise actions taken will vary widely among different lines depending on the operational and institutional constraints in each case.

The concentration of traffic over a more limited route structure should not undermine the capabilities of the rail system to absorb heavier traffic volumes in the future. Present single track lines, or lines reduced to single track, can be expanded in capacity as volumes grow through the process already described. Similarly, double track lines can be expanded. The Association's planning process must, however, assure that necessary expansion capability exists on the routes selected.

Connections to the Interstate Network

All traffic points which originate or terminate sufficient traffic to justify local rail service (as discussed in the Local Rail Service section) must be connected into the interstate network. For those traffic points in zones which are not located on a major interstate route this will require providing feeder service from the zone to a junction with the interstate network. The Association will need to examine each of these connecting routes with the objectives of reducing duplicative rail services and facilities and better matching their capacity to the available traffic. This may require that certain mainline routes be eliminated or downgraded to secondary status and that service be concentrated on the remaining routes. Only after the interstate routes have been selected can the Association determine the best means of connecting all zones to the regional network.

The creation of a high volume interstate network with connecting service to all zones is a key element in improving the efficiency of the region's rail system and justifying major modernization and improvement. In short, the desired result is high quality rail service over a much improved yard and track system, rather than the present multiplicity of services offered over a generally obsolete and rundown rail plant.

Identifying the Zones Which Should Receive Competitive Service

Once the mainline routes have been designated, it is necessary to determine the configuration and level of railroad competition which would best serve the region. Therefore, the focal point of this section is on operations rather than plant efficiency. Railroads perform best operationally when large volumes can be aggregated at one point and moved directly to another point. Splitting available traffic flows between several carriers reduces operating efficiency. Based on this fact, the Department recommends that the Association provide direct competitive rail services only to those zones having the traffic volumes and flow patterns necessary to permit two or more carriers to provide services and maintain acceptable operating efficiencies. Therefore, the objective in this section is to identify those markets where traffic volumes are such that competitive operations can be continued without so fragmenting traffic that basic efficiency and service quality is impaired.

In some cases where competition can be economically warranted, the total traffic flow does not justify separate high quality routes. In this case the carriers can share a single route to provide efficient and quality service. In other cases, competitive carriers might efficiently sustain separate high quality routes. In some areas of the region (such as New England and New York) the continuation of rail competition is threatened by the bankruptcy of all the major carriers serving the areas, and yet competition is warranted by the traffic. In these cases one objective of the planning process should be to preserve rail competition to the major traffic generating zones.

In our judgment, the requisite traffic characteristics in a zone which will permit two or more carriers to compete are:

1. *The traffic must move relatively long distances.* Intermodal competition for short haul traffic generally undermines a railroad's potential for maintaining effective intermodal competition. As shown in Part I, trucks enjoy the dominant market share for shipments under 200 miles. Effective competition in this market is thereby maintained through existing intermodal competition. Intra-modal rail competition forces the railroads to provide costly duplicate facilities and services for a market which from an economic standpoint they are poorly suited to serve.¹ Therefore, as a general rule, direct competition between railroads for traffic having a length of haul less than 200 miles should not be required.

2. *There must be sufficient traffic to operate efficient sized trains.* Efficient production of rail service requires movement of full train lots. The size of an "efficient" train under existing railroad practice depends on the composition of the traffic being moved. Data available to the Department on current industry practice indicate that an average train has approximately 40 loaded cars and 30 empty cars. This composite figure includes two types of train movements—those for manufactured and processed commodities and those for bulk goods. While precise data is not available, industry practice indicates that for manufactured and processed commodities, trains typically consist of 30–35 loaded cars, while a unit train of bulk unprocessed commodities (such as coal) often has as many as 100 or more carloads. For the purposes of this report we have defined an efficient sized train to include fewer carloads than is the case under general industry practice. The minimum thresholds selected are 30 loaded cars for trains carrying manufactured and processed commodities and 75 loaded cars for trains carrying bulk commodities.

3. *The directional flow of the traffic must permit efficient operation.* Not only should efficient sized trains be operated, but the train make-up should be such that out-of-route movement, both of the train and of the individual carloads in the train, is minimized. Further, intermediate switching of the train should be minimized. Therefore, all cars in the trains operated should be moving in the same general direction (north, south, east, or west). The ideal situation would be efficient sized trainloads moving directly between zones. Rarely, however, does any pair of zones generate sufficient traffic for more than one train per day each way moving between them. (This can be seen in Table 14, which shows that traffic originating or terminating in Chicago to and from other major centers—but not traffic passing through Chicago—is usually less than two trainloads each way per day.)

4. *Traffic volume and directional flow must be sufficient to support frequent trainload service.* Twice daily outbound service is an acceptable frequency level to minimize the time cars must spend waiting for a departing train. Similarly, twice daily inbound service by a railroad would enable the morning delivery of loaded and

TABLE 14.—SELECTED ORIGIN-DESTINATION RAIL TRAFFIC FLOWS BETWEEN CHICAGO AND MAJOR SMSA'S

(1969)

City Pairs (From-to)	Cars Per Day	Number of Average-sized ¹ Trains Per Day
Chicago—New York.....	28	0.9
New York—Chicago.....	36	1.2
Chicago—Newark.....	150	5.0
Newark—Chicago.....	59	2.0
Chicago—Philadelphia...	61	2.0
Philadelphia—Chicago...	56	1.9
Chicago—Pittsburgh.....	21	0.7
Pittsburgh—Chicago.....	47	1.6
Chicago—Boston.....	37	1.2
Boston—Chicago.....	23	0.8
Chicago—Washington...	14	0.5
Washington—Chicago...	4	0.1

¹ 30 Carloads Per Train

Source: Federal Railroad Administration, Office of Economics; compiled from 1969 traffic data of Class 1 railroads.

empty cars received the preceding afternoon and evening, and the afternoon delivery of cars received the preceding evening and morning. Therefore, service by more than one carrier should not be required until a zone generates at least eight trainloads moving (inbound or outbound) in the same general direction.

Based on these characteristics it is our judgment that a zone warrants competitive service where the two following threshold levels of traffic volume and flow can be reasonably maintained:

1. Sufficient traffic moving more than 200 miles is generated to operate minimum sized, efficient trains (75 carloads for bulk commodities and 30 carloads for manufactured and processed goods); and

2. The traffic is sufficiently concentrated to result in a minimum of eight trainloads per day where each car in the train is moving in the same general direction (north, south, east, west) so as to minimize back hauling, circuitry, and intermediate switching.

Matching the application of the above thresholds with present traffic flows will identify zones which should be served by more than one railroad. The threshold levels are based on our judgment of the prerequisite traffic volume and flow required to warrant competitive service to a zone. However, we recognize that the threshold levels are based on a substantial degree of judgment. For example, with a different axis for directional flow (e.g., southeast, southwest, etc.) or a change in the geographic boundaries of zones (for determining the amount of traffic generated) or a different requirement for the number of daily trains (six or ten instead of eight), additional zones

¹ The analysis to support this contention is contained in the *National Transportation Report*, published by the Department of Transportation, July 1972, p. 265.

for competitive service might be included or excluded. The validity of the threshold levels ultimately must rest on a judgment of whether their application to the region strikes a fair balance between the long term efficiencies associated with rail competition and the improvements in operating efficiency which could be achieved by permitting railroads to realize their inherent economies of high volume operation. We believe that the threshold levels developed in this section have struck that balance.

Application of the Thresholds

The threshold levels were applied to the 184 zones in the region. Each zone's traffic was considered individually. Contiguous zones (e.g. Norfolk and Newport News) which generate a common flow of traffic were not aggregated. The Association will need to consider these common flows of traffic as it actually structures a final competitive system.

Table 15 shows the application of these thresholds to the 40 zones which account for most of the region's originations and terminations. Of the 184 zones only 17 meet the two thresholds and are therefore recommended for competitive service in the directions shown. The 17 zones are (in east to west order):

1. Boston
2. New York
3. Newark
4. New Brunswick, N.J.
5. Philadelphia
6. Baltimore
7. Norfolk
8. Beckley, W. Va. (coal)
9. Pittsburgh
10. Buffalo
11. Cleveland
12. Bristol, Va. (coal)
13. Detroit
14. Toledo
15. Gary
16. Chicago
17. St. Louis

It must be recognized that Table 15 is based on the 1969 one percent waybill sample collected from the Class I railroads. This is the most recent year for which commodity flow and origin-destination information is available and reflects the most recent period prior to the bankruptcy of several of the region's carriers. Therefore, the data should not be affected by the service deterioration that followed bankruptcy. The 1972 data available on total traffic originated or terminated by zone does not include traffic flow information. Comparing 1969 originations and terminations with 1972 revealed substantial changes in traffic volume in many of the zones, but with the absence of 1972 traffic flow information it was impossible to recompute Table 15 for 1972. However, by applying the percentage of change in traffic volume between 1969 and 1972 to each of the directional com-

ponents it appears that a few zones may move below the eight train per day threshold. Final determinations by the Association should be based on the most current data available.

As mentioned previously, certain zones should receive special consideration because they are the "major gateways" for interregional rail movements. The gateways are:

Northeast/Southeast

Washington, D.C.
Hagerstown, Md.
Virginia Cities (Bristol/Elkton City, Va.)
Cincinnati, O.
Louisville, Ky.
Evansville, Ind.

Northeast/West

St. Louis, Mo.
Peoria, Ill.
Streator, Ill.
Chicago, Ill.
Ludington, Mich. (Car Ferry)
Frankfort, Mich. (Car Ferry)

While there are many gateways, the major interregional traffic, as mentioned previously, is handled through Chicago, St. Louis, Cincinnati and Washington, D.C. Of these four zones, two—Chicago and St. Louis—warrant competitive service based on the two thresholds mentioned above. The other two—Cincinnati and Washington, D.C.—are recommended for competitive service to assure that the major traffic flow in and out of the region is not monopolized by a single railroad.

These 19 competitive service zones account for about 48 percent of the region's originations and terminations. Also, the four gateways account for a majority of interregional flows. As indicated by Figure 7, the location of these points will provide competition throughout the region. Since the high volume interstate network which will interconnect the zones designated for competitive service will also interlace many other zones, no zone will be far from this network.

An essential prerequisite underlying the foregoing recommendations is that each of the carriers serving a competitive zone should be a strong regional carrier providing competitive interstate service. If interrailroad competition is to be preserved in New York, Newark, and Boston—areas which are now served only by bankrupt carriers—it will be necessary for one or more of the major solvent railroads in the region to begin serving these markets (assuming all the bankrupt railroads serving these points decide to reorganize under the Act). The extension of service by one of the solvent railroads could be accomplished either through purchase of the necessary plant of a bankrupt railroad or by operation over tracks owned by the Corporation through lease or trackage rights agreements. If these solvent railroads cannot or do not assume such service, then the alternatives would be either for one or more railroads from outside the region to serve these

TABLE 15.—COMPETITIVE SERVICE RECOMMENDATIONS

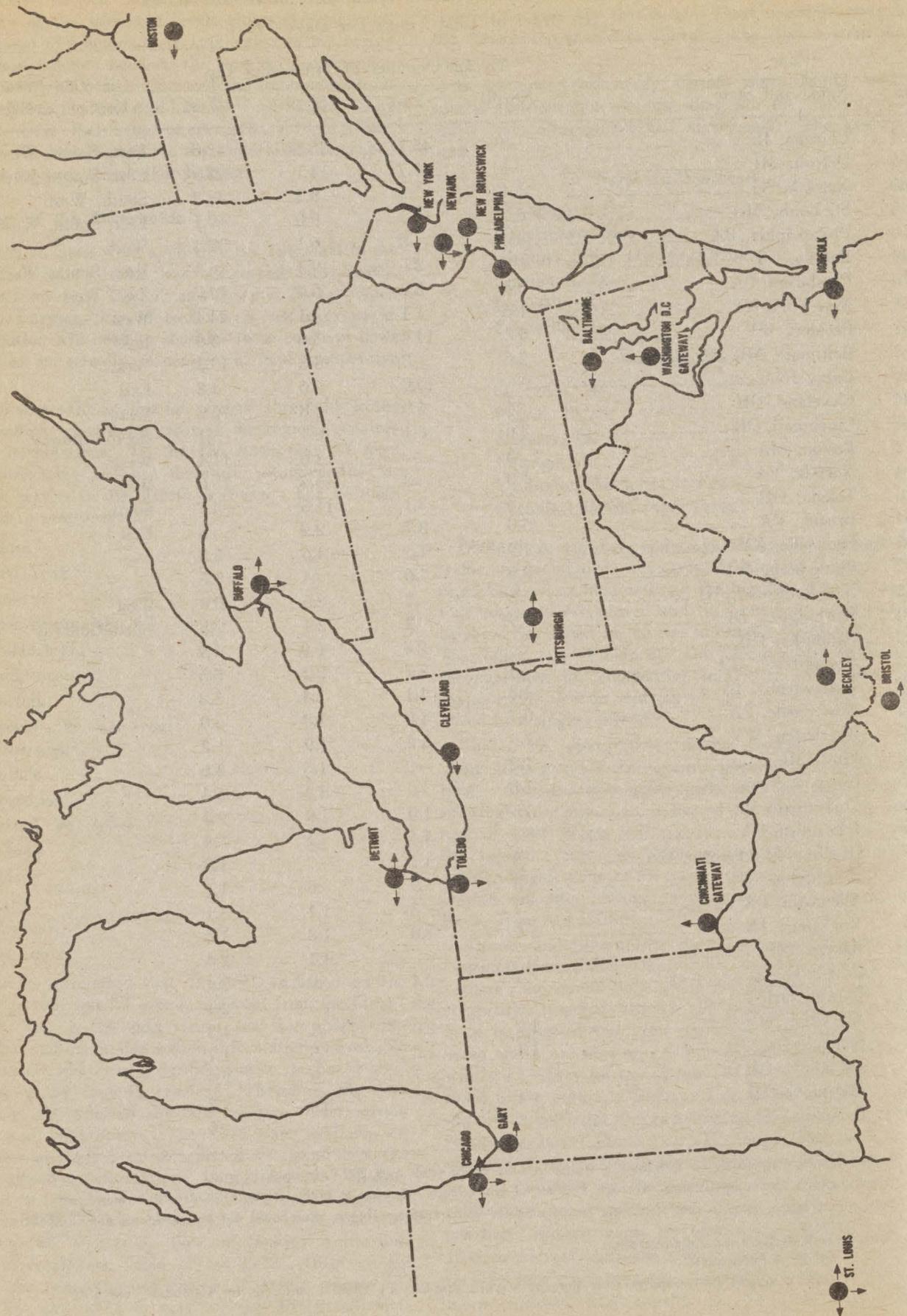
(In Order of Total Trains Per Day—1969)

No.	Zone Name and State	Average Number of Trains Per Day ¹				Direction Recommended for Competitive Service ²
		North	East	South	West	
131	Chicago, IL -----	.2	45.7	26.6	49.6	East, South, West
155	Detroit, MI -----	.1	17.7	14.1	24.5	East, South, West
060	Newark, NJ -----	1.4	.4	8.1	43.8	South, West
323	St. Louis, MO -----	6.7	19.1	8.0	19.1	East, South, West
066	Philadelphia, PA -----	3.0	.8	6.1	32.4	West
049	Buffalo, NY -----	—	8.6	9.4	16.4	East, South, West
076	Pittsburgh, PA -----	3.3	8.2	6.0	14.7	East, West
058	New York, NY -----	1.6	1.1	3.1	24.1	West
191	Beckley, WV -----	5.8	14.4	3.6	3.9	East
087	Baltimore, MD -----	2.6	.8	3.3	19.3	West
130	Gary, IN -----	—	10.9	6.6	4.8	East
094	Cleveland, OH -----	.4	6.9	3.8	10.2	West
106	Cincinnati, OH -----	3.6	6.1	6.5	5.1	North-Gateway
014	Boston, MA -----	.5	—	2.0	17.4	West
184	Norfolk, VA -----	1.0	.0	3.4	15.0	West
113	Toledo, OH -----	.3	3.1	11.5	3.7	South
194	Bristol, VA -----	5.9	8.7	2.2	.8	East
205	Louisville, KY -----	1.9	4.3	4.6	5.3	
197	Clarksburg, WV -----	2.9	7.6	.4	1.5	
062	New Brunswick, NJ -----	.5	.2	2.5	8.3	West
090	Washington, DC -----	.9	.2	2.4	7.5	North-Gateway
100	Sandusky, OH -----	—	2.8	6.0	1.9	
093	Youngstown, OH -----	.1	2.7	2.3	5.5	
122	Indianapolis, IN -----	1.3	4.1	1.4	3.8	
075	New Castle, PA -----	0.7	4.5	1.8	3.0	
199	Charleston, WV -----	2.9	3.2	1.9	1.2	
156	Flint, MI -----	1.2	—	1.5	4.6	
185	Newport News, VA -----	1.0	—	3.4	6.4	
146	Carbondale, IL -----	3.5	1.0	1.9	2.3	
078	Johnstown, PA -----	1.7	4.4	.4	.9	
107	Hamilton-Middletown, OH -----	.8	4.1	.7	1.8	
200	Huntington, WV -----	4.5	.9	.6	1.1	
069	Allentown, PA -----	.2	.5	1.1	5.1	
123	Vincennes, IN -----	2.6	1.0	1.8	1.4	
001	Bangor, ME -----	—	—	4.4	2.4	
137	Peoria, IL -----	.1	2.4	.9	2.4	
091	Lorain, OH -----	—	2.0	1.3	2.1	
099	Wheeling, WV -----	1.2	2.0	.1	1.3	
098	Steubenville, OH -----	1.1	1.2	.5	1.7	
092	Ashtabula, OH -----	—	.7	.9	2.5	
167	Marquette, MI -----	—	—	—	1.2	
166 ³	Escanaba, MI -----	—	—	—	.6	

¹ Includes both originating or terminating trains in zone noted with over 200 mile haul.² Recommended for competition if average number of train loads per day is eight or more in direction noted.³ Subsequent zones have further declining levels of total train traffic. Hence, they could not be considered for competitive service as noted in (²) above.Data Source: Federal Railroad Administration
Office of Economics

Data compiled from reports (one percent waybill sample) by Class I railroads for Calendar Year 1969

**FIGURE 7
RECOMMENDED ZONES FOR COMPETITIVE RAIL SERVICE**



points (with ICC approval), or for two new corporations to be established.

Determining the Connections Between Competitive Zones

A comparison between Figure 7 and Figure 5 (Traffic Density Map) indicates that the 19 competitive zones are clearly the major traffic generators in the region and are the points which anchor the existing interstate network in the region. However, as shown in Table 15, most of the zones have traffic flows that predominate in only one or two directions. For example, Pittsburgh has a heavy flow to the west, a substantially smaller flow to the east, and a modest one to the south and north. On the other hand, Detroit has a sufficient traffic volume and directional flow to justify competitive service in all directions except the north.

The Association in its Final System Plan will have to consider how the 19 zones recommended for competitive service are to be connected into a high volume interstate network. This will be dependent on many specific operational trade-offs and, of course, the willingness of the various railroads in the region to participate in the restructuring process. As a guide to the Association's planning of the interconnections of competitive zones, we believe these two prerequisites are necessary:

1. The two zones must be separated by a distance of more than 200 miles, and
2. The directional flow of traffic of the two zones can be matched (i.e., the daily traffic volume for each carrier moving in a general direction—west—which can be matched with a similar flow of traffic from another zone moving in the opposite general direction—east).

These two prerequisites recognize that it is neither feasible nor desirable to connect each of the 19 zones designated to receive competitive service *directly* with all others. Rather, it is important to structure competitive service along the major traffic flow patterns that now exist. For example, there is a substantial amount of traffic from Chicago east and from Detroit west. This traffic flow can be matched and the zones are more than 200 miles apart. Therefore, serious consideration should be given to providing competitive service between these two zones. On the other hand, there is a substantial amount of traffic from Chicago east, but it is not matched by a flow of traffic from Toledo west. Therefore, in this case only one of the two prerequisites is present, and we would question the need for competitive service.

Table 16 has been derived from the application of the 200 mile and matched-flow prerequisites. We believe that this application defines the maximum number of zones between which competitive service should be considered. However, the strict application of these two prerequisites results in the inclusion of some instances where direct competitive service is not warranted. The Association will have to carefully examine each of these 61 zone pairs to determine whether the traffic volume and flow patterns are such that direct competitive service between the pairs is warranted.

The establishment of competition between two zones on the basis of matched directional traffic flows does not require that the same competitive carriers provide the service to the zones over the entire route. For example, it is possible that the service linkage between St. Louis and Boston might be provided by carriers "A" and "B" in St. Louis and carriers "A" and "C" in Boston. In this case, direct continuity in carrier service would be provided by carrier "A", while an intermediate interchange would be required between carriers "B" and "C" in order to serve competitively the complete St. Louis-Boston linkage.

Summary Recommendations on the Level of Competitive Service

Our process for the selection of the zones to receive competitive service and the selection of zones between which competitive service should be considered was based on a set of considerations designed to improve substantially the operational efficiency of the rail system within the region. We recognize, however, that the method of restructuring services within the region to reduce service and operational duplication resulting from competition must proceed on a basis which considers existing traffic flows, the present pattern of rail services, maintaining corporate system connectivity, geography, and numerous other factors. All these factors must be weighed by the Association in finally developing the specific level of competition which should occur in the region. However, the overwhelming pressures will be to maintain much of the existing competitive structure. Therefore, we have established as a base line the amount of competition which is warranted on a strict operating efficiency basis.

We recommend several key principles which should be followed by the Association throughout the process of establishing a level of competition in the region. They are:

1. For zones recommended for competition:

(a) Whenever significant economies can be achieved, the Association should encourage the utilization of joint facilities, both within the zone (terminals) and between zones (roadway and track).

(b) Whenever more than two carriers are in a market in which traffic volumes between competitive zone pairs cannot support more than two carriers efficiently, the Association should encourage the provision of coordinated rail operations between carriers so that balanced but efficient competition results.

2. For zones not recommended for competition:

(a) Whenever two or more carriers continue to serve an area not recommended for competition, the Association should ensure that, to the maximum extent possible, the firms utilize joint facilities (both terminals and track).

(b) Similarly, whenever two or more carriers serve an area not recommended for competition, the Association should encourage the firms to enter into cooperative service agreements designed to reduce their overall operating costs.

Table 16.—ZONES BETWEEN WHICH COMPETITIVE RAIL SERVICE SHOULD BE CONSIDERED

From Baltimore to:	From Cincinnati to:	From New Brunswick to:	From St. Louis to:
Chicago	Buffalo	Buffalo	Baltimore
Detroit	Detroit	Chicago	Boston
Gary	Toledo	Detroit	Buffalo
Pittsburgh		Gary	Cleveland
St. Louis	From Cleveland to:	Pittsburgh	Detroit
	Chicago	St. Louis	Newark
From Beckley to:	Gary		New Brunswick
Norfolk	St. Louis	From New York to:	New York
		Buffalo	Norfolk
From Boston to:	From Detroit to:	Chicago	Philadelphia
Buffalo	Baltimore	Detroit	Pittsburgh
Chicago	Boston	Gary	
Detroit	Buffalo	Pittsburgh	From Toledo to:
Gary	Chicago	St. Louis	Cincinnati
Pittsburgh	Cincinnati		
St. Louis	Gary	From Norfolk to:	From Washington to:
	Newark	Beckley	Buffalo
From Bristol to:	New Brunswick	Bristol	Newark
Norfolk	New York	Chicago	
	Norfolk	Detroit	
From Buffalo to:	Philadelphia	Gary	
Boston	Pittsburgh	Pittsburgh	
Chicago	St. Louis	St. Louis	
Cincinnati		From Philadelphia to:	
Detroit	From Gary to:	Buffalo	
Gary	Baltimore	Chicago	
Newark	Boston	Detroit	
New Brunswick	Buffalo	Gary	
New York	Cleveland	Pittsburgh	
Philadelphia	Detroit	St. Louis	
St. Louis	Newark		
Washington	New Brunswick	From Pittsburgh to:	
	New York	Baltimore	
From Chicago to:	Norfolk	Boston	
Baltimore	Philadelphia	Chicago	
Boston	Pittsburgh	Detroit	
Buffalo		Gary	
Cleveland	From Newark to:	Newark	
Detroit	Buffalo	New Brunswick	
Newark	Chicago	New York	
New Brunswick	Detroit	Norfolk	
New York	Gary	Philadelphia	
Norfolk	Pittsburgh	St. Louis	
Philadelphia	St. Louis		
Pittsburgh	Washington		

In summary, while the result of the planning process must meet the test of practicality, it should be recognized that large scale deviations from the competitive service goals outlined in this report will reduce the economic efficiency of rail service in the region.

Planning the High Volume Interstate Rail Network

Discussions in this section have focused on the objective of eliminating duplicative service and facilities at the interstate service level. Restructuring the high volume interstate network is especially critical inasmuch as the cost of rehabilitating and modernizing even the consolidated lines and facilities will be substantial. The cost of upgrading the complete existing network would be prohibitive.

One of the principal tasks of the Association is the reconciliation of (1) the requirements for competitive services with (2) the requirements of reducing duplicate facilities to ensure efficient interstate rail operations. To assist the Association we have prepared a series of eight route analyses to demonstrate the evaluation and planning processes that can be followed in the restructuring of the interstate mainline facilities. The eight routes were selected to serve as examples. They portray the variety of problems the Association will encounter and the impact of the restructuring process throughout the entire region.

The eight route analyses are:

1. Boston-Buffalo
2. New York/Newark-Buffalo
3. New York/Newark-Pittsburgh
4. Washington Gateway-Newark
5. Buffalo/Cleveland-Chicago

6. Detroit-Chicago
7. Pittsburgh-Chicago
8. Cincinnati Gateway-Chicago

Each of these route analyses contain three parts: (1) a map of the present high volume lines (10 million or more gross tons per route mile per year) connecting the zones; (2) a discussion of the service, facilities and basic problems which exist today, planning objectives which, in the Department's judgment, apply to each case, and an identification of the alternatives to be considered; and (3) a map depicting the primary and other route alternatives.

Our proposed alternatives were selected primarily on the basis of present traffic densities, number of tracks and signal system (which provides an index of capacity), and mileage for each route. We were not able to consider other factors of equal importance in developing the Final System Plan. Among these are condition of the lines, location of existing and proposed major yards, deployment of the work force, engineering information on gradient and curvature, and the exact mix of traffic over the lines (piggyback, general merchandise and bulk commodities). The willingness of the various bankrupt and solvent railroads in the region to participate in the restructuring is also a necessary part of the process. Thus, the Association's work in analyzing all alternatives will involve more detailed data and consideration of all factors before the Final System Plan is complete.

We believe that the eight examples which follow will be useful in assisting the Association, States, carriers, shippers, and other interested parties to begin to consider the options available for implementing the restructuring and consolidation process in specific segments of the interstate system.

BOSTON-BUFFALO**(Buffalo-New England Traffic Flow)****PRESENT SERVICE**

<i>Carrier(s)</i>	<i>Route Identification</i>
Penn Central (PC)	Springfield, Albany, Syracuse
Boston and Maine (B&M), Delaware and Hudson (D&H), Erie Lackawanna (EL)	Greenfield, Mechanicville, Binghamton, Hornell

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Excess interstate capacity exists on the route, particularly east of the Albany area where each of the two bankrupt carriers have separate mainline routes. Route utilization can be improved by concentrating traffic on one route and this will also provide the economic basis for improving and modernizing the remaining interstate route where required.

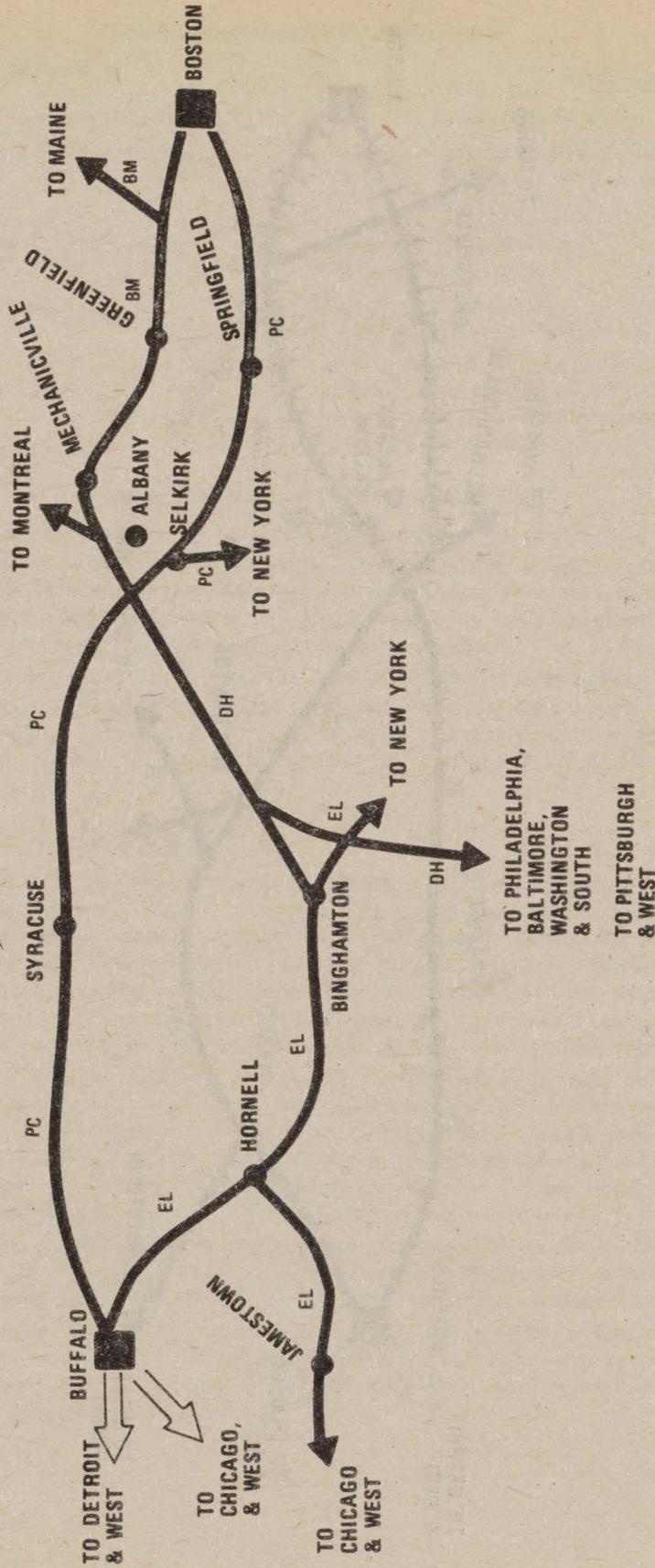
Maintaining competition between Boston and Buffalo must be given major attention in the planning process, since only bankrupt carriers serve Boston. If all the bankrupt carriers decide to reorganize under the Act, the Association plan will have to provide for effective competition with particular consideration given to the D&H, which is the only solvent carrier in the present joint route of the B&M-D&H-EL.

ANALYSIS OF ALTERNATIVE ROUTES

The requirement to maintain competition between these points is the principal consideration in recommending that both routes between Buffalo and Albany be considered primary routes. Traffic density is at an acceptable level on both routes. East of Albany, the PC's line is recommended as the primary route. It has the higher density and greater capacity of the two routes. The B&M route from Mechanicville could be reduced to feeder status. An alternative to be considered is the operation of the B&M and PC mainlines under a paired track arrangement (east on one line, west on the other).

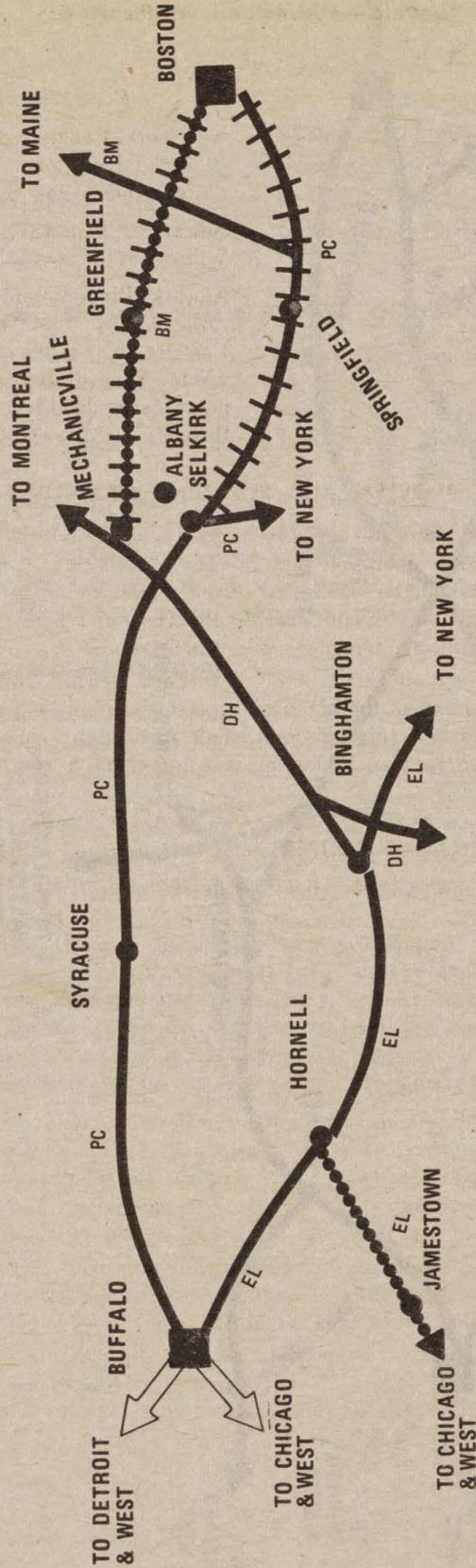
Maintaining competition to the Boston zone will require a solvent carrier such as the D&H, to begin serving this market, preferably under a coordinated service arrangement with the Corporation. The same situation prevails in providing competitive service to Buffalo if the EL elects to reorganize under the Act. A solvent railroad such as the N&W, utilizing either trackage rights or purchase or lease of the line, could expand its service to connect to the D&H at Binghamton.

PRESENT INTERSTATE RAIL ROUTES BOSTON — BUFFALO



 RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
 MAINLINE ROUTE

ANALYSIS OF ALTERNATIVE ROUTES BOSTON — BUFFALO



- 
 RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
- 
 PRIMARY ROUTES TO BE CONSIDERED
 OTHER ROUTES TO BE CONSIDERED
 CROSS HATCHING:
- 
 (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)

NEW YORK/NEWARK-BUFFALO

(Buffalo—Mid-Atlantic Traffic Flow)

PRESENT SERVICE

<i>Carrier(s)</i>	<i>Route Identification</i>
Penn Central (PC)	New York, Poughkeepsie, Albany, and Newark, Kingston, Albany (two routes) thence via Syracuse
Lehigh Valley (LV)	Newark, Allentown, Wilkes-Barre, Sayre
Erie-Lackawanna (EL)	Newark, Binghamton, (Alternate route to Newark via Port Jervis or via Scranton). (Note: West of Hornell, main EL traffic flow moves to Cleveland and Chicago through Jamestown.)

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Substantial excess interstate capacity exists because each of the three bankrupt carriers maintain separate mainline routes. The elimination of one or more routes will permit the more productive utilization of the remaining interstate facilities. This consolidation of traffic flows should provide the economic basis for improving and modernizing, the remaining interstate routes where required.

Maintaining competition between the New York/Newark and Buffalo areas has to be given major attention in the planning process since only bankrupt carriers serve the market. If all the bankrupt carriers decide to participate in the reorganization process under the Act, the plan should provide for effective competition by a major solvent carrier.

ANALYSIS OF ALTERNATIVE ROUTES

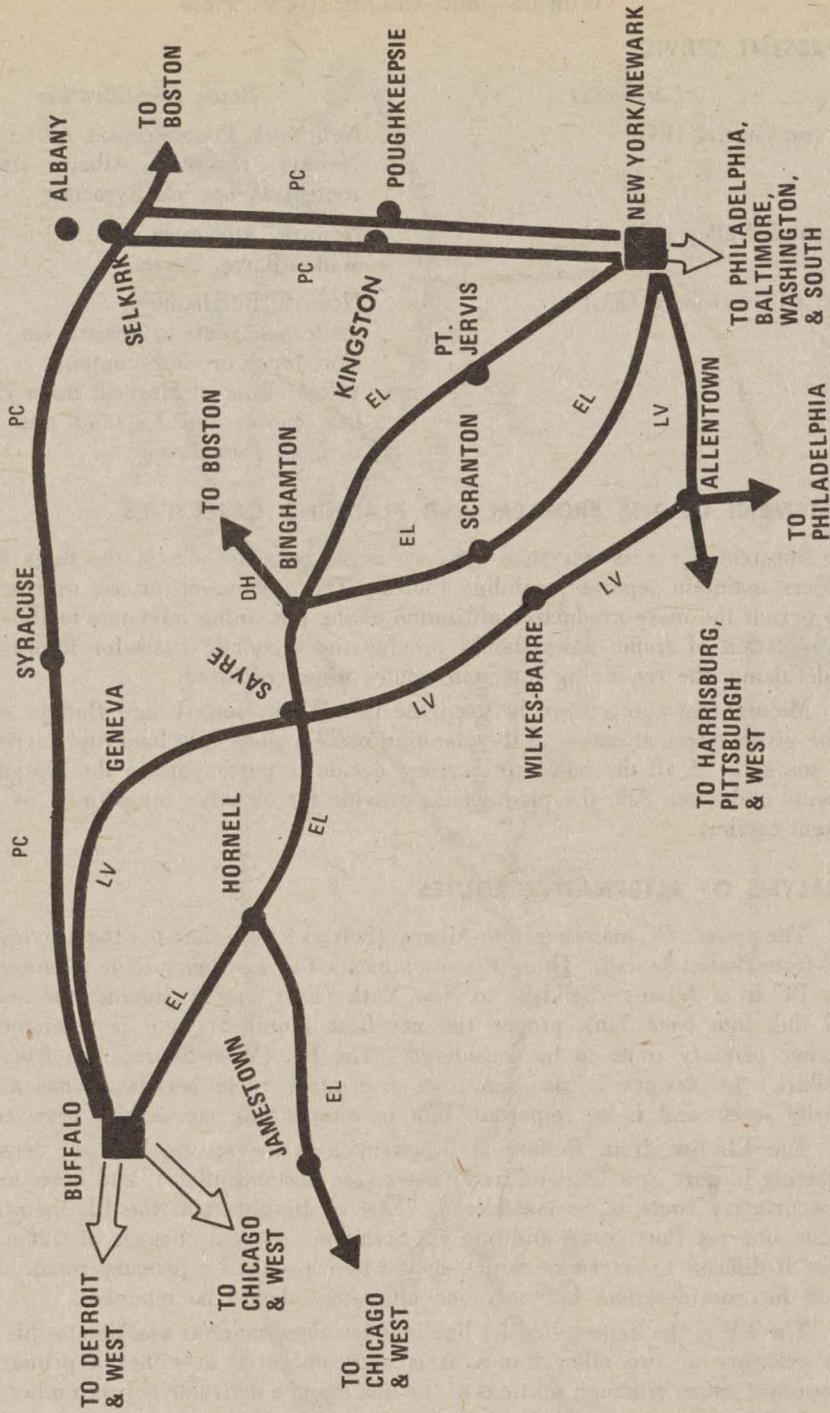
The present PC mainline from Albany (Selkirk) to Buffalo has the heaviest density and from Boston as well. Thus, it is recommended as a primary route to be considered. The PC from Albany (Selkirk) to New York (East Shore) provides the only direct rail link into New York proper (no car float required), and is recommended as another primary route to be considered. The PC (West Shore) line from Albany (Selkirk) to Newark is also shown as a primary route because it has acceptable density levels and is an important link in maintaining competitive services.

The EL line from Buffalo to Binghamton is the second heaviest density line, reflecting in part New England traffic flows (see Boston-Buffalo), and is recommended as a primary route to be considered. East of Binghamton, the EL maintains two routes, one via Port Jervis and one via Scranton. Recent changes in traffic patterns make it difficult to determine which should be considered a primary route. Both are listed for consideration, but only one ultimately should be retained.

The LV is the lightest density line between these markets and due to this fact and the existence of two other routes, it is not considered as either a primary or an alternative route, although portions of the line may be desirable between other markets.

Continuation of effective competition requires that a major solvent carrier be provided access to the New York/Newark area. As two routes can be maintained and still achieve the capacity improvement objective, this goal can be achieved through either sale or lease of the present EL route.

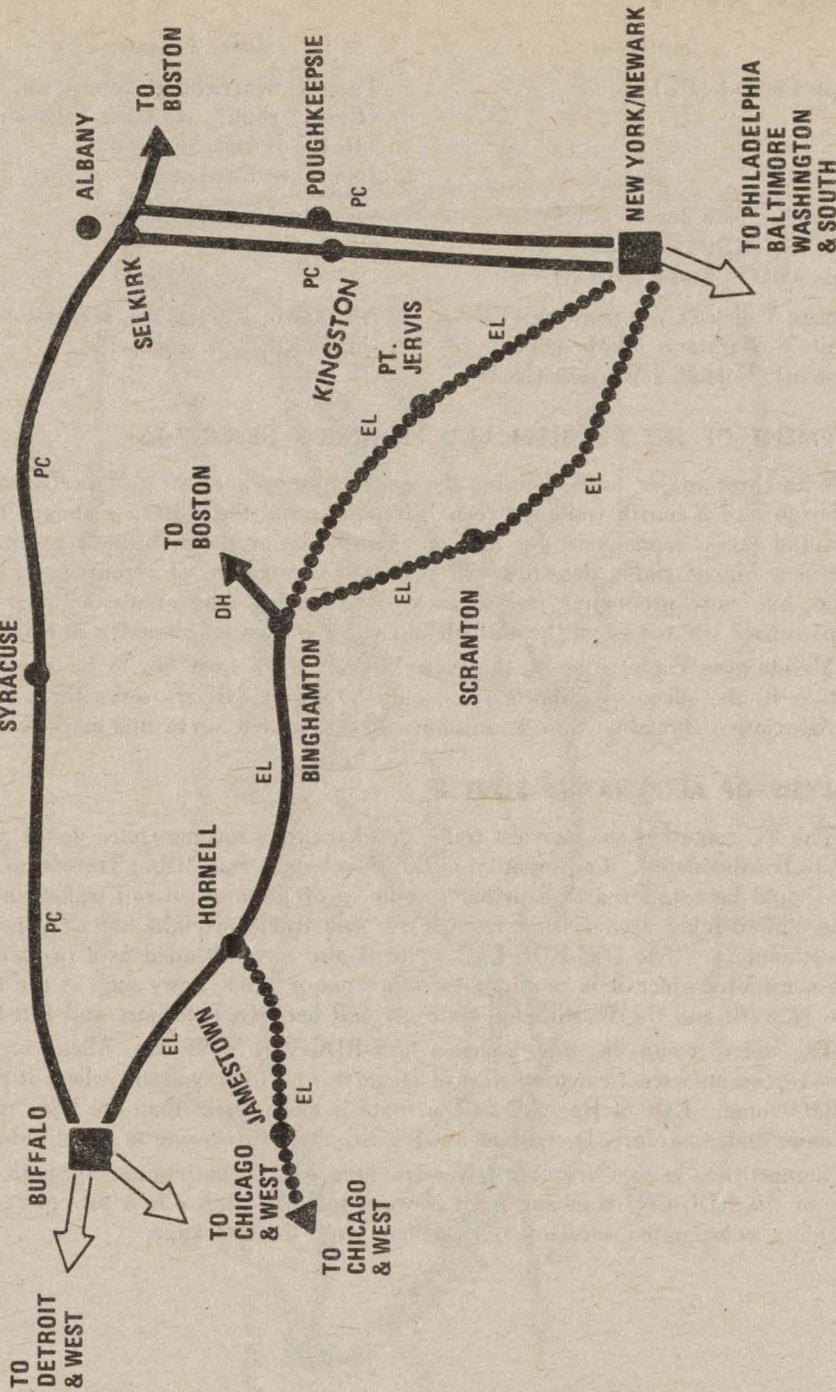
PRESENT INTERSTATE RAIL ROUTES NEW YORK/NEWARK -- BUFFALO



RECOMMENDED COMPETITIVE ZONES
ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
MAINLINE ROUTE



ANALYSIS OF ALTERNATIVE ROUTES NEW YORK/NEWARK BUFFALO



-  PRIMARY ROUTES TO BE CONSIDERED
-  OTHER ROUTES TO BE CONSIDERED
-  CROSS HATCHING: COORDINATED SERVICE TO BE CONSIDERED (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)
-  RECOMMENDED COMPETITIVE ZONES (ZONES, TOWNS, JUNCTIONS, ETC.)
-  ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)

NEW YORK/NEWARK-PITTSBURGH
(Allegheny-Eastern Seaboard Traffic Flow)

PRESENT SERVICE

<i>Carrier(s)</i>	<i>Route Identification</i>
Penn Central (PC)	Trenton, Harrisburg, Johnstown, (Bypass routes available between Trenton-Harrisburg and Johnstown-Pittsburgh)
Central of New Jersey (CNJ), Reading (RDG), Baltimore & Ohio (B&O-Chessie System)	Philadelphia, Baltimore, Cumberland
Lehigh Valley (LV), Reading (RDG), Western Maryland (WM-Chessie System), Norfolk & Western (N&W)	Allentown, Harrisburg, Hagerstown, Cumberland, Connellsville

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

With three major routes serving the entire link between New York/Newark and Pittsburgh and a fourth route between Harrisburg and the eastern seaboard there is substantial excess capacity in this market. Consolidating the mainline route structure to develop higher traffic densities will permit concentration of resources on a more limited, but more productive rail network. Minimizing interference between freight and passenger trains east of the Philadelphia area is also an objective in this market.

Maintaining competition to the New York/Newark area has to be given major attention in the planning process since only bankrupt carriers serve these markets. The Association should encourage an alternative carrier to serve this market.

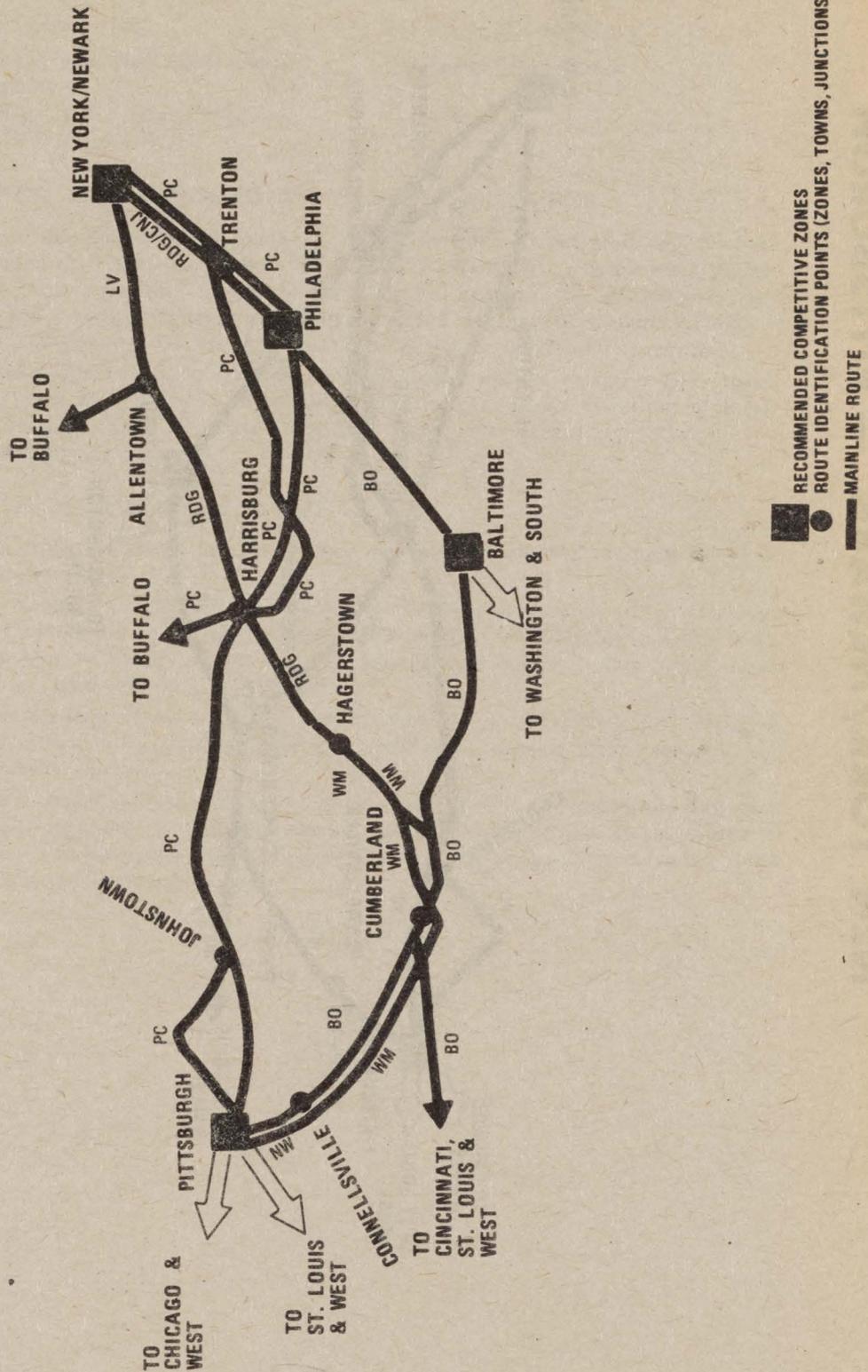
ANALYSIS OF ALTERNATIVE ROUTES

The PC route has the heaviest traffic density and is recommended as the primary route to be considered. Continuation of the PC's bypass route from Trenton to Harrisburg should be considered as a primary route in order to avoid rail traffic congestion in the Philadelphia area arising from heavy rail traffic (freight, intercity passenger and commuter). The CNJ-RDG-B&O route is also recommended as a primary route to be considered since it is required for other major traffic flows such as the flow between Newark and the Washington Gateway and between Baltimore and Pittsburgh.

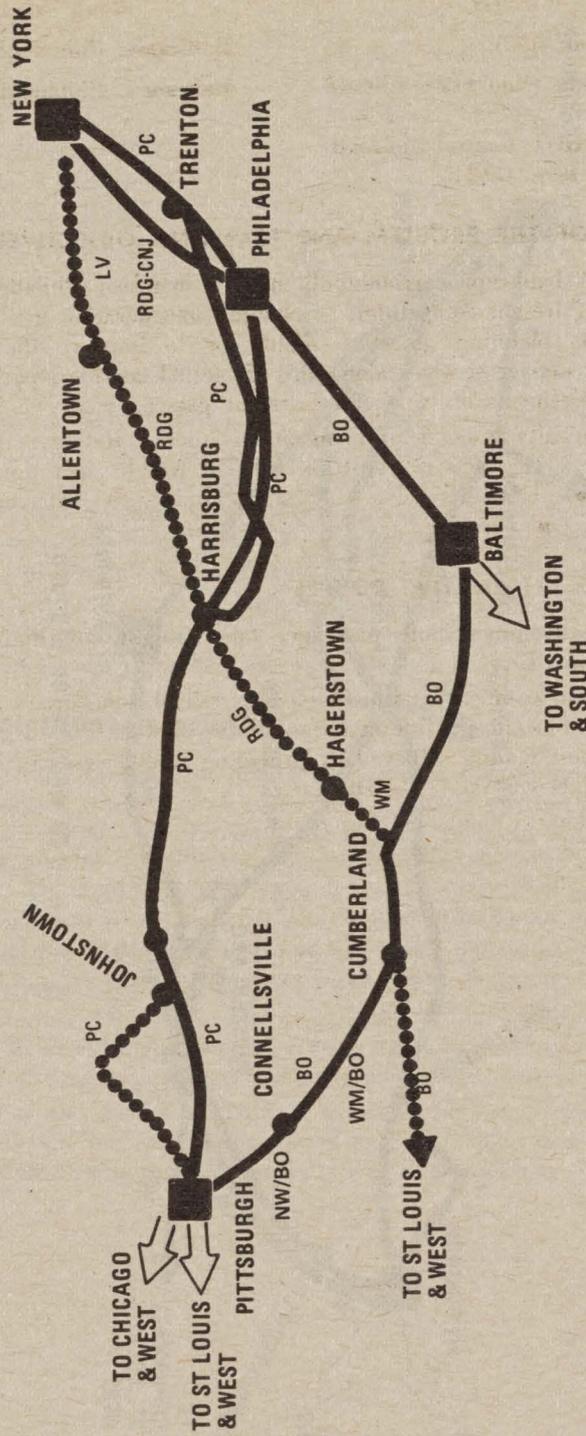
The third route in this analysis—LV-RDG-WM-N&W via Allentown-Harrisburg—represents excess capacity west of Hagerstown (Cherry Run) where it parallels the B&O route. East of Hagerstown the route is more direct than the B&O route via Baltimore and, therefore, is recommended as an alternative route to be considered.

Competition to the New York/Newark area can be maintained through sale or lease, of the RDG-CNJ trackage from Newark to Philadelphia to a solvent carrier or through a coordinated services arrangement over this trackage.

PRESENT INTERSTATE RAIL ROUTES NEW YORK/NEWARK-PITTSBURGH



ANALYSIS OF ALTERNATIVE ROUTES NEW YORK/NEWARK — PITTSBURGH



- 
RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
- 
PRIMARY ROUTES TO BE CONSIDERED
- 
OTHER ROUTES TO BE CONSIDERED
 COORDINATED SERVICE TO BE CONSIDERED
 (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)

WASHINGTON GATEWAY-NEWARK**(North-South Eastern Seaboard Traffic Flow)****PRESENT SERVICE**

<i>Carrier(s)</i>	<i>Route Identification</i>
Penn Central (PC)	Baltimore, Philadelphia
Baltimore and Ohio (B&O-Chessie System)	Baltimore, Philadelphia
Reading (RDG), Central Railroad of New Jersey (CNJ)	

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Since the bankrupt carriers only operate between Philadelphia and Newark, preservation of freight competition is a major consideration in the planning process. Another major planning objective should be to improve the efficiency of both freight and passenger services along this congested corridor, particularly in light of the Act's requirements of Northeast Corridor passenger service improvements.

Excess capacity is not a problem on this route. Rather, extensive and expanding passenger service acts to constrain efficient freight operations during peak passenger periods. This increasing congestion hinders the efficient operation of both freight and passenger service.

ANALYSIS OF ALTERNATIVE ROUTES

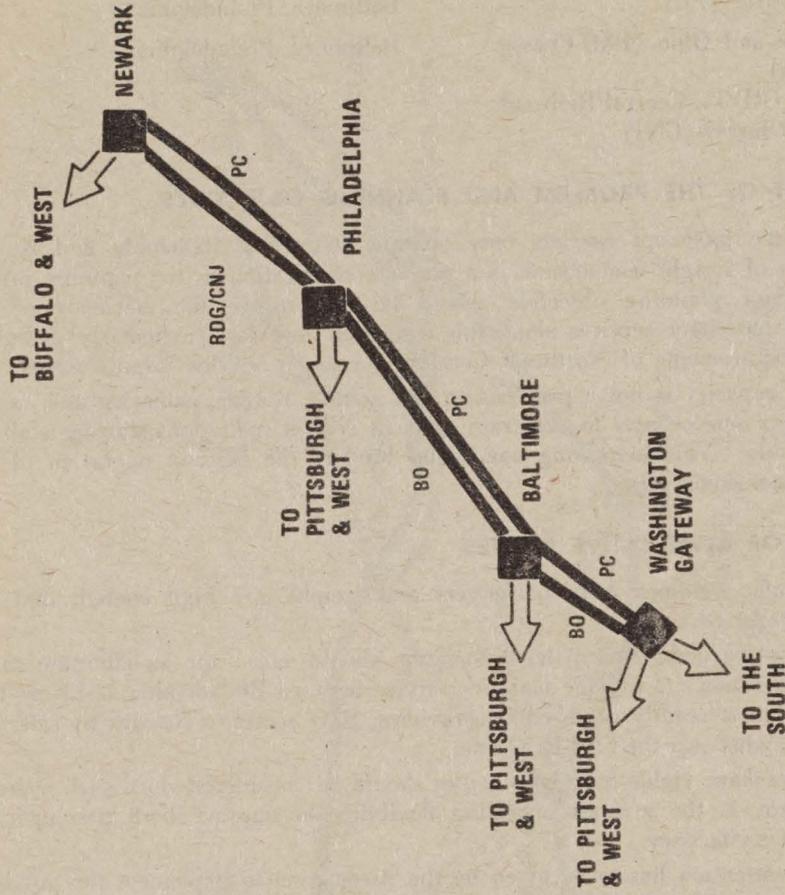
The traffic volumes, both passengers and freight, are high enough that both routes are required.

To maintain competition, the Association should encourage an alternate carrier (to the Corporation) to provide mainline service between Philadelphia and New York. This can be most readily achieved by providing B&O access to Newark by sale, lease or trackage rights over the CNJ-RDG line.

Joint trackage rights over both routes should be considered since such coordination will provide the greatest operating flexibility to improve both passenger and freight service efficiency.

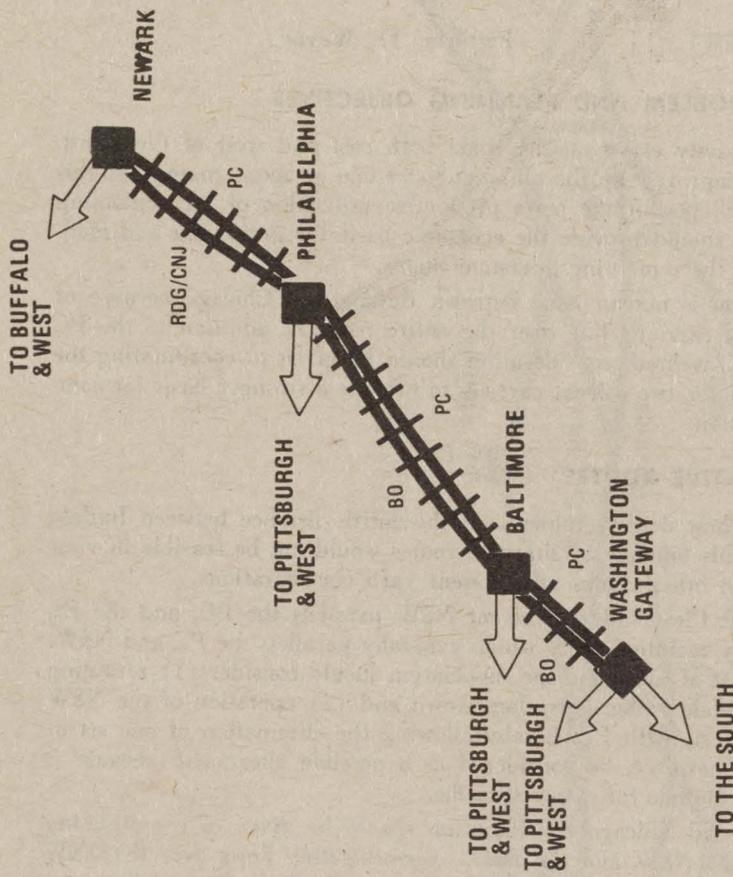
Special attention has to be given by the Association to implement the provisions of the Act regarding the improvement of passenger train service in the Northeast Corridor. The legislation makes provisions for Amtrak to acquire through sale, lease or otherwise the necessary trackage.

PRESENT INTERSTATE RAIL ROUTES WASHINGTON GATEWAY — NEWARK



 RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
 MAINLINE ROUTE

ANALYSIS OF ALTERNATIVE ROUTES WASHINGTON GATEWAY-NEWARK



- ● RECOMMENDED COMPETITIVE ZONES
- ○ ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
- ● PRIMARY ROUTES TO BE CONSIDERED
- ○ OTHER ROUTES TO BE CONSIDERED
- | CROSS HATCHING: COORDINATED SERVICE TO BE CONSIDERED (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)

BUFFALO/CLEVELAND-CHICAGO

(East-West Great Lakes Traffic Flow)

PRESENT SERVICE**BUFFALO-CHICAGO**

<i>Carrier(s)</i>	<i>Route Identification</i>
Penn Central (PC)	Cleveland
Erie Lackawanna (EL)	Jamestown, Youngstown, Marion
Norfolk & Western (N&W)	Erie, Cleveland, Fostoria, Ft. Wayne

CLEVELAND-CHICAGO

Penn Central (PC)	Toledo, South Bend
Baltimore & Ohio (B&O- Chessie System)	Akron, Fostoria
Norfolk & Western (N&W)	Fostoria, Ft. Wayne

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Excess interstate capacity exists on the route both east and west of Cleveland. Traffic densities can be improved by the elimination of one or more routes. If this consolidation occurs it will permit the more productive utilization of the remaining interstate facilities. This should provide the economic basis for improving and modernizing, where required, the remaining interstate routes.

Continued competition is not an issue between Buffalo and Chicago because of the existence of a solvent carrier's line over the entire route in addition to the PC line. However, west of Cleveland, consideration should be given to coordinating the services and operations of the two solvent carriers to provide a stronger basis for competition with the Corporation.

ANALYSIS OF ALTERNATIVE ROUTES

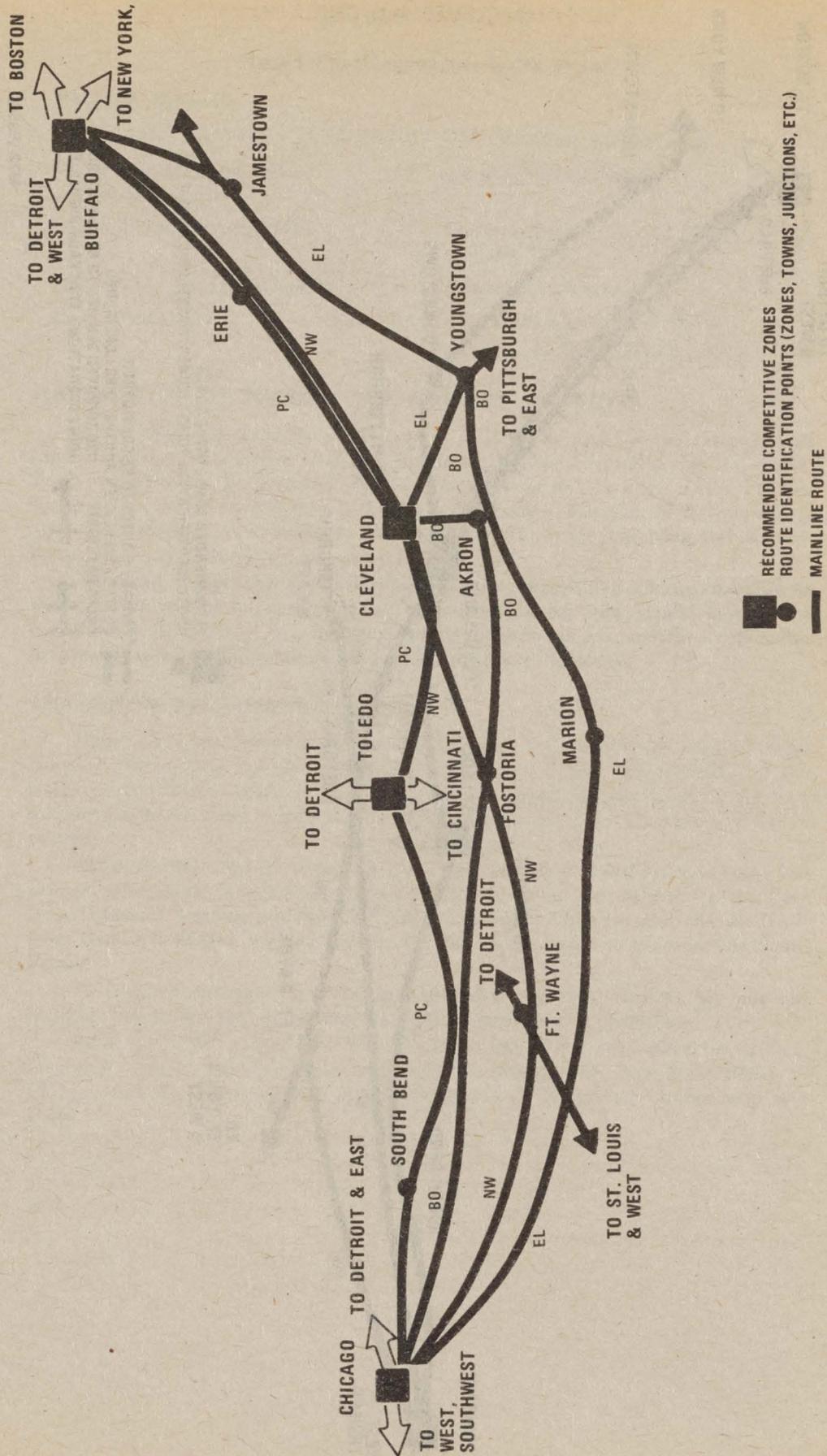
The PC has the highest density routes over the entire distance between Buffalo and Chicago. Shifting this tonnage to alternate routes would not be feasible in view of capacity limitations on other routes and present yard configurations.

Between Buffalo and Cleveland the solvent N&W parallels the PC, and the EL provides a more southerly mainline route which generally parallels the PC and N&W. To improve utilization east of Cleveland the Association should consider (1) rerouting EL traffic throughout Buffalo rather than Jamestown and (2) operation of the N&W route on a coordinated basis with PC, hereby allowing the elimination of one set of tracks. The EL should however, be considered as a possible alternative because it provides a bypass around Buffalo for east-west traffic.

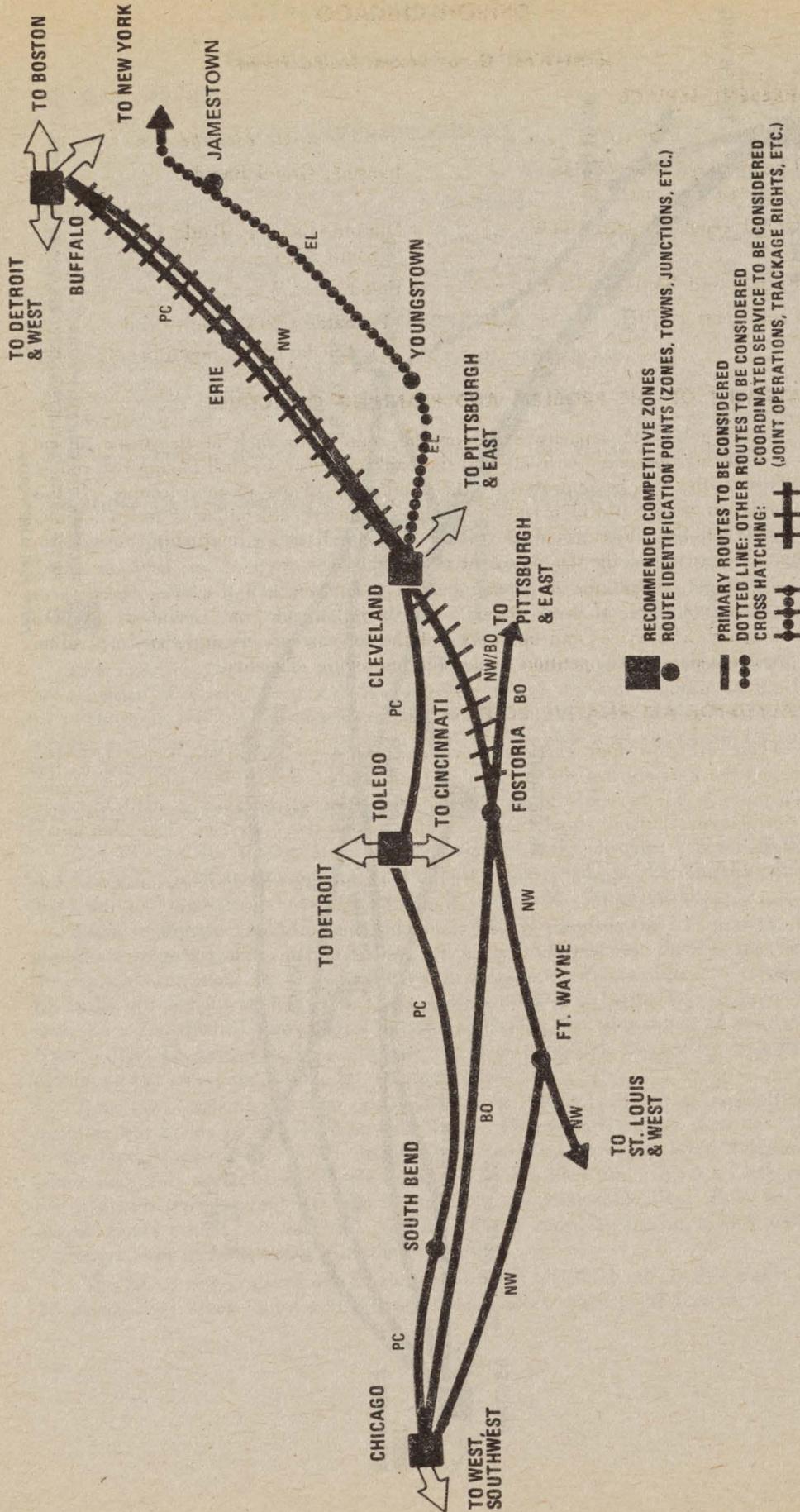
Between Cleveland and Chicago consideration should be given to consolidating mainline operations of the N&W and the B&O. Concentrating flows over the N&W to the Fostoria area will improve density while reducing circuitry. West of Fostoria, where both lines are primarily single track and handle other major market flows, each can maintain separate routes without significantly reducing utilization. Such coordination should permit both the N&W and the B&O to improve efficiency and to ensure a stronger basis for competition with the Corporation.

The EL is not proposed as an alternative west of Cleveland, as this traffic can be moved over other routes and thereby reduce excess circuitry and plant.

PRESENT INTERSTATE RAIL ROUTES BUFFALO/CLEVELAND — CHICAGO



ANALYSIS OF ALTERNATIVE ROUTES BUFFALO/ CLEVELAND — CHICAGO



M73-1935-2

DETROIT-CHICAGO**(East-West Great Lakes Traffic Flow)****PRESENT SERVICE**

<i>Carrier(s)</i>	<i>Route Identification</i>
Chesapeake & Ohio (C&O-Chessie System)	Lansing, Grand Rapids
Grand Trunk Western (GTW)	Durand, Lansing, Battle Creek, South Bend
Norfolk and Western (N&W)	Butler, Fort Wayne
Penn Central (PC)	(1) Battle Creek, South Bend (2) Toledo, Butler, South Bend

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Excess interstate capacity exists on the route with each of the three solvent carriers having one mainline route and the bankrupt Penn Central having two routes. Traffic densities can be improved by the elimination of one or more routes. If this consolidation occurs it will permit the more productive utilization of the remaining interstate facilities. This would provide the economic basis for improving and modernizing, where required, the remaining interstate routes.

Continued competition is not an issue between Detroit and Chicago because of the existence of three solvent carriers. Consideration, however, should be given to coordinating the services and operations of the solvent carriers and the Corporation to provide balanced competition while still improving efficiency.

ANALYSIS OF ALTERNATIVE ROUTES

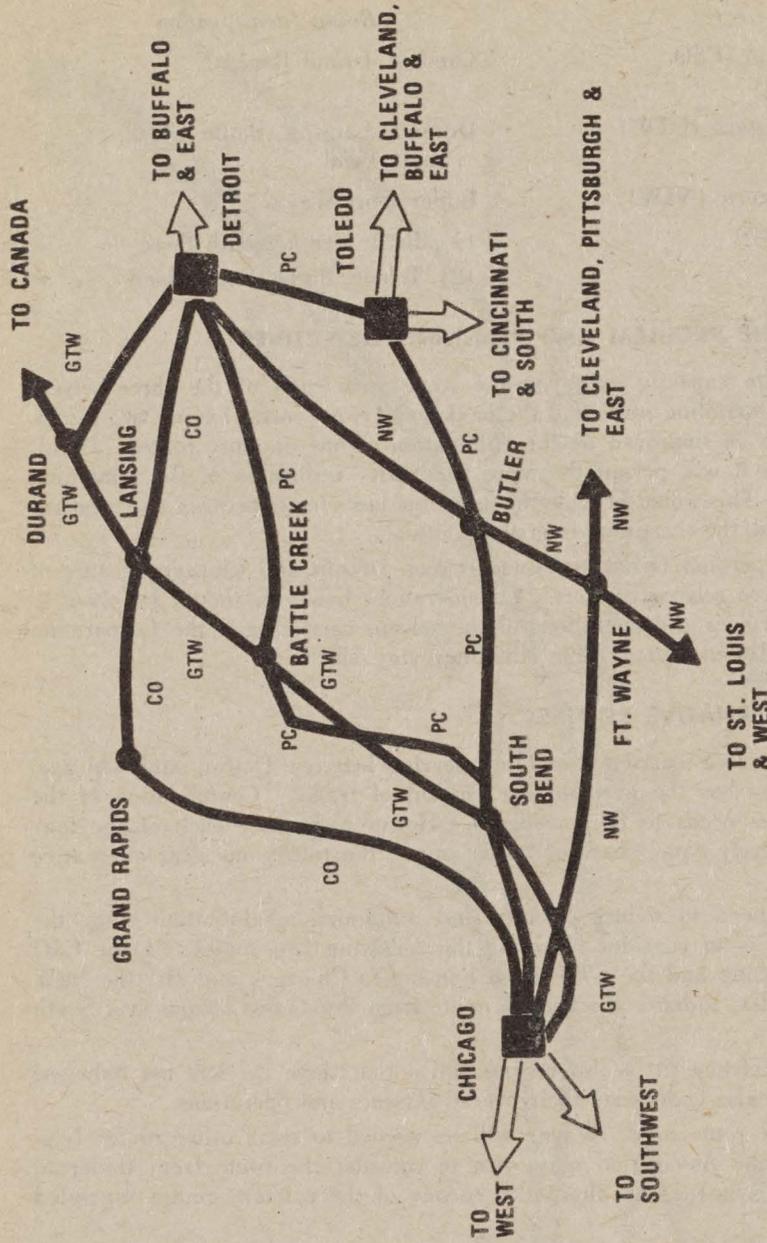
There are now four carriers providing service between Detroit and Chicago. None of the carriers has the predominant amount of traffic. Consolidation of the traffic on two routes needs to be considered. However, because each of the four carriers has a relatively equal share of traffic among the routes, no clear alternative emerges.

Based on the need to reduce circuitry and minimize rehabilitation costs, the primary alternative is to consider retaining the following two routes: (a) the C&O from Detroit to Lansing and the GTW from Lansing to Chicago; and (b) the N&W from Detroit to Butler, Indiana and the PC route from Butler to Chicago (via South Bend).

To improve efficiency, it is also recommended that these carriers not only use facilities jointly but also coordinate their overall services and operations.

Since the N&W route to Ft. Wayne will be needed to serve other routes (e.g. Detroit-St. Louis), the Association may wish to consider the route from Butler to Chicago (via Ft. Wayne) as an alternative to one of the primary routes suggested above.

PRESENT INTERSTATE RAIL ROUTES DETROIT — CHICAGO



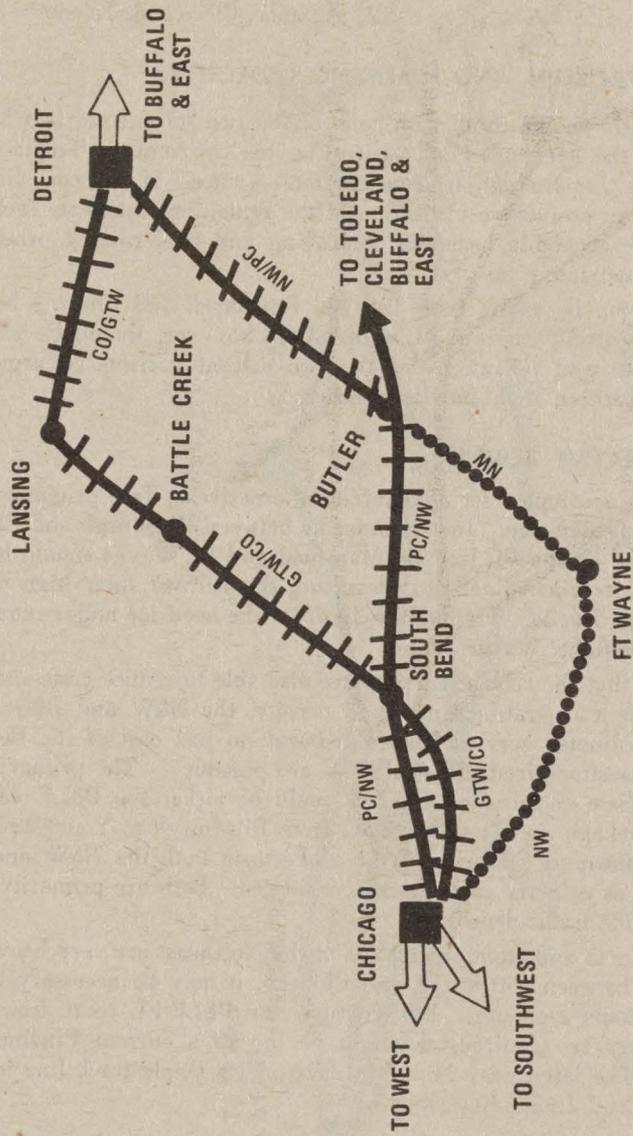


 RECOMMENDED COMPETITIVE ZONES

 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)

 MAINLINE ROUTE

ANALYSIS OF ALTERNATIVE ROUTES DETROIT — CHICAGO



- 


- RECOMMENDED COMPETITIVE ZONES
- ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
- PRIMARY ROUTES TO BE CONSIDERED
- OTHER ROUTES TO BE CONSIDERED
- CROSS HATCHING: COORDINATED SERVICE TO BE CONSIDERED (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)

M73-1921-2

PITTSBURGH-CHICAGO

(Traffic Flows from the Alleghenies to Lake Erie and East-West along the Great Lakes)

PRESENT SERVICE

<i>Carrier(s)</i>	<i>Route Identification</i>
Baltimore & Ohio (B&O-Chessie System)	Youngstown, Akron, Fostoria
Norfolk & Western (N&W)	Massillon, Bellevue, Ft. Wayne
Penn Central (PC)	(1) Alliance, Mansfield, Ft. Wayne (2) Alliance, Cleveland, Toledo

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

Excess capacity exists on the route with each of the two solvent carriers having one mainline route and the bankrupt Penn Central having two routes. Traffic densities can be improved by the elimination of one or more routes. If this consolidation occurs it will permit more productive utilization of the remaining interstate facilities. This should provide the economic basis for improving and modernizing, where required, the remaining interstate routes.

Continued competition is not an issue between Pittsburgh and Chicago because of the existence of two solvent carriers. Consideration, however, should be given to coordinating the services and operations of the two solvent carriers to provide a stronger basis for competition with the Corporation.

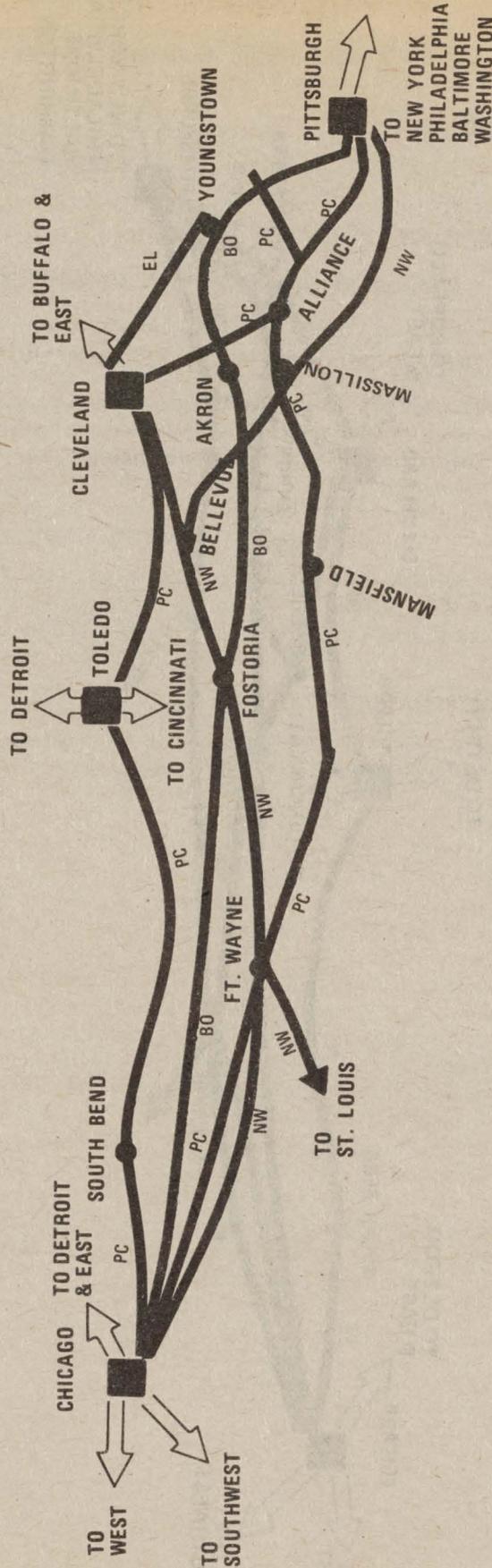
ANALYSIS OF ALTERNATIVE ROUTES

This route presents a complex set of planning alternatives. Two primary routes are recommended for consideration. Interstate traffic between Pittsburgh and Chicago which is currently moved on the PC line via Mansfield and Ft. Wayne should be concentrated on the PC route via Alliance to Cleveland, thence over their high density route to Chicago through Toledo. This would eliminate the need for major rehabilitation of the PC's Mansfield/Ft. Wayne route.

In order to assure that the solvent carriers are also able to reduce costs and compete effectively with the Corporation's mainline density, the N&W and B&O should consider operating coordinated service from Pittsburgh to just east of the Bellevue, Ohio area (several connections from B&O to N&W are possible). The primary route to be considered for these coordinated services could be either the P&LE (already used by B&O under trackage rights) or the B&O from Pittsburgh to Youngstown and the B&O from Youngstown to Fostoria. West of Fostoria both the N&W and B&O lines are recommended as primary routes to be considered. Both are primarily single track lines with acceptable traffic densities.

Because traffic flows to and from other parts of the Northeast are very heavy over portions of the routes between Pittsburgh and Chicago, it may be necessary to consider other routes or route segments. For example, the P&LE-EL route from Pittsburgh to Cleveland may be required, as might be the PC's current Pittsburgh-Ft. Wayne-Chicago line. The latter may be retained as only a single track line in addition to a local service and feeder line function.

PRESENT INTERSTATE RAIL ROUTES PITTSBURGH — CHICAGO



RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
 MAINLINE ROUTE

CINCINNATI GATEWAY-CHICAGO**(Lake Michigan to South Traffic Flow)****PRESENT SERVICE**

<i>Carrier(s)</i>	<i>Route Identification</i>
Chesapeake & Ohio (C&O-Chessie System)	Muncie
Penn Central (PC)	Indianapolis, Logansport

STATEMENT OF THE PROBLEM AND PLANNING OBJECTIVES

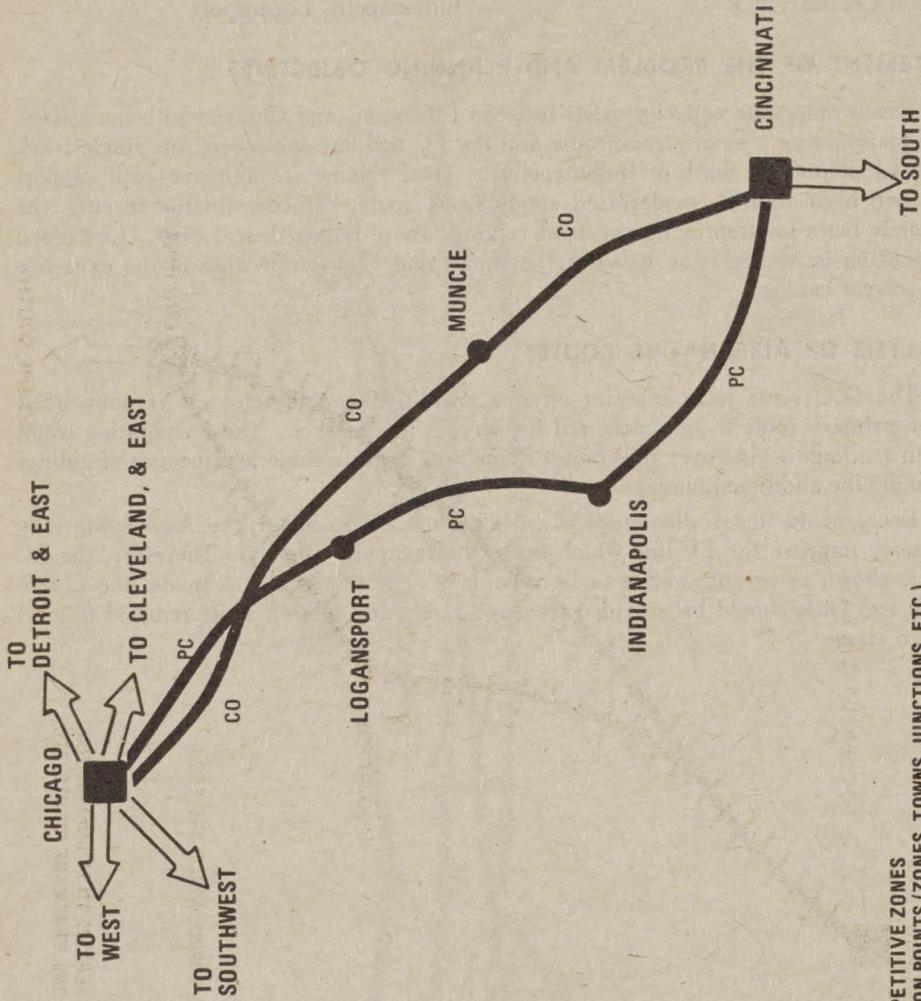
Excess interstate capacity exists between Cincinnati and Chicago with the solvent C&O maintaining a single track route and the PC maintaining a separate single track route (double track south of Indianapolis). Total volume on both lines will support only one high volume, modernized single track route. If consolidation occurs, the economic basis for improving and modernizing, where required, will exist. Continued competition is not an issue between Cincinnati and Chicago because of the existence of a solvent carrier.

ANALYSIS OF ALTERNATIVE ROUTES

The C&O route is in superior physical condition and therefore is recommended as the primary route to be considered for serving this market. The Corporation could obtain trackage rights over this route. This may require some lengthening of sidings to handle the additional tonnage.

Recognizing that Indianapolis is an important traffic center, the Association may choose to improve the PC line which serves Indianapolis directly. Therefore, the PC line is shown as an alternative to be considered. If this choice is made, the Chesapeake and Ohio should be provided trackage rights and its own route reduced to local service status.

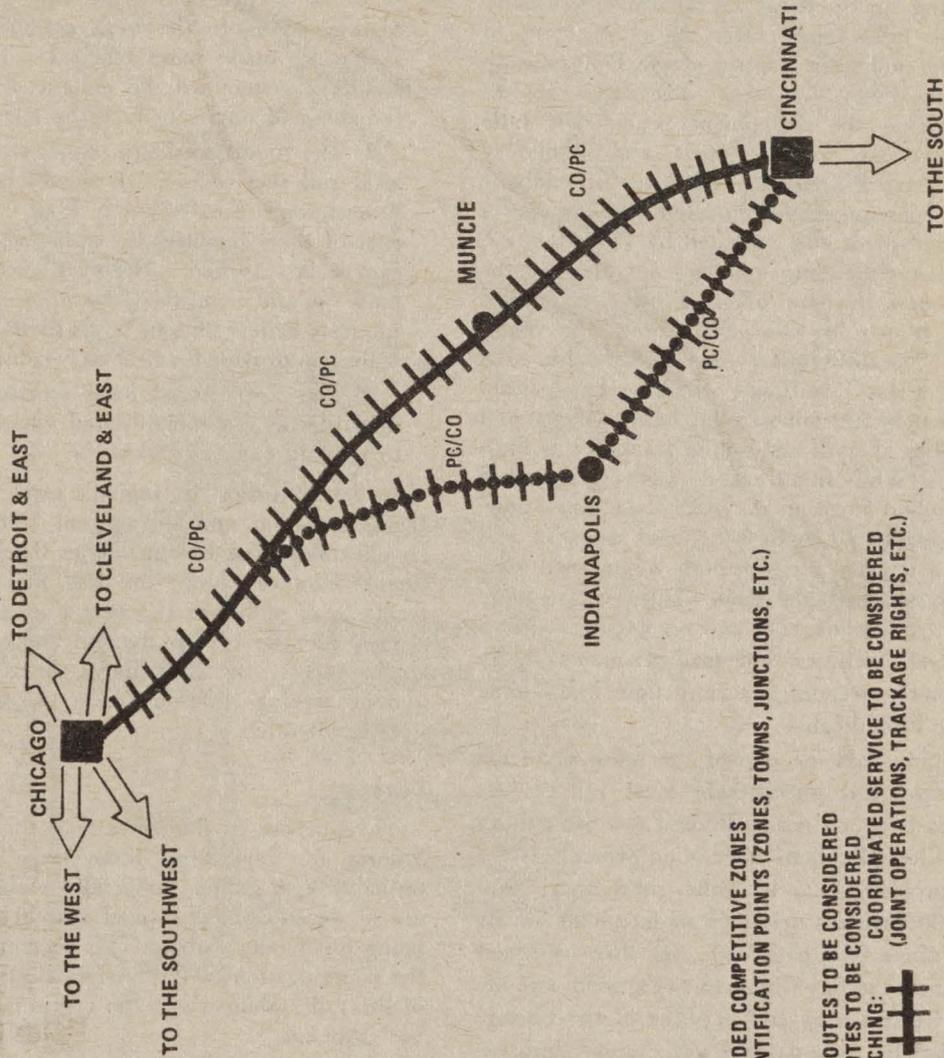
PRESENT INTERSTATE RAIL ROUTES CINCINNATI GATEWAY — CHICAGO





 RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
 MAINLINE ROUTE

ANALYSIS OF ALTERNATIVE ROUTES CINCINNATI GATEWAY — CHICAGO



- 
RECOMMENDED COMPETITIVE ZONES
 ROUTE IDENTIFICATION POINTS (ZONES, TOWNS, JUNCTIONS, ETC.)
- 
PRIMARY ROUTES TO BE CONSIDERED
- 
OTHER ROUTES TO BE CONSIDERED
 COORDINATED SERVICE TO BE CONSIDERED
 CROSS HATCHING:
 (JOINT OPERATIONS, TRACKAGE RIGHTS, ETC.)

LOCAL RAIL SERVICE

The Existing Local Rail System

As discussed in Part I, the region's rail system developed during the nineteenth century and early 1900's into a comprehensive network of railroad trackage designed to provide access by the region's commerce to what was then the most efficient means of transportation. Today, despite the changed economic conditions in the region, the size of this system remains essentially the same as it was when constructed.

The dimensions of the duplication of service and excess capacity problems at the local service level can be illustrated by examining the case of Philadelphia's rail system. The city's 19th century transportation requirements brought into being more than 12 different railroads, some less than two miles long. Over the years, many of them were brought under the control of the Pennsylvania Railroad (now the Penn Central). The city's growth and expansion during the subsequent period left little chance to construct new modern yards, and regulatory requirements often stymied efforts to eliminate uneconomic trackage. As a consequence, Philadelphia today has a multitude of freight yards (18 operated by Penn Central, three operated by the Reading and two operated by the Chessie System) and a maze of duplicative and often parallel trackage (much of which runs down the center of busy streets). The 150 square mile Philadelphia area is served by four Class I railroads which operate within the area approximately 500 miles of line haul trackage and more than 300 miles of yard and siding trackage, as illustrated in Figure 8. While this trackage was constructed to serve a large number of shippers, some have since gone out of business, many are only occasional users of rail service and only a few are users of high volume rail service. For example, although the Penn Central serves more than 1,800 users (industries, coal and ore facilities, grain elevators, intermodal facilities and food terminals), only 36 of these customers account for more than half of the traffic generated in Philadelphia.

While Philadelphia may be one of the more vivid examples of duplicate and uneconomic local rail service plant, the problem is by no means limited to metropolitan areas. The Bay City, Michigan, zone is an example of the excess capacity problem in a basically rural area. Annually, only 40,000 carloads originate or terminate in the Bay City Zone (about 110 per day), yet three different railroad lines connect the Bay City area to the south and the west (two Penn Central lines and one line of the Chessie System). Additionally, two parallel low density lines extend to the north from Bay City. Typically, each carrier maintains a separate local yard.

As a result of this redundant railroad system at the local level there are often too many carriers vying for too little traffic with a consequent loss of efficiency, viability and service quality.

Planning Guidelines

In order to meet the restructuring objectives for the region's local rail service, five basic planning guidelines are recommended:

1. The volume of rail traffic generated should be used as a key determinant of rail service requirements. This traffic, in conjunction with the location of the generating points, indicates both the dependence on rail service and rail's ability to provide efficient and financially viable service.
2. The maximum volume of existing rail traffic should continue to have access to direct rail service consistent, however, with the requirement that the individual segments of the system be financially viable.
3. The feeder lines connecting groups of traffic generating points to the high volume, interstate network should be made more efficient. The efficiency of the resulting system will be enhanced substantially by the reduction of duplicate facilities and services.
4. The unneeded and uneconomic portions of the local rail service network should be excluded from the Association's Final System Plan. The continued support of these facilities by viable segments of the system cannot be justified. However, some of these facilities may warrant continued operation where local or State interests believe this to be in their best interest and are willing to provide the necessary subsidy.
5. The restructured local service network should be modernized and rehabilitated where necessary in order to provide quality service.

In restructuring the region's local rail service network, the Association and the solvent railroads in the region should analyze each segment on the basis of these guidelines. However, since the vast majority of the region's traffic is of sufficient concentration and volume for planners to identify readily the rail line requirements for high traffic points, the rail lines generating lower volumes and/or serving diffused traffic points should receive the greater attention.

Criteria

The purpose of this section of the report is to present criteria for separating those lines which have a high probability of being financially viable from those which are of questionable financial viability or have no hope of being financially viable. This screening process will allow the concentration of the analytical effort on those portions of the rail system where the continuation of rail service is not clear cut.

A study conducted for the Department developed a viability criteria for the screening process.¹ This study estimated, for lines of varying length, the traffic levels required to make financially viable rail operations highly probable or, conversely, highly unlikely. The procedure involved estimating the costs associated with the production of rail services and relating those costs

¹ Federal Railroad Administration, *Development and Evaluation of An Economic Abstraction of Light Density Rail Line Operations*, June 1973, prepared under contract by R. L. Banks and Associates, Inc.

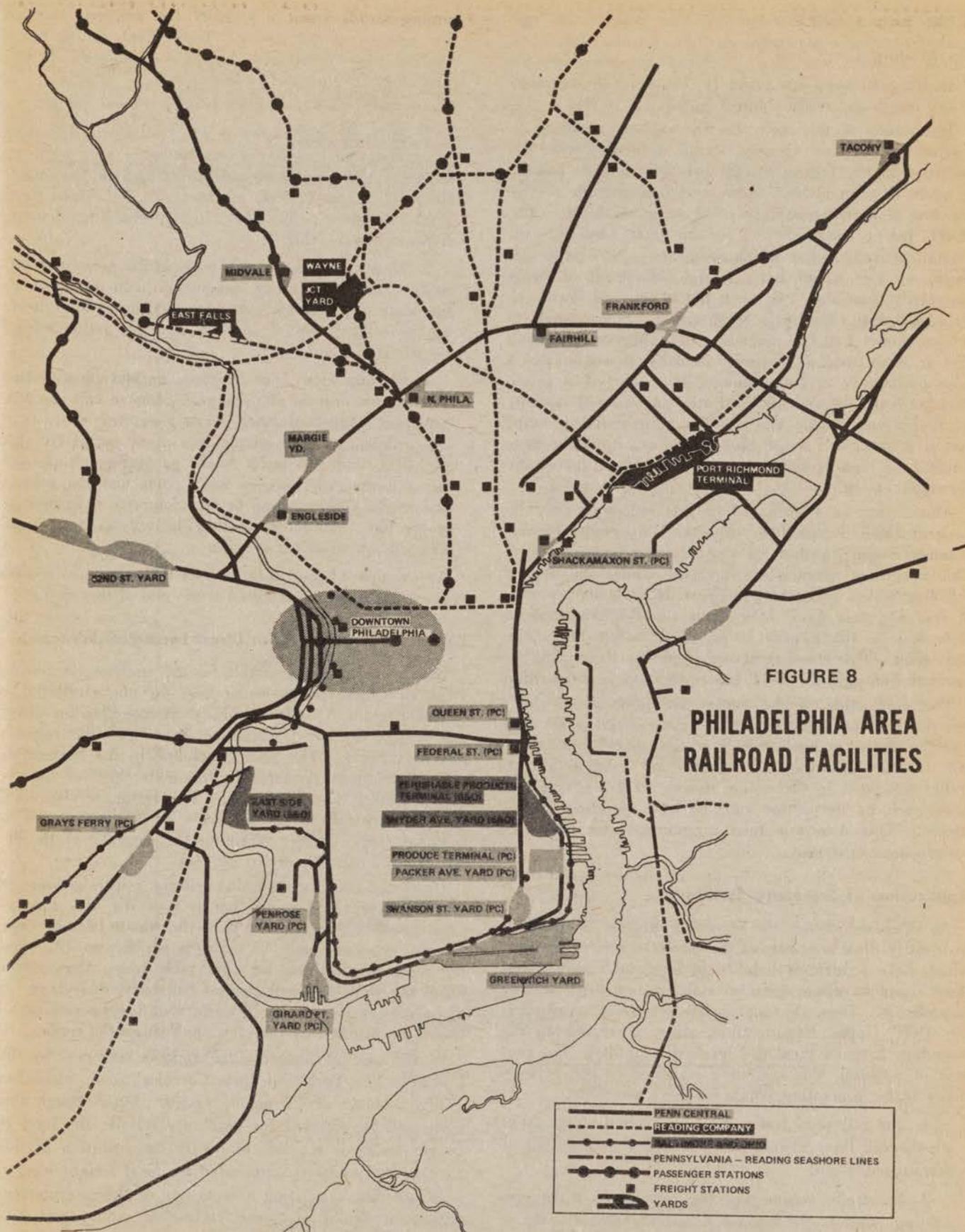


FIGURE 8
PHILADELPHIA AREA
RAILROAD FACILITIES

to the revenue per carload typically realized by railroads from traffic generated on light density lines. Statistical analysis was then employed to determine the relationship between line profit (or loss) and the variables of line length and traffic volume.

The results of this study for the region are shown in Figure 9. For any specified length of local service rail line, the "DOT Upper Criteria" line indicates the amount of traffic that would have to be generated annually to give the line a high probability of financial viability. The "DOT Lower Criteria" line on the chart indicates the amount of traffic below which operation on any particular length of line would have a high likelihood of being financially nonviable. Between the upper and lower criteria, financial viability is questionable. For example, if a local service line five miles long originates or terminates 480 or more carloads of traffic annually, it would have a high probability of being financially viable; if it generated between 140 and 480 carloads, its financial viability would be questionable and would require detailed study; and if it generated less than 140 carloads annually there would be a high probability that it would be a financially nonviable operation.

Also shown on Figure 9 is a line reflecting the "34-Carload Rule" which was developed by the Interstate Commerce Commission for use in abandonment cases. This rule is a presumptive standard which says that a rail line which generates less than 34 carloads per mile of line per year (i.e., falls below the ICC's 34-Carload Rule line in the figure) is presumed to be financially nonviable. The close agreement between the ICC's 34-Carload Rule and the DOT Lower Criteria is noteworthy.

The application of the above criteria to the region's rail network requires accurate and current rail traffic data and the ability to analyze each section of rail line in detail. Data concerning the volume and location of rail traffic generated in the region during 1972 was collected from each of the major rail carriers operating in the region. This data was then programmed for computer zone-by-zone analysis.

Application of Screening Standard

As discussed above, the screening process is designed to identify those segments of the local rail service network which have a high probability of financial viability and those segments whose financial viability is questionable or improbable. Thus, the appropriate screening standard is the DOT Upper Criteria line, since it represents the boundary between these two levels of viability. The process of applying this screening standard to the region's many traffic generating points involved two steps:

1. The railroads' traffic data was plotted at the point on the rail lines where it was generated (originated or terminated); and
2. The traffic volume and the distance from the generating point to the nearest financially viable point or line (whether within or outside the zone) were compared with the DOT Upper Criteria line. Those points falling above the line were identified as having a high

probability of financial viability and are recommended for direct local rail service. Those points falling below the line were identified as having a questionable or low probability of financial viability.

These two steps were applied to each zone as follows:

1. All traffic generating points (stations) originating or terminating less than 75 carloads per year were excluded from specific consideration because, by either the DOT Lower Criteria or the ICC's 34-Carload Rule, service to these points has a high probability of being financially nonviable.
2. Those stations in each zone which generated sufficient traffic to justify connection with the region's interstate rail network were identified using the criteria for probable financial viability and are recommended for direct rail service.
3. Starting from each of these stations identified as meeting the criteria of paragraph 2 above and proceeding in sequence, all other points generating more than 75 carloads per year in the zone were compared with the DOT Upper Criteria based on traffic volume and the rail distance between each point and the nearest financially viable station or junction with a financially viable line. All those meeting the criteria are recommended for direct rail service.

An example of the application of this screening process to a specific zone is presented at the end of this section.

Points Recommended For Direct Local Rail Service

Based on the data available for the analysis, we recommend that those points which meet the above criteria be included in the Association's Final System Plan for direct rail service by the Corporation or one of the region's solvent carriers. The points included in the Secretary's recommendations originate or terminate 96% of the region's traffic (see Table 1). This same service level can be expected to accommodate a substantial rise in regional traffic without straining the capacity of the restructured local rail service network.

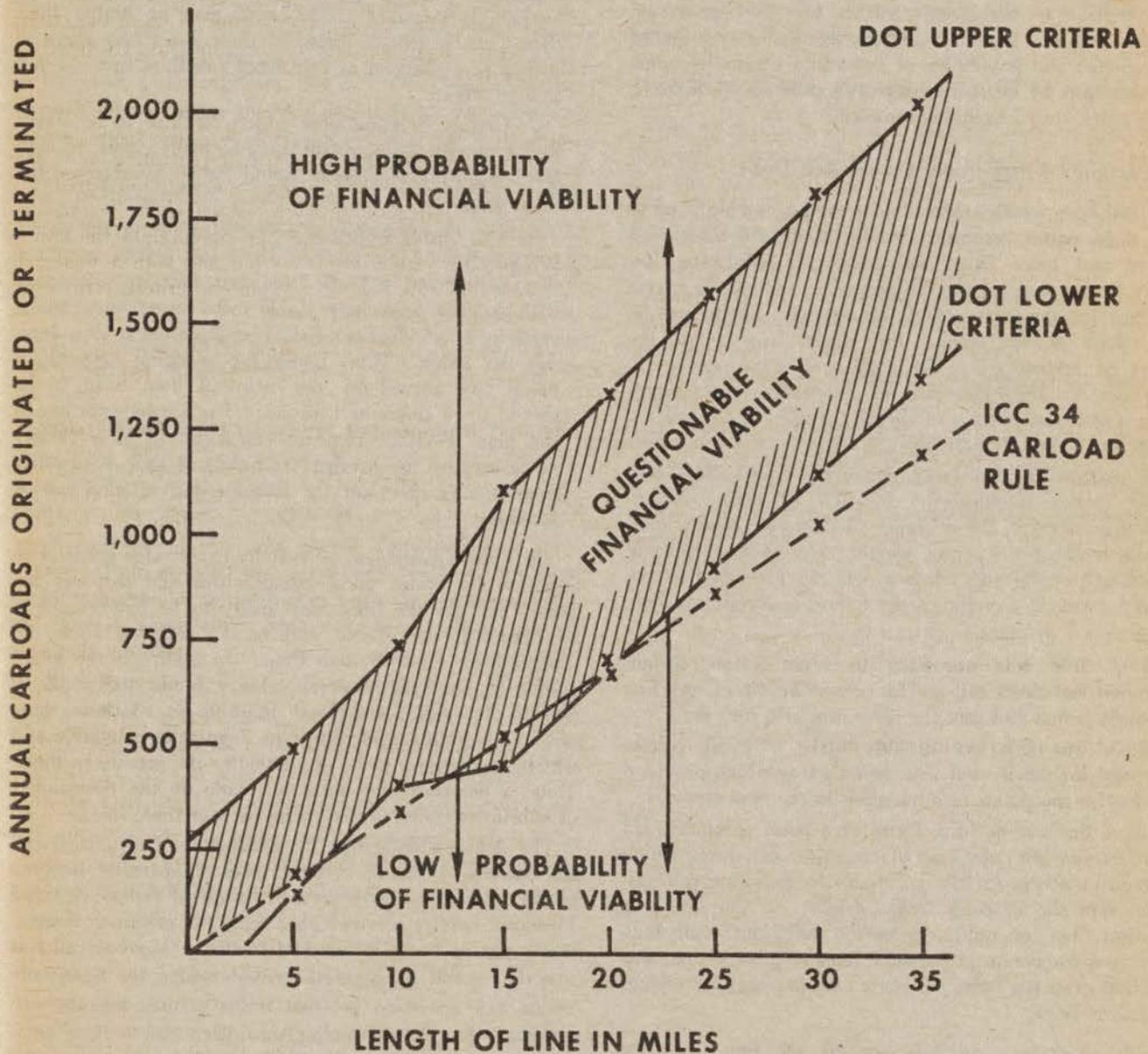
On the basis of the screening criteria, rail freight service would be provided in all but two of the 184 zones—Cape Charles, Virginia, and Westerly, Rhode Island. Cape Charles generated only 13 carloads per day in 1972 and this traffic was diffused throughout the zone. Connections from the only adjacent zones—Salisbury, Maryland, to the north and Norfolk to the south (via float operations)—cannot be justified by the very small volume of traffic.

In the case of Westerly, the zone is traversed by the Boston to New York "Northeast Corridor" route, which has a high volume of passenger service. Even though this route will be retained for passenger service, the level of freight traffic is too low to justify the inclusion of this zone in the points recommended for local freight service.

Before the Association accepts any of these recommendations, it should, of course, review the most recent data on rail traffic in the region. The basic traffic data used in the Department's analysis reflected 1972 rail operations, which was the latest data available. Since 1972, traffic

FIGURE 9

RELATIONSHIP OF RAIL LINE LENGTH AND TRAFFIC VOLUMES FOR FINANCIALLY VIABLE LOCAL SERVICE OPERATION



SOURCE: FEDERAL RAILROAD ADMINISTRATION RESEARCH REPORT OE-73-3 - DEVELOPMENT AND EVALUATION OF AN ECONOMIC ABSTRACTION OF LIGHT DENSITY RAIL LINE OPERATIONS

volumes or future expectations at certain of the points may have changed so as to affect the results of the screening process. In addition, the criteria used to screen these points were based on "typical" revenue levels. Where the "actual" revenue generated by the traffic at a given point is significantly above or below the typical or average figure, the probability of a financially viable rail operation may change accordingly. However, it is not anticipated that traffic volumes at many of the points recommended for service will have changed to the extent that the Association's Final System Plan would not include them. Therefore, the Association's analysis should center primarily on those points not recommended for service.

In addition to considering service by the Corporation and existing Class I solvent carriers, the Association should also consider the possibility of providing service to some of these points by short line railroads (Class II) which, in certain cases, may be more economical.

Designation Of Potentially Excess Rail Lines

All rail lines which are neither necessary nor optional to serve those points recommended for continued direct rail service, and those lines which provide duplicate, low density feeder service, are designated as potentially excess rail lines for the purposes of this report. These are the lines which should receive the closest analysis in the process of restructuring the local rail service network. While the rail lines classified as potentially excess represent a significant portion of the track miles in the region, they generate only 4 percent of the region's total rail traffic.

The process of identifying potentially excess lines considered several factors—the location of points recommended for service, the existence of duplicate feeder lines, a line's traffic density and whether the owning railroad is bankrupt or solvent. A line was *not* identified as potentially excess if any one of the following conditions were met:

1. A line was necessary to serve points recommended for direct rail service or was an alternative line to such points and met the screening criteria; or
2. A line did not directly serve a point recommended for service but was the *only* line which provided access for the points to a mainline in the system; or
3. A line did not directly serve a point recommended for service but was one of two or more lines which served as access for the points to the mainline rail system, and the existing traffic density on the line was greater than ten million gross ton miles per route mile per year for bankrupt carriers' lines or greater than five million gross ton miles per route mile per year for solvent carriers' lines.

If none of these conditions applied, the line was then identified as potentially excess.

The lower traffic density requirement for solvent carriers in paragraph 3 above was used to reflect the fact that the solvent carriers' systems are not faced with the same degree of financial nonviability as are the bankrupt carriers, but that some degree of restructuring of their systems is needed. Also, the potential for duplicate feeder

service in the bankrupt carriers' systems is much greater than in the case of any of the solvent carriers.

The lines classified as potentially excess should be carefully analyzed by all affected parties—the Association, solvent railroads, the States, and the affected communities and shippers. The Association and the solvent railroads should be concerned for three reasons:

1. Some of the lines classified as being potentially excess may serve points where rail service is, in fact, financially viable. As discussed earlier, the screening criteria is based on average revenue and 1972 traffic levels. A given point may generate traffic which produces revenues which are significantly higher than the average, or current traffic levels may be higher than they were in 1972. Either of these cases may serve to justify the inclusion of additional rail lines in the Final System Plan.

2. Certain of those lines which continue to be classified as financially nonviable may be made viable through tariff adjustments which would be acceptable to the line's users.

3. The lines considered necessary to serve the points recommended for continued direct rail service represent the shortest rail distance from each point to a junction with another financially viable rail line without consideration of the identity of the corporate entity now serving the point. Thus, under the resulting network, a point now served by one railroad may have to be served by a different railroad. The implementation of the plan therefore requires consideration of a variety of factors by the involved railroads as well as negotiations among them for the transfer and/or joint use of facilities.

The lines classified as potentially excess also merit close attention by States, local communities and shippers because they are the lines most likely to be determined to be financially nonviable and hence excluded from the Association's Final System Plan. In addition, the availability of matching Federal subsidy funds may make it possible for State and local interests to continue those rail lines which are identified as financially nonviable and which they believe to be of particular importance to them. Thus, a determination must be made on the desirability of subsidizing and/or acquiring each of these lines.

The decision regarding the subsidization of a local rail line should be based, in part, on a comparative analysis of the total resources consumed by direct rail service and by motor carrier service either from the origin to destination point or to an intermodal facility. A given rail line may be unable to generate enough traffic for financially viable rail operation yet that traffic volume may be sufficient to justify continuing subsidized rail service since its total resource consumption would be less than for comparable motor carrier service.

However, at low traffic levels, motor carrier service is less costly than rail in terms of total resource consumption, and in such a case the traffic should be hauled by motor carrier rather than by rail unless other overriding considerations are involved. Ultimately, if States or localities

do determine that subsidy is justified, the necessary agreements would have to be implemented.

Figure 10 shows, for rail lines of varying length, the relationship between the level of traffic required for a high probability of rail financial viability and the breakeven line between rail and motor carriers in terms of total resource consumption. The line labeled (1) is the DOT Upper Criteria discussed earlier. The line labeled (2) is based on an analysis conducted by the Department of the total cost of resources consumed by motor carriers and Class I railroads under efficient operations in moving like tonnages over the same distance, which is the distance from a traffic generating point to an intermodal facility. The estimated rail resource consumption was based on the service involved in switching the empty and loaded freight cars at the shipper's siding, moving the loaded cars to the yard, switching them into a line haul train and delivering empty cars to the shipper's siding. The estimated motor carrier resource consumption was based on placement of empty trailers at the shipper's location, pick-up and movement of the loaded trailers to the railroad yard, placement of the load on railroad cars, and switching those cars into a line haul train. Line (2) thus represents the volume of traffic required for each length of haul in order for the two modes to consume the same value of resources. Below this line motor carriers are more efficient, while above it rail has the efficiency advantage in moving the traffic.

Based on this analysis, it is recommended that only those lines falling between curve (1) and curve (2) be considered for local subsidy. The States and local communities can consider whether rail service by other than Class I railroads may change the relationship of these curves. It is possible that short line railroad operations could improve the rail efficiency curve to the point where the line is financially viable or where a local subsidy might be justified.

It is important to note that even for the small proportion of traffic not included in the Secretary's local rail service recommendations (4 percent of the region's total rail traffic), part of it will continue to be carried by rail after the restructuring process has been completed because:

1. Some of this traffic and associated lines will be determined by the Association to be, in fact, financially viable and will therefore continue to have direct rail service;

2. Some of it will be subsidized by States and localities and will thereby continue to receive direct rail service; and

3. Some of it will go by motor carrier from the traffic generating point to the nearest financially viable rail facility where it will be shipped by railroad. Since about 80 per cent of the local service lines in the region are less than 20 miles in length, the distances to the financially viable rail facilities are reasonably short. Thus, while these generating points will no longer have "direct" rail service, they will have rail service available by trucking the relatively short distances to operating rail facilities. In cases where piggyback service can be used, it may not even be necessary to transfer cargo from truck to freight cars.

Specific Recommendations For Local Rail Service

The Secretary's specific recommendations concerning the rail service which should be provided within each of the 184 zones and accompanying data are contained in Volume II of this report. The material presented by State for each zone includes:

1. *Information Summary:*

A summary of pertinent information regarding the demographic and transportation characteristics of the zone.

2. *Zone Map of Points Recommended for Rail Service:*

A railroad line and railroad station map of the zone showing rail stations in the zone, railroad mainlines which pass through the zone and points recommended for direct rail service (city or station names shown in shaded blocks).

3. *Station Data Summary—Points Recommended for Rail Service:*

A list of all cities and stations which are recommended for local rail service (shown in shaded blocks on map) and the approximate annual carloads originating or terminating at each point. Total traffic at these points is compared to the zone total.

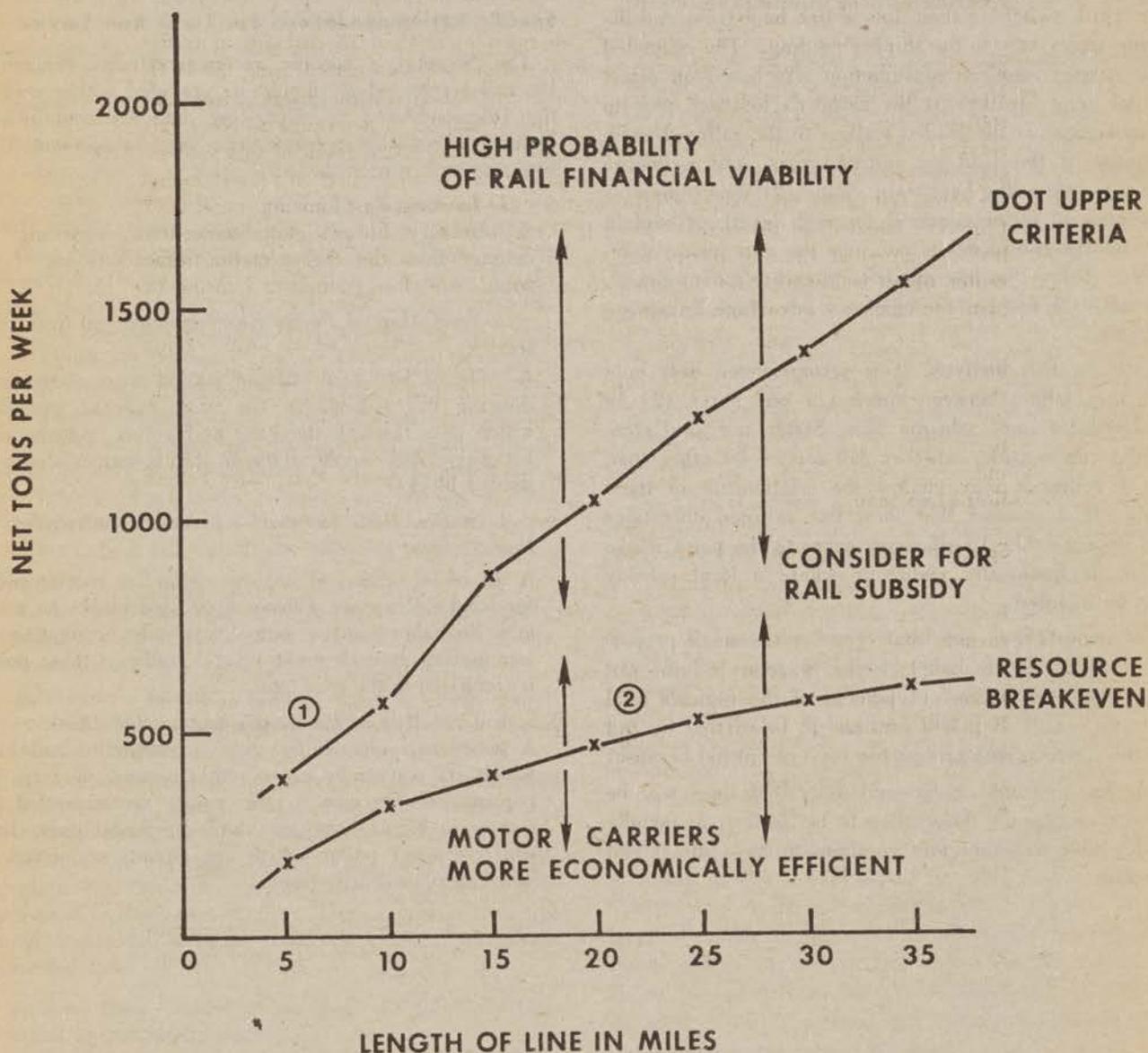
4. *Zone Map of Potentially Excess Rail Lines:*

A zone map identifying those segments of rail lines which are potentially excess either because they are not required for service to the points recommended for service or because they are duplicate feeder lines (lines which connect points which are already connected by other, heavier-density lines).

FIGURE 10

RAILROAD-MOTOR CARRIER BREAKEVEN ANALYSIS FOR LOCAL SERVICE LINES OF VARYING LENGTH

- ① NET TONS PER WEEK NECESSARY FOR A HIGH PROBABILITY OF FINANCIALLY VIABLE RAIL OPERATION.
- ② NET TONS PER WEEK PER CONSUMPTION OF AN EQUAL AMOUNT OF RESOURCES BY MOTOR CARRIERS AND RAILROADS



SOURCE: (1) FRA REPORT OE-73-3

(2) FRA OFFICE OF ECONOMICS

ZONE SUMMARY EXAMPLE

An example of one of the 184 individual zone reports, the four-page summary of Lansing, Michigan (Zone 161) is shown in the following pages. It is preceded by a discussion of the application of the local rail service criteria and procedures to the Lansing zone.

Discussion

The Lansing zone originated or terminated an average of 239 carloads of rail traffic per day during 1972. Rail service within the zone is provided by four railroads. The service of two of these carriers, the Chesapeake and Ohio, and the Grand Trunk Western, is provided over heavy density (more than 10 million gross ton-miles per mile per year) signalled track. The other two carriers, the Penn Central and the Ann Arbor (both of which are bankrupt) provide light density local service.

The approach followed by the Department in developing its local rail service recommendations involved two steps:

1. All stations within the zone that generated more than 75 carloads of traffic per year were identified. Next, each of these stations was considered using the DOT Upper Criteria in conjunction with the traffic at the station and the distance from the station to the nearest financially viable rail line or station to determine whether rail service had a high probability of being financially viable. As a result of this process, stations recommended for service in the Lansing zone are all located on present main-for continued direct rail service. These stations are Lansing, East Lansing, Ensel, and Charlotte (shaded on the map). Even if there were no mainlines in the zone, the traffic volumes at Lansing justify having rail service from the closest major traffic center which is Detroit, and the other three stations are close enough to Lansing to justify extending service from Lansing.

2. The existing route structure was examined to determine which local service lines were potentially excess, either because they were not required to serve the points recommended for service or because they represented duplicate facilities. The four stations recommended for service in the Lansing zone are all located on present mainlines. The remainder of the local service network is unnecessary and was, therefore, judged potentially excess as indicated by the shaded lines on the Potentially Excess Rail Lines map.

Specific Lansing Zone Line Analysis

1. The Penn Central line from Lansing south through Mason has no viable local traffic and it is not required to serve Lansing, which already has two mainline carriers.

2. The Penn Central line from Jackson to Grand Rapids through Charlotte serves no viable traffic points within Zone 161, nor in the adjacent Jackson or Grand Rapids zones, except Charlotte, which can be served out of Lansing or Battle Creek along the Grand Trunk Western's mainline labeled B.

3. The Chesapeake and Ohio branch from Grand Ledge through Eagle to Ionia has no viable local traffic.

4. The Grand Trunk Western line through the northern part of the zone which runs from Owosso to Grand Rapids via St. Johns in Zone 161 has no viable local traffic and is not necessary for through traffic from adjacent zones.

5. The Ann Arbor and Grand Trunk Western also have lines that cross into the zone at Elsie and Stockbridge, respectively. These lines were analyzed in conjunction with other zones and found redundant.

Association Plan for Lansing

The restructuring process for Lansing will require a number of additional steps by the Association before it can be implemented. These further considerations include:

1. As indicated above in the discussion on Interstate Rail Service, Lansing is a zone not recommended for competitive service. Is it possible to consolidate operations so that only one railroad continues to serve the Lansing zone?

2. If two railroads continue to serve the zone, is it possible to have them utilize joint facilities, both terminals and track, and/or enter into cooperative service agreements designed to reduce their overall operating costs?

3. Some of the traffic in Lansing is located on Penn Central sidings. Can the Penn Central assets be transferred to either the Chesapeake and Ohio and/or Grand Trunk Western to assure continued service? If not, it may be necessary to continue other Penn Central lines (i.e., over the Grand Trunk Western to Battle Creek or the Penn Central service to Lansing, perhaps using trackage rights to provide access to Chesapeake and Ohio to Detroit).

4. Do the Chesapeake and Ohio and Grand Trunk Western desire to abandon their lines (there is no requirement that they do so) and if so, include this abandonment in the system plan? Early indication of their intentions would facilitate any State determination of subsidy requirements.

ZONE 161 LANSING, MI

Location: Central Michigan

Population: 378,423¹

Area (sq. miles): 1,702¹

Interstate Highways: 96

Railroad Service:

Bankrupt: Ann Arbor, Penn Central

Solvent: Chesapeake & Ohio, Grand Trunk Western

Rail Freight Originated and Terminated: ²

Carloads per year: 87,172

Carloads per day: 239

Principal Commodity: ² Transportation Equipment

¹ 1970 Census of population

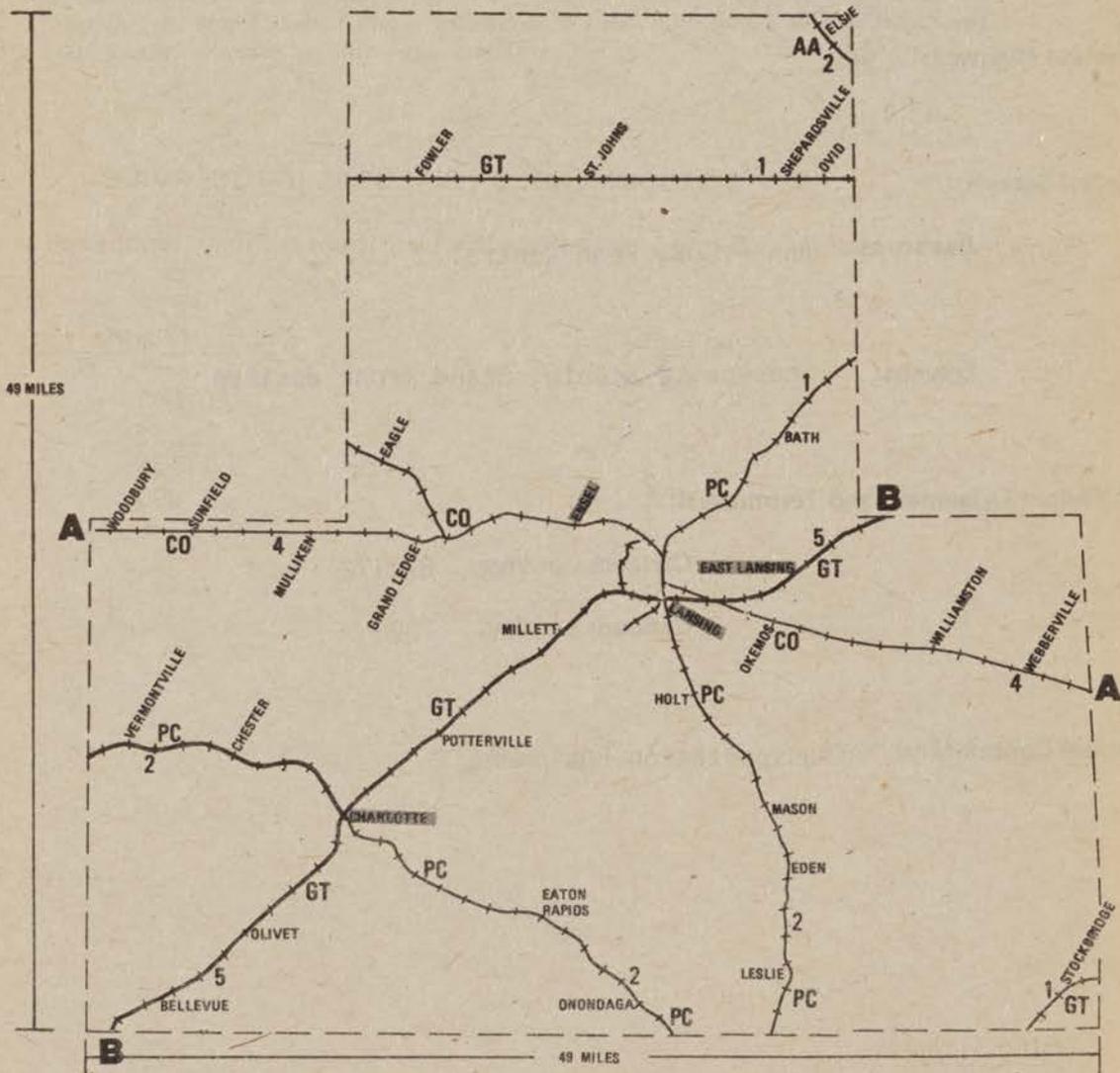
² 1972 Traffic data supplied by individual railroads

ZONE 161 LANSING, MI

POINTS RECOMMENDED FOR RAIL SERVICE

MAP LEGEND:

- BLUE SHADE: POINTS RECOMMENDED FOR SERVICE
- RED LINE: BANKRUPT CARRIER MAINLINES
- BLUE LINE: SOLVENT CARRIER MAINLINES
- A-A, ETC: MAINLINE ROUTE IDENTIFICATION
- NUMBERS INDICATE TRAFFIC DENSITY (SEE KEY)



ZONE 161 LANSING, MI

RAILROAD MAINLINES IN ZONE

<u>Line</u>	<u>Carrier</u>	<u>Route</u>
A	Chesapeake & Ohio	Chicago-Detroit to East
B	Grand Trunk Western	Detroit-Chicago Chicago-Pt. Huron to Canada

POINTS RECOMMENDED FOR LOCAL RAIL SERVICE

Points listed are stations that originate and terminate sufficient traffic to require rail service.

<u>Station Name</u>	<u>Annual Carloads</u> ¹
Lansing	80,090
Charlotte	2,061
E. Lansing	1,056
Ensel	899

Traffic Summary

Total annual carloads in Zone: 87,172

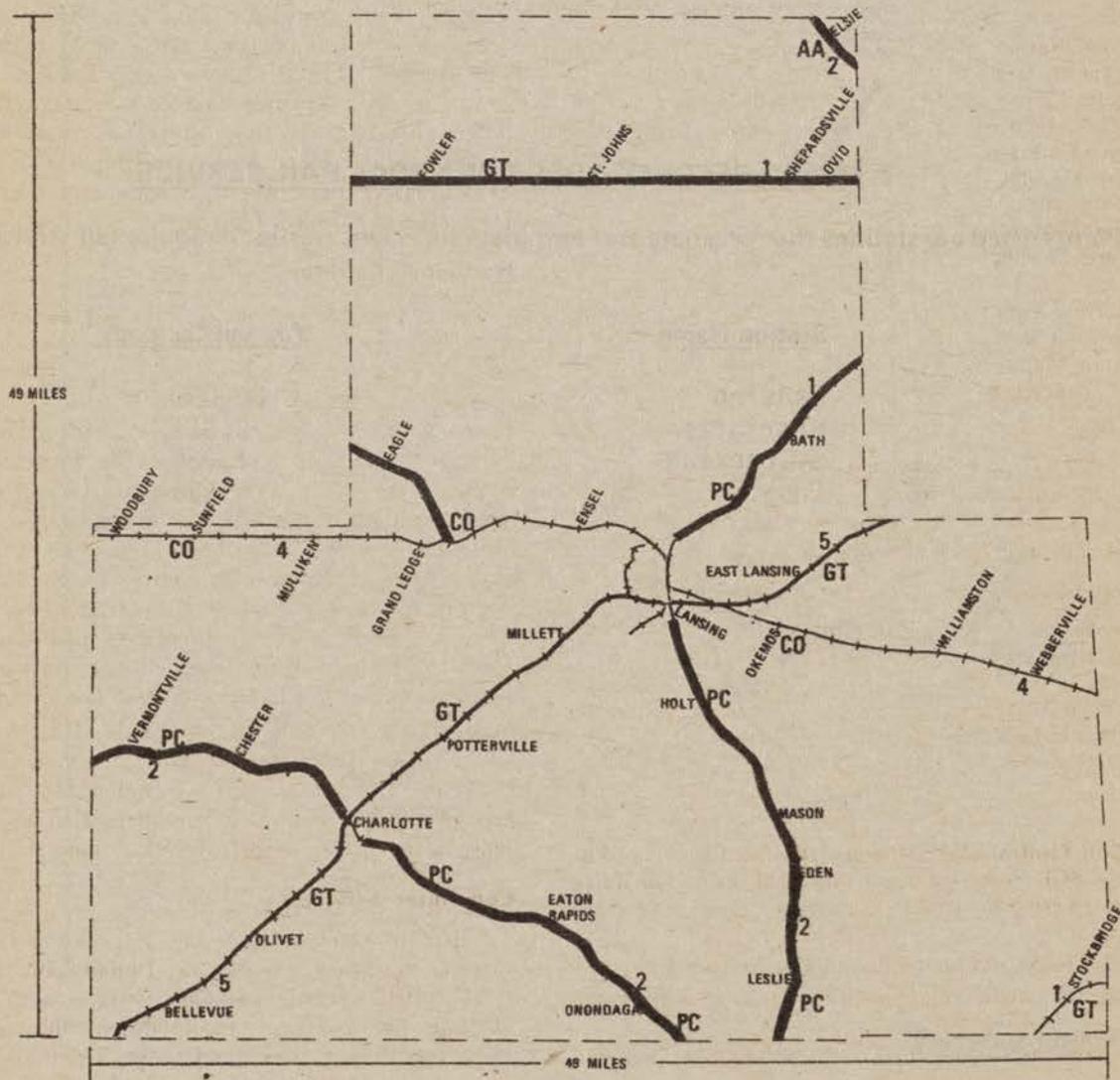
Percent of traffic in zone at stations recommended for service: 96%

¹ Traffic data supplied by individual railroads

ZONE 161 LANSING, MI

POTENTIALLY EXCESS RAIL LINES MAXIMUM PERCENT OF ZONE TRAFFIC ON THESE LINES 4%

(ORANGE LINE: RAIL LINES EITHER NOT NECESSARY TO SERVE THOSE POINTS RECOMMENDED FOR SERVICE OR WHICH ARE DUPLICATE FEEDER LINES.)



PASSENGER SERVICE

Although a significant portion of the railroad passenger miles operated in the nation is attributable to intercity and commuter passenger operations in the region, most of the rail lines used for intercity rail passenger service primarily carry freight. The exception to this is the

TABLE 17.—INTERCITY PASSENGER SERVICES IN THE REGION
(Other Than Northeast Corridor)
(First Nine Months 1973)

Railroad Company and End-Points	Railroad ¹	Route Mileage ²	Daily Round-trips ³	Average Daily Rider-ship ⁴
AMTRAK				
New York-Kansas City via St. Louis	PC/MP	1,470	1	646
New York-Chicago ⁵	PC	1,047	1	780
Newport News/Washington-Chicago	PC/Chessie	1,057	1	330
Chicago-Florida via Louisville	PC/L&N/SCL	1,871	1	335
Washington-Montreal	PC/BM/CV	670	1	330
New York-Florida	PC/RF&P/SCL	2,167	4	3,350
Buffalo-New York ⁶	PC	436	5	1,145
Chicago-Detroit	PC	282	2	416
Harrisburg-Phila.	PC	103	10.5	1,790
Wash.-Cumberland	Chessie	146	1	300
SOUTHERN				
Wash.-Birmingham ⁷ (New Orleans)	Southern	1,154	1	557
Wash.-Atlanta	Southern	633	1	135
Wash.-Lynchburg	Southern	172	1	35
ROCK ISLAND				
Chicago-Peoria	Rock Island	161	1	133
Chicago-Rock Island	Rock Island	181	1	91
Region Total (Other than Northeast Corridor)			32.5	10,373

¹ PC-Penn Central, MP-Missouri Pacific, L&N-Louisville & Nashville, SCL-Seaboard Coast Line, BM-Boston & Maine, CV-Central Vermont, RF&P-Richmond, Fredericksburg & Potomac.

² Total for route, not limited to miles in the region.

³ Represents number of roundtrips offered for December 1973.

⁴ Total passengers served by trains operating between end-point cities.

⁵ Includes Harrisburg-Washington section.

⁶ Includes intermediate service between New York-Albany and New York-Syracuse.

⁷ Daily Washington-Birmingham, tri-weekly Birmingham-New Orleans.

Data Source: Monthly financial reports for railroads noted.

"Northeast Corridor" between Washington, D.C., and Boston, where intercity passenger and commuter operations are extensive.

The National Railroad Passenger Corporation (Amtrak) operates virtually all intercity service in the region over a route network that serves most major population centers. With the exception of the Boston-New-York-Washington, Philadelphia-Harrisburg, New York-Buffalo, and New York-Florida routes, where more frequent service is offered, Amtrak operates only one or two trains a day in each direction over each of its routes (Table 17).

Virtually all of these Amtrak services are operated over Penn Central lines. Two other railroads in the region, the Southern Railway and the Rock Island, operate intercity passenger service outside the Amtrak system. The Southern's services consist of daily round trips from Washington to Lynchburg, Atlanta, and Birmingham, with the latter train continuing to New Orleans three times each week. The Southern cooperates with Amtrak to provide joint ticketing and through car services to New York City and Los Angeles. The Rock Island operates daily round trips from Chicago to Peoria and Rock Island. Both of these latter operations receive substantial subsidies from the State of Illinois. The Auto-train Corporation also provides daily service from Lorton, Virginia, in the Washington, D.C., area to Sanford, Florida.

Northeast Corridor

The Act specifies as one of the goals of the Final System Plan the establishment of improved high-speed rail passenger service in the Northeast Corridor, consonant with the recommendations of the Secretary in his September 1971 report entitled *Recommendations for Northeast Corridor Transportation*. The Act requires the Secretary to initiate work on the necessary engineering studies and improvements to implement these recommendations. It also requires the Consolidated Rail Corporation to negotiate an appropriate agreement with Amtrak for the sale or lease to Amtrak of those rail properties designated for such purposes in the Association's Final System Plan. The Association is authorized to issue Federally guaranteed obligations to support the improvement of these properties.

As shown in Table 18, over half of all Amtrak trains in the region run in the Corridor.³ The coordination of this passenger traffic with rail commuter and freight service presents one of the major problems that the Association must deal with in its plan for this route.

Commuter Service

Extensive commuter service is performed by regional carriers in Boston, New York, Philadelphia and Chicago (Table 19). Local commuter services are operated on all but 140 miles of the 460-mile Boston-Washington route (all Penn Central trackage). There are also smaller commuter service operations in the Washington, Pittsburgh, Detroit, and Cleveland areas. In all the high use areas, commuter service has already been supported by local authorities in the form of operating subsidies, facility acquisition and capital grants. Segments of the right-of-way are owned or leased by public agencies in the New York and Boston areas.

TABLE 18.—AMTRAK SERVICES IN NORTHEAST CORRIDOR

(Including Present Feeder Service)
(First Nine Months of 1973)

End-Points	Railroad	Route Mileage	Daily ¹ Round-trips	Average ² Daily Rider-ship
Boston—Wash.	Penn Central	457	8	7,030
New York—Wash.	Penn Central	225	17	6,700
New Haven— Washington	Penn Central	300	1	530
Springfield— Washington	Penn Central	361	1	755
New York—Bos.	Penn Central	232	2	560
Phila.—Boston	Penn Central	322	2	985
Phila.—New York	Penn Central	90	10	9,675
New Haven— Hartford	Penn Central	37	3	265
New Haven— Springfield	Penn Central	62	4	210
Total—Northeast Corridor			48	26,710
Region Total (including other than Northeast Corridor)			80.5	37,083

¹ Represents number of roundtrips offered for December, 1973.² Represents total number of passengers served by trains operating between noted end-points.

Data Source: Monthly Amtrak financial reports, first nine month, 1973.

TABLE 19.—RAILROAD COMMUTER SERVICE IN THE REGION

(1973)

Area and Local Gov't. Authority ¹	Railroad	Route Mileage ²	Week-day Trips ³
Boston			
MBTA	Boston and Maine	157	20,000
MBTA	Penn Central	43	2,600
MBTA	Penn Central	44	12,000
Total			244 34,600
New York			
MTA	Long Island Railroad	355	245,000
N.J. DOT	Central of New Jersey	50	15,600
N.J. DOT/MTA	Erie-Lackawanna	217	72,000
MTA	Penn Central	150	76,000
N.J. DOT	Penn Central	58	40,600
N.J. DOT	New York & Long Branch	57	23,000
MTA/CTA	Penn Central	135	59,000
MTA	Staten Island Rapid Transit	14	18,000
N.J. DOT	Reading	85	400
Total			1,121 549,600

TABLE 19.—RAILROAD COMMUTER SERVICE IN THE REGION—Continued
(1973)

Area and Local Gov't. Authority ¹	Railroad	Route Mileage ²	Week-day Trips ³
Philadelphia			
SEPTA	Penn Central	119	67,000
SEPTA	Reading	204	46,000
N.J. DOT	Pennsylvania-Reading Seashore Lines	116	500
Total			439 113,500
Washington			
	Penn Central	40	900
	Chessie	86	2,700
Total			126 3,600
Pittsburgh			
	Chessie	18	1,000
	Penn Central	31	400
Total			49 1,400
Detroit			
	Grand Trunk Western	26	2,000
	Penn Central	36	200
Total			62 2,200
Cleveland			
	Erie-Lackawanna	66	300
Total			66 300
Chicago ⁴			
	Burlington Northern	38	43,000
	Illinois Central Gulf	75	60,000
	Milwaukee Road	110	29,500
	Norfolk & Western	23	1,600
	Chicago & North Western	145	85,000
	Penn Central	43	1,200
	Rock Island	52	26,000
	South Shore	90	10,600
Total			576 256,900
Regional Total			2,683 962,100

¹ MBTA—Massachusetts Bay Transportation Authority, MTA—Metropolitan Transportation Authority (State of New York), N.J. DOT—New Jersey Department of Transportation, CTA—Connecticut Transportation Authority, SEPTA—Southeast Pennsylvania Transportation Authority.² Total route mileage may include some duplication.³ Total passenger trips per day, any direction.⁴ Several railroads which provide commuter service in the Chicago area participate in suburban mass transit districts which permit them to receive matching public funds for capital purchases for this service. These railroads are the Burlington Northern, Illinois Central Gulf and Milwaukee Road.

Data Source: Urban Mass Transportation Administration, Office of Capital Assistance; Chicago area Transportation Study.

Association Plan

Improvements to the rail network in the region should result in a direct benefit to passenger services where improvements in track and signals occur on those facilities which carry both freight and passenger services.

However, because of the concentration of passenger operations in the region, we believe that passenger service requirements at both the local and intercity levels must be afforded special consideration in the formulation of the Final System Plan. In most cases the routes now utilized for passenger services are heavy freight routes

and will likely continue as such. The Department recognizes that Amtrak may wish to make changes in service on segments of present passenger routes as a result of the final plan. Such changes should be limited in their impact to intermediate points on Amtrak's system. The major end-point cities should not be affected.

The Association must devote special attention to the current and projected requirements of commuter and intercity passenger service. The Final System Plan must insure that there will be no diminution of service quality and that appropriate priority status is given to passenger train movements, particularly in the Northeast Corridor.

TABLE 20.—LIST OF RAILROAD NAMES AND ABBREVIATIONS USED IN THIS REPORT

<i>Code</i>	<i>Railroad Name</i>	<i>Code</i>	<i>Railroad Name</i>
AA	Ann Arbor Railroad Company	LN	Louisville and Nashville Railroad
AY	The Akron, Canton & Youngstown Railroad Company	LS	Lake Superior & Ishpeming Railroad Company
BA	Bangor and Aroostook Railroad Company	LV	Lehigh Valley Railroad
BL	Bessemer & Lake Erie Railroad Company	MC	Maine Central Railroad Company
BM	Boston & Maine Corporation	MG	Monongahela Railway
BN	Burlington Northern	MP	Missouri Pacific Railroad Company
BO	The Baltimore and Ohio Railroad Company	NO	Chicago and North Western Transportation Company
CE	Chicago & Eastern Illinois Railroad	NW	Norfolk and Western Railway Company
CM	Chicago, Milwaukee, St. Paul & Pacific Railroad	PC	Penn Central Transportation Company
CO	The Chesapeake and Ohio Railway Company	PL	Pittsburgh & Lake Erie Railroad
CP	Canadian Pacific	PR	Pennsylvania-Reading Seashore Lines
CV	Central Vermont Railway, Incorporated	PW	Providence and Worcester Company
DH	Delaware and Hudson Railway Company	RF	Richmond, Fredericksburg and Potomac Railroad Company
DM	Detroit and Mackinac Railway Company	RG	Reading Company
DS	Detroit and Toledo Shore Line Railroad Company	RI	Chicago, Rock Island and Pacific Railroad Company
DT	Detroit, Toledo and Ironton Railroad Company	SC	Seaboard Coast Line Railroad
EL	Erie Lackawanna Railway	SF	The Atchison, Topeka and Santa Fe Railway Company
EJ	Elgin, Joliet and Eastern Railway Company	SL	Soo Line Railroad Company
GT	Grand Trunk Western Railroad	SO	Southern Railway Company
IC	Illinois Central Gulf Railroad	SW	Toledo, Peoria & Western Railroad Company
JC	The Central Railroad Company of New Jersey	VT	The Vermont Railway Incorporated
LH	The Lehigh and Hudson River Railway Company	WM	Western Maryland Railway
LI	The Long Island Railroad		

ERRATA

The following changes should be made in the footnotes to Volume I:

<i>Page</i>	<i>Line or Footnote</i>	<i>Corrections</i>
5395	Footnote 1	Add the following at the end of the footnote: "Davenport, Iowa is included, for purposes of this Report, in the region under study because it is part of the Davenport-Rock Island-Moline Standard Metropolitan Statistical Area (SMSA) which is Zone 135 in this Report."
5411	Footnote 1	Add the following at the end of the footnote: "As indicated in the correction to the first footnote in the Introduction and Summary, the Department has, for purposes of this Report, included Davenport, Iowa in Zone 135 due to the fact that Davenport is part of the Davenport-Rock Island-Moline Standard Metropolitan Statistical Area (SMSA)."

**VOLUME II—LOCAL RAIL SERVICE
RECOMMENDATION**

Part I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia.

Part II: Ohio, Indiana, Illinois, Michigan, Virginia, West Virginia.

(Incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51)

Incorporation by reference of Volume II of the report in this document was approved by the Director of the Federal Register on February 7, 1974 (IBR Doc- ket 74-2). The incorporated material is on file at the Office of the Federal Reg-

ister and is available for public inspection during regular office hours in Room 8401, 1100 L St., NW., Washington, DC.

EDITORIAL NOTE: The Secretary of Transportation's report, "Rail Service in the Midwest and Northeast Region" (both Volume I which is printed in full text above and Volume II which is incorporated by reference) is available for public inspection or for purchase as set forth below:

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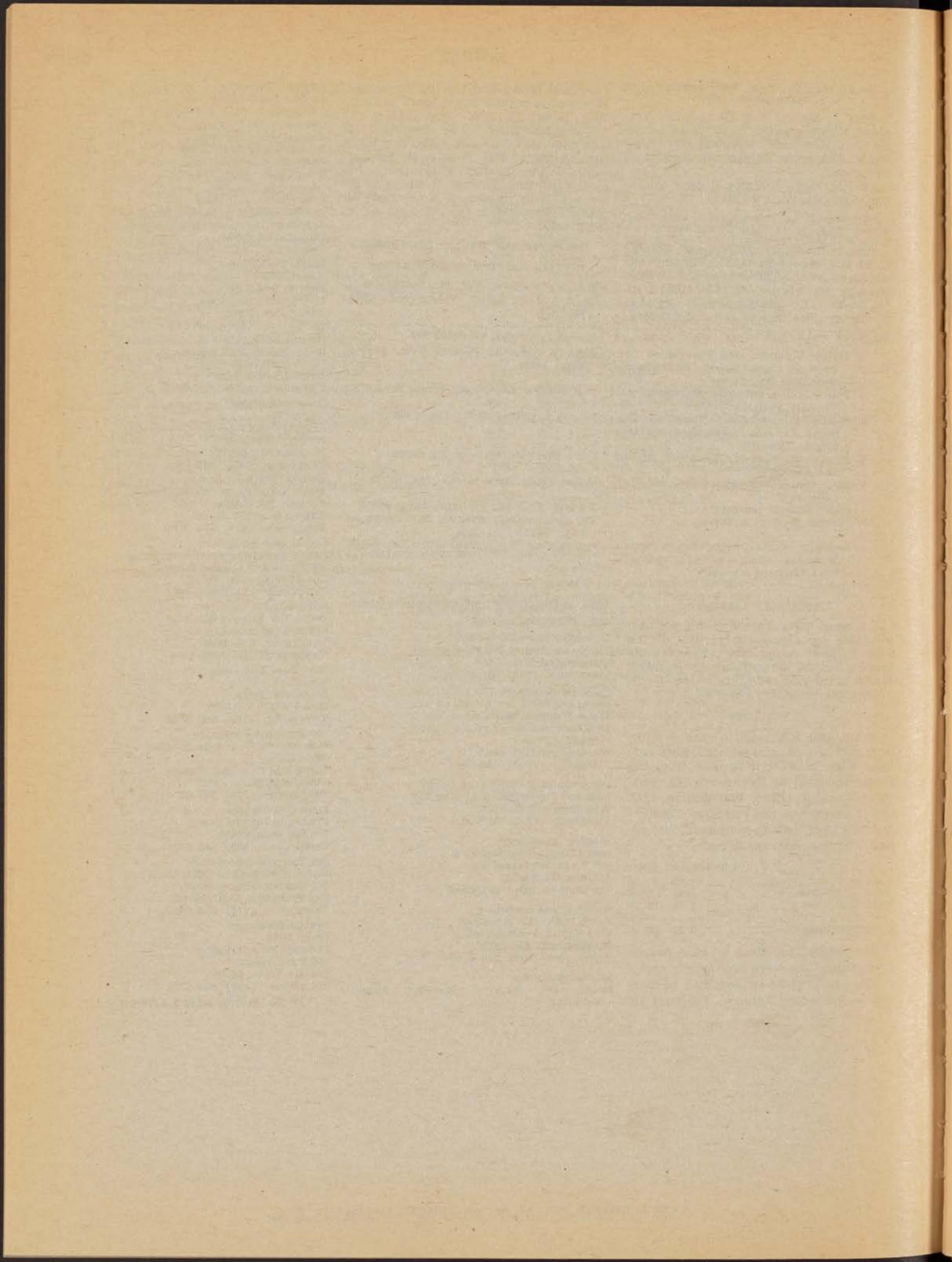
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