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Pages 13513–13615

PART I

HIGHLIGHTS OF THIS ISSUE

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

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REMINDERS

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

page no. and date

APRIL 15

FDA—Ampicillin and cephalosporin; recodification, name change and technical revisions 9935; 3–15–74

—Improvement of nutrient levels of enriched flour, enriched self-rising flour, and enriched breads, rolls or buns. 28558; 10–15–73

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List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

Presidential Documents

Title 3—The President

EXECUTIVE ORDER 11777

Amending Executive Order No. 11691, Adjusting Rates of Pay for Certain Statutory Pay Systems

By virtue of the authority vested in me by subchapter I of chapter 53 of title 5 of the United States Code, section 6 of Executive Order No. 11691 of December 15, 1972, is amended to read as follows:

"SEC. 6. This order shall take effect as of the first day of the first applicable pay period beginning on or after October 1, 1972."

THE WHITE HOUSE,
April 12, 1974.

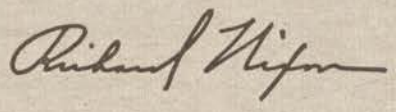
[FR Doc.74-8774 Filed 4-12-74;12:07 pm]

EXECUTIVE ORDER 11778

Amending Executive Order No. 11692, Adjusting the Rates of Monthly Basic Pay for Members of the Uniformed Services

By virtue of the authority vested in me by the laws of the United States, including the Act of December 16, 1967, and the Federal Pay Comparability Act of 1970, and as President of the United States and Commander in Chief of the Armed Forces of the United States, section 2 of Executive Order No. 11692 of December 15, 1972, is amended to read as follows:

"SEC. 2. This order shall take effect October 1, 1972."



THE WHITE HOUSE,
April 12, 1974.

[FR Doc.74-8775 Filed 4-12-74;12:07 pm]

Rules and Regulations

Title 4—Accounts

CHAPTER I—GENERAL ACCOUNTING OFFICE

SUBCHAPTER D—TRANSPORTATION

PART 52—FREIGHT TRANSPORTATION SERVICES FURNISHED FOR THE ACCOUNT OF THE UNITED STATES

Acceptance and Use of Government Bill of Lading

Correction

In FR Doc. 74-7076 appearing on page 11273 in the issue of Wednesday, March 27, 1974, insert the following words between existing lines 2 and 3 of § 52.51 (e):

"* * * the tariff or classification or established * * *"

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

PART 150—PHASE IV PRICE REGULATIONS

Steel Price Amendment

The purpose of this amendment is to permit steel firms to pass through more rapidly the increased cost of purchased ferrous scrap used in production of steel.

Under Special Rule Number 6, effective February 28, 1974, steel firms have been permitted to adjust the price of any steel item (SIC Group No. 331) to reflect changes in the price of purchased ferrous scrap without prenotification but only on the output method and at the close of each accounting month. This time lag has placed a heavy burden on the smaller nonintegrated firms in the steel industry, which use large proportions of ferrous scrap in production, because the price of scrap has risen by unprecedented amounts (more than 25 percent since Special Rule Number 6 was announced on February 28, 1974). This amendment provides a measure of relief by permitting firms to recalculate these costs for the last accounting month and for the future on an input basis and to immediately pass through any price increases resulting from recomputation of last month's scrap cost increases on an input basis.

Because the purpose of this amendment is to provide immediate guidance and information with respect to decisions of the Council, the Council finds that publication in accordance with normal rulemaking procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days.

(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 April 11, 1974.

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

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

Section 3 of Special Rule Number 6 in the Appendix to Subpart J is amended to read as follows:

APPENDIX—SPECIAL RULE NUMBER 6

* * * * *

3. *Waiver of Prenotification for Purchased Scrap Costs*—(a) *Rule*—A firm subject to this special rule using purchased scrap to produce a steel item may adjust the price of that steel item without regard to the prenotification provisions of Subpart H to reflect increased purchased scrap costs. A firm shall calculate the price increase authorized by this section in the manner required by Schedule C of Form CLC-22.

(b) *Definition*—For purposes of this special rule the term "purchased scrap" means purchased ferrous scrap and purchased ferrous alloy scrap.

(c) *Calculation of price adjustments*—(i) Except as provided in paragraph (c)(ii) of this section, a firm may adjust prices pursuant to the rule of this section after the conclusion of an accounting month to reflect increases in purchased scrap costs incurred during that accounting month, calculated on an output basis.

(ii) Effective April 11, 1974, a firm may immediately adjust prices pursuant to the rule in this section to reflect increases in purchased scrap costs incurred during the most recently ended accounting month prior to April 11, 1974, recalculated on an input basis, and may also adjust prices pursuant to the rule of this section, after the conclusion of the next accounting month, to reflect increases in purchased scrap costs incurred during that accounting month, calculated on an input basis.

(iii) A firm which increases a price pursuant to this section shall reduce that price to the extent of any later decrease in purchased scrap costs.

* * * * *

[FR Doc.74-8637 Filed 4-11-74;9:45 am]

APPENDIX—RULINGS

[Phase IV Pay Ruling 1974-5]

STOCK APPRECIATION RIGHTS

Phase IV Pay Ruling

Facts. Corporation X is subject to the self-administered pay controls in Subpart B of Part 152 of the Economic Stabilization Regulations. The firm has a stock option plan, established in 1968, which meets the requirements of § 152.126(c)(1)(i) (A) through (D). The plan is about to terminate on account of the operation of time only. The firm wishes to replace the expiring plan with another stock option plan which also meets the requirements of § 152.126(c)(1)(i) (A) through (D), but which additionally provides certain appreciation rights. The appreciation rights entitle an optionee to surrender an option whenever it is exercisable and receive, in exchange, cash or shares of stock with a total valuation on the day of surrender equivalent to the appreciation, if any, between the option price and the fair market value on the date of surrender.

Issue. Do the stock appreciation rights provided in the proposed replacement plan render the plan inconsistent with the requirements of § 152.126(c)(1)(i) (A) through (D) and therefore subject to treatment under the mandatory incentive compensation controls of §§ 152.131, 152.124, and 152.128?

Ruling. The form of appreciation rights provided in the proposed replacement stock option plan is not inconsistent with the requirements of § 152.126 (c)(1)(i) (A) through (D). Accordingly, the proposed plan may be treated as subject to the provisions of § 152.126. Since the plan is applicable to employees of a firm subject to self-administered controls, it does not require prior approval from the Cost of Living Council. Administration of the plan should be guided by the appropriate provisions of §§ 152.126 (c)(1)(iii) or (d), and 152.135 (a), (b), and (c)(6) with respect to the establishment of an aggregate share limitation.

Issued in Washington, D.C., April 11, 1974.

ANDREW T. H. MUNROE,
General Counsel,
Cost of Living Council.

[FR Doc.74-8709 Filed 4-11-74;2:58 am]

Title 7—Agriculture

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

[Valencia Orange Reg. 459, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation increases the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period April

5–11, 1974. The quantity that may be shipped is increased due to improved market conditions for California-Arizona Valencia oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Valencia Orange Regulation 459 (39 FR 12250). The marketing picture now indicates that there is a greater demand for Valencia oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Valencia oranges to fill the current demand thereby making a greater quantity of Valencia oranges available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

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

(b) *Order, as amended.* The provisions in paragraph (b)(1)(iii) of § 908.759 *Valencia Orange Regulation 459* (39 FR 12250) are hereby amended to read as follows:

(iii) District 3:185,000 Cartons.

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

Dated: April 10, 1974.

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

[FR Doc.74-8624 Filed 4-12-74;8:45 am]

CHAPTER XXVII—OFFICE OF AUDIT, DEPARTMENT OF AGRICULTURE

PART 2710—AVAILABILITY OF INFORMATION TO THE PUBLIC

Title 7 CFR is hereby amended by adding a new Chapter XXVII consisting of Part 2710 dealing with availability to the public of records of the Office of Audit. The fee schedule for copies of available documents is published as a notice in the FEDERAL REGISTER (currently 38 FR 26742). Such notice is subject to revision from time to time. The new Part 2710 reads as follows:

Sec.
2710.1 General statement.
2710.2 Requests.
2710.3 Exempt records.
2710.4 Denials.
2710.5 Appeals.

Authority: The provisions of this Part 2710 are issued under 5 U.S.C. 301, 5 U.S.C. 552, and 5 U.S.C. 559.

§ 2710.1 General statement.

This part is issued in accordance with, and subject to, the regulations of the Secretary of Agriculture, § 1.1 through 1.4 of this title, and governs the availability of records of the Office of Audit (OA) to the public upon request.

§ 2710.2 Requests.

(a) Requests for OA records shall be made in writing to the Assistant Director, Policy, Plans and Inspections, OA, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

(b) Each record requested must be identified with reasonable specificity.

(c) Records so requested will be made available, except for exempt records in the categories specified in § 2710.3.

(d) Available records may be inspected and copied in the Office of the Assistant Director, Policy, Plans and Inspections, during regular working hours, or may be obtained by mail. Copies will be provided upon payment of applicable fees prescribed by regulations published in the FEDERAL REGISTER (currently 38 FR 26742).

§ 2710.3 Exempt records.

The following records of OA are exempt from disclosure:

(a) Matters specifically required by Executive Order to be kept secret.

(b) Matters relating solely to internal personnel rules and practices.

(c) Matters specifically exempted from disclosure by statute.

(d) Matters that are trade secrets and commercial and financial information obtained from a person and privileged or confidential.

(e) Interagency or intra-agency memorandum, letters, and other similar communications that would not be available to a party other than an agency in litigation with the agency. This would include audit reports and related work papers and correspondence.

(f) Personnel and medical files, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Investigatory files compiled for law enforcement purposes, except to the extent available by law to a party other than an agency.

(h) Matters contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency of the Department responsible for the regulation or supervision of financial institutions.

§ 2710.4 Denials.

If the Assistant Director, Policy, Plans and Inspections, determines that a requested record is exempt, he shall give prompt written notice of denial, together with the reasons therefor: *Provided*, That except where disclosure is prohibited by Executive Order or statute, or by regulations of other Government agencies, the Assistant Director, Policy, Plans and Inspections, may, in individual cases, make available records that are exempt from disclosure, if he determines that disclosure will not adversely affect the national interest or constitute an unwarranted invasion of individual privacy.

§ 2710.5 Appeals.

The denial of a requested record may be appealed, by the person who made the request, to the Director, Office of Audit, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250. The appeal shall be made in writing within 15 days of the date of receipt of the notice of denial. The Director will give written notice of his final determination.

Effective date. April 19, 1974.

Signed at Washington, D.C. this 5th day of April 1974.

LEONARD H. GREESS,
Acting Director.

[FR Doc.74-8581 Filed 4-12-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 74-SW-2; Amdt. 39-1815]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A & 206B Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a 100 hour repetitive inspection of the tail boom for loose rivets or cracks in the skin splice area from Station 300 to Station 341 on certain Model 206A and 206B helicopters was published in 39 FR 4927.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Responses to the proposal were received from four operators and from Bell Helicopter Company. Bell and one operator suggested paragraph (c) of the proposal be revised to provide for the repair of cracked tail booms in accordance with an FAA approved procedure instead of requiring replacement. The agency intended to permit repair of cracked tail booms when

the proposal specified replacement of a cracked tail boom with a serviceable tail boom. To clarify this intent, paragraph (c) of the adopted rule provides for repair or replacement of tail booms rather than replacement only.

Three other operators objected to the proposed rule as being unnecessary since the inspections specified in Bell Service Bulletin No. 206–01–73–4 were more detailed and tail boom inspections are part of the normal preflight inspection.

The agency has given serious consideration to these comments. However, it is considered necessary to assure mandatory compliance with Bell Service Bulletin No. 206–01–73–4 at 100 hour intervals since we have received six reports of cracked tail booms. Thus the rule will be adopted as revised. The Service Bulletin and the proposed A.D. require continuation of visual inspections when new or repaired tail booms are installed on Model 206A and B helicopters, serial numbers 1 through 944. One operator objected to this particular requirement. When service history and design changes to the tail boom warrant a change in the A.D., the rule will be revised or withdrawn, as necessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to Model 206A and 206B Helicopters, Serial Numbers 1 through 944, Certificated in all Categories.

Compliance required within 50 hours time in service after the effective date of this A.D., unless already accomplished within the last 50 hours time in service, and thereafter at intervals not to exceed 100 hours time in service from the last inspection.

To detect loose rivets in the tail boom skin splice from Station 300 to Station 341 on the left-hand side of the boom and cracked tail boom skin in the same area, accomplish the following:

(a) Inspect visually the rivets for looseness or working in the skin splice and inspect the tail boom skin for cracks using a three power or higher magnifying glass.

(b) Replace loose rivets with AN470AD5–2 or CR2249–5–2 or equivalent rivets before further flight.

(c) Replace cracked tail booms before further flight with a serviceable tail boom in accordance with Section VIII of the Model 206A/B Maintenance and Overhaul Instructions or repair cracked tail booms in accordance with FAA or FAA DER approved repair data.

(d) The repetitive inspections are still applicable for the noted helicopters after replacement of loose rivets or repair of cracked booms.

(Bell Helicopter Co. Service Bulletin No. 206–01–73–4, Revision B, dated October 16, 1973 pertains to this subject.)

This amendment becomes effective May 14, 1974.

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

Issued in Fort Worth, Texas on April 2, 1974.

A. H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.74–8524 Filed 4–12–74;8:45 am]

[Airworthiness Docket No. 74–NW–1–AD; Amdt. 39–1817]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 747 Series Airplanes

During routine maintenance, several cracks were discovered in the forward electronic hatch on the Boeing Model 747 Series airplanes. In six instances, a latching pin had failed. If allowed to progress, additional structural damage would result and hatch failure with subsequent loss of cabin pressure could occur. Since this condition is likely to exist in other model 747 airplanes, an airworthiness directive is being issued to require inspection and, as necessary, rework of the hatch.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING: Applies to forward electronic hatches on all model 747 series airplanes certificated in all categories. Compliance required as indicated.

To detect cracks in the hatch, accomplish the following:

(a) Within the next 100 hours time in service from the effective date of this AD, visually inspect the forward electronic hatch on airplanes having 5,000 or more hours time in service, unless inspected within the last 100 hours. If no cracks are found, or if repaired in accordance with paragraph (e), or if the hatch is replaced with a hatch which has not been modified in accordance with Boeing Service Bulletin 747–52–2088, repeat the inspection every 500 hours time in service until modified in accordance with the termination action specified in Boeing Service Bulletin 747–52–2088, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region.

(b) If cracks are found in the frame or outer skin, repair the cracks in accordance with paragraph (e), or replace the hatch before further flight.

(c) If cracks are found in the channel stiffeners or in the horizontal angles on the lower side of the hatch, replace or repair in accordance with paragraph (e), or reinspect every 100 hours and repair within 1,000 hours time in service from effective date of this AD or from discovery of the cracks, whichever is later. The hatch must be replaced or repaired prior to further flight, if cracks in any one horizontal angle P/N 65B11898–2 or –4 exceed 5 inches in length or a combined crack length of 8 inches in both angles.

(d) Any broken latch pin must be replaced prior to further flight.

(e) Hatch repairs shall be accomplished in accordance with the FAA approved Boeing 747 Structural Repair Manual, or Boeing Service Bulletin 747–52–2088 or later FAA approved revisions, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region.

(f) Modification of the forward electronic hatch in accordance with Boeing Service Bulletin 747–52–2088 or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region, constitutes terminating action under the provisions of this AD.

(g) Upon request of the operator, an FAA Maintenance Inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator, if the request contains substantiating data to justify the adjustment.

Aircraft may be ferried to a base for maintenance in accordance with Sections 21.197 and 21.199 of the Federal Aviation Regulations.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herewith and made a part hereof, pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents may obtain copies upon request to The Boeing Company, P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at FAA Northwest Region, Boeing Field, Seattle, Washington.

This amendment becomes effective on April 15, 1974.

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

Issued in Seattle, Washington, on April 3, 1974.

J. H. TANNER,
Acting Director,
FAA Northwest Region.

[FR Doc.74–8525 Filed 4–12–74;8:45 am]

[Docket No. 74–EA–6; Amdt. 39–1819]

PART 39—AIRWORTHINESS DIRECTIVES

DeHavilland Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to deHavilland DHC–6 type airplanes.

A review of the service history of the DHC–6 airplane establishes a belief that an improper rivet had been installed in several places in the attachment of the support structure of the side facing seat. This deficiency may affect the integrity of the structure when subjected to the required emergency landing loads.

Since this deficiency can exist in all DHC–6 type airplanes, an airworthiness directive is being issued which will require compliance with the manufacturer's service bulletin. As the deficiency involves a derogation of required safety standards, notice and public procedure hereon are impractical and the amendment may be made effective in less than

30 days. In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 [31 FR 13697] § 39.13 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

DEHAVILLAND. Applies to DHC-6 airplanes Serial Numbers 136 to 350 inclusive, 353, 356, 360 to 366 inclusive, and 368 certificated in all categories.

To prevent rivet failures in the side seat rail attachment structure of inward facing seats which are forward of the right-hand cabin door between Fuselage Stations 239.0 and 290.3, accomplish the following in accordance with deHavilland Service Bulletin No. 6/302, dated November 8, 1973:

1. For airplanes that presently have inward facing seats installed, within the next 200 hours in service after the effective date of this AD, unless already accomplished, inspect in accordance with the Accomplishment Instructions of the Service Bulletin, and alter, as necessary, in accordance with the Service Bulletin or in accordance with an approved equivalent alteration.

2. For future initial installation of inward facing seats, attachments must be in accordance with Details "A", "B", "C", and "D" of the Service Bulletin, or approved equivalent attachments.

3. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 522(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to deHavilland Aircraft of Canada, Ltd., Attention: Product Support Department, Downsview, Ontario, Canada. These documents may also be examined at the Eastern Region, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, N.Y. 11430, and at the FAA headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Eastern Region.

4. Equivalent alterations and attachments must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

5. The compliance time may be increased by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, upon receipt of substantiating data submitted through a local FAA maintenance inspector.

This amendment is effective April 18, 1974.

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

Issued in Jamaica, N.Y., on April 4, 1974.

JAMES BISPO,
Deputy Director, Eastern Region.

[FR Doc.74-8526 Filed 4-12-74;8:45 am]

[Docket No. 74-SO-41; Amdt. 39-1816]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-32 Series Airplanes

The position of the stall warning light on some PA-32 Series Airplanes is such that, under certain conditions, it is obstructed from the pilot's view. Since this condition exists in other airplanes of the same type design, an airworthiness directive is being issued to require relocation of the stall warning light on Piper PA-32 Series Airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PIPER. Applies to Model PA-32-260 Airplanes, Serial Numbers 32-7300001 through 32-7300024 and Model PA-32-300, Serial Numbers 32-7340001 through 32-7340081, Certificated in all Categories.

Compliance required within the next 100 hours time in service after the effective date of this AD, unless already accomplished.

To provide an unobstructed view of the stall warning light, accomplish the following:

Relocate stall warning light in accordance with Piper Service Bulletin Number 403 or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 522(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Piper Aircraft Corporation, Vero Beach Division, Vero Beach, Florida 32960. These documents may also be examined at the FAA, Southern Region, 3400 Whipple Avenue, East Point, Georgia 30344 and at FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the FAA, Southern Region office.

This amendment becomes effective April 18, 1974.

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

Issued in East Point, Georgia on April 4, 1974.

NOTE.—The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74-8528 Filed 4-12-74;8:45 am]

[Airspace Docket No. 74-SO-38]

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

Revocation of Control Zone and Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the NAS Albany, Ga., control zone and alter the Albany, Ga., transition area.

The NAS Albany control zone is described in § 71.171 (39 FR 354) and the Albany transition area is described in § 71.181 (39 FR 440). In each description, a radius is predicated on NAS Albany to provide controlled airspace protection for IFR operations at NAS Albany. Effective April 15, 1974, NAS Albany will be deactivated, and the requirement for controlled airspace will no longer exist. It is necessary to revoke the control zone and alter the transition area description to reflect this change. Since these amendments are less restrictive in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 15, 1974, as hereinafter set forth.

In § 71.171 (39 FR 354), the NAS Albany, Ga., control zone (39 FR 10427) is revoked.

In § 71.181 (39 FR 440), the Albany, Ga., transition area is amended as follows:

"* * * south of the RBN; within a 10-mile radius of NAS Albany (lat. 31°35'-50" N., long. 84°05'06" W.)." is deleted and "* * * south of the RBN." is substituted therefor.

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

Issued in East Point, Ga., on April 4, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74-8529 Filed 4-12-74;8:45 am]

[Airspace Docket No. 74-SO-32]

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

Designation of Control Zone

On March 18, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 10161), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Pompano Beach, Fla., control zone.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 20, 1974, as hereinafter set forth.

In § 71.171 (39 FR 354), the following control zone is added:

POMPANO BEACH, FLA.

Within a 5-mile radius of Pompano Beach Airpark (latitude 26°15'00" N., longitude 80°06'30" W.); within 3 miles each side of Pompano Beach VOR (latitude 26°14'52" N., longitude 80°06'32" W.) 319° radial, extending from the 5-mile radius zone to 8.5 miles

northwest of the VOR; excluding the portion within the Fort Lauderdale, Fla. (Executive Airport) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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

Issued in East Point, Ga., on April 5, 1974.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74-8531 Filed 4-12-74;8:45 am]

[Airspace Docket No. 74-SO-37]

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

Alteration and Revocation of Control Zones and Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter and revoke the Brunswick, Ga. (NAS Glynco) control zone, and alter the Brunswick, Ga. (Malcolm-McKinnon Airport) control zone and the Brunswick, Ga., transition area.

The Brunswick (NAS Glynco) control zone is described in § 71.171 (39 FR 354) and is effective from 0700 to 2300 hours, local time, daily. A reduction in operation to five days a week, Monday through Friday, beginning April 15, 1974, necessitates altering the description to reflect this change. Additionally, a reduction in the daily hours of operation, beginning July 1, 1974, to "from 0800 to 1600 hours, local time, daily, except Saturday, Sunday and Federal legal holidays," necessitates altering the description to reflect this change. On August 1, 1974, the NAS Glynco ATC Tower will be decommissioned and all instrument approach procedures will be cancelled, thus the requirement for the control zone will no longer exist. The Brunswick (Malcolm-McKinnon Airport) control zone is described in § 71.171 (39 FR 354) and contains an exclusion to the Brunswick (NAS Glynco) control zone, which will no longer be required after August 1, 1974. It is necessary to alter the description to reflect this change.

The Brunswick transition area is described in § 71.181 (39 FR 440). A portion of the transition area was designated to provide controlled airspace protection for IFR operations at NAS Glynco. Since all instrument approach procedures to this airport will be cancelled, effective August 1, 1974, it is necessary to alter the description to delete the portion pertaining to IFR operations at NAS Glynco.

Since these amendments are less restrictive in nature, notice and public procedure hereon are unnecessary.

In § 71.171 (39 FR 354), the Brunswick, Ga. (NAS Glynco) control zone is amended, effective 0901 G.m.t., as follows:

APRIL 15, 1974

"* * * daily." is deleted and "* * * daily, except Saturday, Sunday, and Federal legal holidays." is substituted therefor.

JULY 1, 1974

"* * * 0700 to 2300 * * *" is deleted and "* * * 0800 to 1600 * * *" is substituted therefor.

AUGUST 1, 1974

The Brunswick, Ga. (NAS Glynco) control zone is revoked.

In § 71.171 (39 FR 354), the Brunswick, Ga. (Malcolm-McKinnon Airport) control zone is amended, effective 0901 G.m.t., August 1, 1974, as follows:

"* * * 81°28'50" W.) and the portion within the Brunswick (NAS Glynco) control zone." is deleted and "* * * 81° 28'50" W.)." is substituted therefor.

In § 71.181 (39 FR 440), the Brunswick, Ga., transition area is amended, effective 0901 G.m.t., August 1, 1974, as follows:

All between "That airspace extending upward from 700 feet above the surface" and "within an 8.5-mile radius of Malcolm-McKinnon * * *" is deleted.

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

Issued in East Point, Ga., on April 4, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74-8530 Filed 4-12-74;8:45 am]

[Reg. Docket No. 13604; Amdt. 95-245]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Part 95 of The Federal Aviation Regulations is amended, effective May 23, 1974, as follows:

1. By amending Subpart C as follows:

Section 95.1001 *Direct routes-U.S.* is amended to delete:

From, to, and MEA

Moultrie, Ga., VOR; Valdosta, Ga., VOR; *1,800. *1,700—MOCA.
Dothan, Ala., VOR; Albany, Ga., VOR; 2,500.
Brunswick, Ga., VOR; Alma, Ga., VOR; *2,500. *1,600—MOCA.
Albany, Ga., VOR; Valdosta, Ga., VOR; 2,400.

Section 95.1001 *Direct routes-U.S.* is amended by adding:

Lake Hughes, Calif., VOR; Fillmore, Calif., VOR; *8,000. *7,800—MOCA.
*Richfield INT, Idaho; Burley, Idaho, VOR; 7,000. *9,500—MCA Richfield INT, westbound.

Section 95.1001 *Direct routes-U.S.* is amended to read in part:

Bakersfield, Calif., VOR; Pelican INT, Calif.; *3,000. *2,500—MOCA; MAA—35,000.
Pelican INT, Calif.; Los Banos, Calif, VOR, COP 40 NM DSN; 5,500, MAA—35,000.

Puerto Rico Routes

Route 1 is amended to read in part:

Section 95.1001 *Direct routes-U.S.* is amended to read in part:

*Hawaii INT, P.R.; Arenas INT, P.R.; **8,500. *8,500—MRA. **1,300—MOCA.
Arenas INT, P.R.; *Anasco INT, P.R.; 2,500. *4,500—MRA.
Anasco INT, P.R.; Ramey, P.R., VOR; 2,500.

Route 2 is amended to read in part:

Ramey, P.R., VOR; *Pueblo INT, P.R.; 2,000. *2,500—MRA.

Route 8 is amended to delete:

Cabo Rojo INT, P.R.; Ponce, P.R., VOR; 3,000.

Route 8 is amended by adding:

Arenas INT, P.R.; Ponce, P.R., VOR; 3,000.

Section 95.6002 *VOR Federal airway 2* is amended to read in part:

Ephrata, Wash., VOR via north alter.; Wilson Creek INT, Wash., via north alter.; 4,000.
Wilson Creek INT, Wash., via north alter.; *Spokane, Wash., VOR, via north alter.; 5,000. *5,200—MCA Spokane VOR, northeast-bound.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

Eagle INT, Conn.; *Leroy INT, Mass.; **3,000 *4,500—MRA. **2,300—MOCA.
Kittville INT, Mass.; Weston INT, Mass.; *3,000. *2,000—MOCA.
Bangor, Maine, VOR; Enfield INT, Maine; *2,700. *1,600—MOCA.
Enfield INT, Maine; Lee INT, Maine; *2,700. *2,000—MOCA.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

Brookfield INT, N.Y.; Carlisle INT, N.Y.; 4,000.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

Bayport INT, Fla., via east alter.; Homo INT, Fla.; via east alter.; *3,000. *1,500—MOCA.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

Cincinnati, Ohio, VOR; Morris INT, Ind.; 2,600.

Section 95.6205 *VOR Federal airway 205* is amended to read in part:

Kittville INT, Mass.; Weston INT, Mass.; *3,000. *2,000—MOCA.

Section 95.6121 *VOR Federal airway 121* is amended to delete:

*Eugene, Oreg., VOR; Coburg INT, Oreg., northeast-bound, 10,000, southwest-bound, 4,400. *4,700—MCA Eugene VOR, northeast-bound.

Coburg INT, Oreg.; Mohawk INT, Oreg., northeast-bound, 10,000, southwest-bound, 5,200.
Mohawk INT, Oreg.; Redmond, Oreg., VOR; *10,000. *9,800—MOCA.

Section 95.6121 *VOR Federal airway 121* is amended by adding:

*Eugene, Oreg., VOR; Parson INT, Oreg.; 6,000. *5,300—MCA Eugene VOR, northeast-bound.
*Parson INT, Oreg.; Vida INT, Oreg.; 8,000. *6,300—MCA Parson INT, northeast-bound
*Vida INT, Oreg.; Sherman, Oreg., DME Fix; 13,000. *8,200—MCA Vida INT, northeast-bound.
Sherman, Oreg., DME Fix; *Redmond, Oreg., VOR, northeast-bound, 8,000, southwest-bound, 13,000. *10,000—MCA Redmond VOR, southwest-bound.
Redmond, Oreg., VOR; Kimberly, Oreg., VOR; 9,000.
Kimberly, Oreg., VOR; *Baker, Oreg., VOR; 12,000. VOR, southwest-bound.
Baker, Oreg., VOR; McCall, Idaho, VOR; 11,000.
*Eugene, Oreg., VOR, via north alter.; Coburg INT, Oreg., via north alter.; northeast-bound, 10,000, southwest-bound, 4,400. *4,700—MCA Eugene VOR, northeast-bound.
Coburg INT, Oreg., via north alter.; Mohawk INT, Oreg., via north alter.; northeast-bound, 10,000, southwest-bound, 5,200.
Mohawk INT, Oreg., via north alter.; Redmond, Oreg., VOR via north alter.; 10,000.

Section 95.6122 *VOR Federal airway 122* is amended by adding:

Lakeview, Oreg., VOR; Rome, Oreg., VOR; 12,000.

Section 95.6123 *VOR Federal airway 123* is amended to read in part:

Robbinsville, N.J., VOR; INT. 054 M rad Robbinsville VOR and 221 M rad La Guardia VOR; 2,000.
Int. 054 M rad Robbinsville VOR and 222 M rad La Guardia VOR; La Guardia, N.Y. VOR; 2,700.

Section 95.6229 *VOR Federal airway 229* is amended to read in part:

Eagle INT, Conn.; *Leroy INT, Mass.; **3,000. *4,500—MRA. **2,300—MOCA.

Section 95.6233 *VOR Federal airway 233* is amended to read in part:

Mount Pleasant, Mich., VOR; Int. 353 M rad Mount Pleasant VOR and 210 M rad Gaylord VOR; 5, 500. *2,600—MOCA.

Section 95.6235 *VOR Federal airway 235* is amended to read in part:

Rock Springs, Wyo., VOR; Ferris INT, Wyo.; 11,200.
Ferris INT, Wyo.; Oil Field INT, Wyo.; 10,000.

Section 95.6317 *VOR Federal airway 317* is amended to read in part:

Knight INT, Alaska, via south alter.; Nellie Alaska, DME Fix, via south alter.; *5,000. *4,400—MOCA.
Nellie, Alaska DME Fix via south alter.; Hope INT, Alaska, via south alter.; *10,000. *8,500—MOCA.

Section 95.6441 *VOR Federal airway 441* is amended to read in part:

Bayport INT, Fla.; Ocala, Fla., VOR; *3,000. *1,500—MOCA.

Section 95.6467 *VOR Federal airway 467* is amended to read in part:

Millville, N.J., VOR; Int. 047 M rad Millville VOR and 221 M rad La Guardia VOR; 2,000.
Int. 047 M rad Millville VOR and 221 M rad La Guardia VOR; Int. 054 M rad Robbinsville VOR and 221 M rad La Guardia VOR; 3,000.
Int. 054 M rad Robbinsville VOR and 221 M rad La Guardia VOR; La Guardia, N.Y., VOR; 2,700.

Section 95.6493 *VOR Federal airway 493* is amended to read in part:

Owosso INT, Mich.; Mount Pleasant, Mich., VOR; *3,000. *2,300—MOCA.

Section 95.6499 *VOR Federal airway 499* is added to read:

Lancaster, Pa., VOR; Binghamton, N.Y., VOR; *4,500. *3,500—MOCA.

Section 95.7554 *Jet route No. 554* is amended to delete:

From, to, MEA, and MAA

Int. 106 M rad Joliet VORTAC and 279 M rad Fort Wayne VORTAC; Carleton, Mich., VORTAC; 21,000; 45,000.

Section 95.7554 *Jet route No. 554* is amended by adding:

South Bend, Ind., VORTAC; Carleton, Mich., VORTAC; 18,000; 45,000.

2. By amending subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points:*

From, to, changeover point, and distance from

V-121 is amended by adding:
Kimberly, Oreg., VOR; Baker, Oreg., VOR; 15; Baker.

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

Issued in Washington, D.C., on April 9, 1974.

JAMES M. VINES,
Chief, Aircraft Programs Division.

[FR Doc.74-8533 Filed 4-12-74;8:45 a.m.]

[Docket No. 13602; Amdt. 911]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 F.R. 5609).

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

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

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

1. Section 97.21 is amended by originating, amending, or canceling the following L/MF SIAPs, *effective May 23, 1974.*

Delta Junction, Alaska—Allen AAF, LFR-A, Amdt. 13.
Fairbanks, Alaska—Fairbanks Int'l. Arpt., LFR-A, Amdt. 10.

2. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective May 23, 1974.*

Bend, Oreg.—Bend Municipal Arpt., VOR/DME Rwy 16, Amdt. 3.
Delta Junction, Alaska—Allen AAF, VOR Rwy 18 (TAC), Amdt. 4.
Eugene, Oreg.—Mahlon-Sweet Field, VOR-A, Amdt. 3.
Eugene, Oreg.—Mahlon-Sweet Field, VOR TAC Rwy 16, Amdt. 1.
Eugene, Oreg.—Mahlon-Sweet Field, VOR TAC Rwy 34, Amdt. 1.
Iron Mountain, Mich.—Ford Arpt., VOR Rwy 31, Amdt. 8.
Kailua-Kona, Hawaii—Ke-ahole Arpt., VOR TAC Rwy 17, Amdt. 2.
Kailua-Kona, Hawaii—Ke-ahole Arpt., VOR Rwy 35 (TAC), Amdt. 2.
Lanai City, Hawaii—Lanai Arpt., VOR-A (TAC), Amdt. 2.
Redmond, Oreg.—Roberts Field, VOR-A, Amdt. 1.
Thibodaux, La.—Thibodaux Municipal Arpt., VOR-A, Orig.

* * * *effective May 2, 1974:*

Hayward, Wis.—Hayward Municipal Arpt., VOR Rwy 2, Orig.
Hayward, Wis.—Hayward Municipal Arpt., VOR Rwy 20, Orig.

* * * *effective April 18, 1974:*

Norfolk, Va.—Norfolk Regional Arpt., VOR/DME Rwy 23, Amdt. 4.

* * * *effective March 28, 1974:*

Salinas, Calif.—Salinas Municipal Arpt., VOR/DME-A, Amdt. 3.

3. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, *effective May 23, 1974.*

Iron Mountain, Mich.—Ford Arpt., LOC/DME (BC) Rwy 19, Amdt. 1.
Kailua-Kona, Hawaii—Ke-ahole Arpt., LOC (BC) Rwy 35, Amdt. 1.

* * * *effective May 16, 1974:*

Chicago, Ill.—Chicago O'Hare Int'l Arpt., LOC (BC) Rwy 14R, Orig.

* * * *effective April 18, 1974:*

Norfolk, Va.—Norfolk Regional Arpt., LOC (BC) Rwy 23, Orig.

4. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective May 23, 1974.*

Eugene, Oreg.—Mahlon-Sweet Field, NDB Rwy 16, Amdt. 23.
Redmond, Oreg.—Roberts Field, NDB Rwy 10, Amdt. 4.

* * * *effective May 2, 1974:*

Hayward, Wis.—Hayward Municipal Arpt., NDB Rwy 20, Amdt. 4.

* * * *effective April 25, 1974:*

Dallas, Tex.—Dallas Love Field, NDB Rwy 31L, Amdt. 6, canceled.

* * * *effective March 27, 1974:*

York, Pa.—York Arpt., NDB–A, Amdt. 4.

5. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective May 23, 1974.*

Dallas-Ft. Worth, Tex.—Dallas-Ft. Worth Regional Arpt., ILS Rwy 17L, Amdt. 2.
Dallas-Ft. Worth, Tex.—Dallas-Ft. Worth Regional Arpt., ILS Rwy 17R, Amdt. 2
Dallas-Ft. Worth, Tex.—Dallas-Ft. Worth Regional Arpt., ILS Rwy 35L, Amdt. 2
Dallas-Ft. Worth, Tex.—Dallas-Ft. Worth Regional Arpt., ILS Rwy 35R, Amdt. 2
Eugene, Oreg.—Mahlon-Sweet Field, ILS Rwy 16, Amdt. 27.
Iron Mountain, Mich.—Ford Arpt., ILS Rwy 1, Amdt. 1.
Kailua-Kona, Hawaii—Ke-ahole Arpt., ILS/DME Rwy 17, Amdt. 1.

* * * *effective April 18, 1974:*

Norfolk, Va.—Norfolk Regional Arpt., ILS Rwy 5, Amdt. 15

* * * *effective March 28, 1974:*

Fort Worth, Tex.-Meacham Field, ILS Rwy 16L, Amdt. 1.

Correction:

In Docket No. 13571, Amendment 907, to Part 97 of the Federal Aviation Regulations, published in the Federal Register dated March 14, 1974, on page 9821, under § 97.27, effective April 25, 1974—destroy Dallas, Tex.-Dallas Love Field, NDB Rwy 31L, Amdt. 7.

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

Issued in Washington, D.C., on April 4, 1974.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

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

[FR Doc.74-8532 Filed 4-12-74;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. RM74-7; Order No. 497-A]

PART 3—ORGANIZATION; OPERATION; INFORMATION AND REQUESTS; MISCELLANEOUS CHARGES; ETHICAL STANDARDS

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

Information and Requirements

APRIL 5, 1974.

This order revises and supplements the information and reporting requirements of FPC Form 23, Electric Utility Fuel Planning Report, through the prescription of a superseding Form 23 (Rev. 3–74), Monthly Electric Utility Generation And Fuel Planning Report. The order also prescribes a supplemental Form 23A, Quarterly Electric Utility Generation And Fuel Planning Report, covering 12-month projections of fuel consumptions and energy requirements and sources. Form 23, as presently constituted, was adopted by the Commission on December 7, 1973, and promulgated by Order No. 497, 38 FR 34318, which prescribed emergency actions for the reporting of data relative to electric utility fuel requirements and Federal allocation procedures.

The revisions to Form 23 and adoption of Form 23A herein prescribed, are required to more effectively accomplish the reporting objectives sought by Order No. 497 and will enable the Commission to more efficiently discharge its statutory duties and responsibilities, as described in that order, particularly those relating to electric utility information gathered by this Commission and used in on-going programs of the Federal Energy Office (FEO). These Form 23 changes, including the additional data projections provided by Form 23A, are designed to serve the basic informational needs and purposes for which Form 23 was prescribed and these two forms comport with general information gathering practices now being requested of this Commission by that Office; pursuant to responsibilities of the latter under the Emergency Petroleum Allocation Act of 1973, P.L. 93–159, 87 Stat. 627, the Economic Stabilization Act of 1970, as amended, P.L. 93–28, 87 Stat. 27, and Executive Order No. 11748, 38 FR 33575. The FEO has requested early Commission action in promulgating the Form 23, as revised, and Form 23A.

By this order, Form 23 is revised to shorten the period between the reporting date and the start of the month for which projections are provided, from 75 days to 25 days. This change is designed to improve the precision of the data and thereby increase the accuracy of FEO allocation procedures. Also, by reason of the existing Form 23 data limitations, FEO has found it necessary to request supplemental data from utility users of heavy fuel oil on actual generation, fuel consumption and inventories for the full calendar month immediately previous to the date of the report. The revised Form 23 would incorporate these present supplementary data solicitations. FEO has found this information necessary to better track the differences between projections and actual events, and to make appropriate corrections in future FEO allocations.

Specifically, the revised Form 23 reflects some editorial rearrangement and clarification of schedules and drops one schedule (Schedule 6), which is no longer needed. Schedule 1 of the present form is basically unchanged, but adds previous month data for users of heavy oil. Schedule 2 is basically unchanged but adds previous month data for users of heavy oil and seeks additional data to explain significant monthly fuel variances and additional data to separate fuel uses for process steam and electric energy generation. Schedule 3 adds information about the effects of scheduled generation outages on fuel consumption. Schedule 4 calls for expanded reporting on the status of fuel inventories, including locations and storage capacities. Schedule 5 is revised to provide expanded detail on fuel deliveries to users of heavy oil, including quantities and types of oil deliveries. Appropriate changes have been made in the instructions to Form 23.

Form 23A is designed to report anticipated fuel requirements and thus provide a vasis for possible future FEO oil allocations covering periods of more than one month. It provides for a rolling 12-month's projection of loads, generation plans and fuel requirements, to be filed quarterly. Schedules 1 and 2 of the form follow the format of the corresponding schedules of revised Form 23, but project forward one year on a month-to-month basis. Schedule 3 identifies the fuel consumption effects of planned generation changes, projecting forward one year. Schedule 4 identifies planned changes in fuel storage capacity.

The revised listing of electric utilities required to file Forms 23 and 23A, included as Appendix A to this order, is more complete than the listing initially issued as part of Order No. 497, and it provides for consolidated reporting with respect to some federally owned electric power systems.

The Commission further finds:

(1) It is necessary and appropriate in the public interest and for the purposes of the Federal Power Act, 16 U.S.C. 791 (a) et seq., particularly sections 10, 19, 20, 202, 205, 206, 207, 304, 309 and 311 thereof (41 Stat. 1068–1070, 41 Stat. 1073–1074, 49 Stat. 848–849, 851–856, 858–859, 67 Stat. 461; 16 U.S.C. 803, 812, 813, 824a, 824d, 824e, 824f, 825c, 825h, 825j) to prescribe Monthly and Quarterly Electric Utility Generation And Fuel Planning Reports, FPC Form 23 (Rev. 3–74) and FPC Form 23A, respectively, as annexed hereto, and to direct as hereinafter ordered.

(2) There is good cause under the rationale and continuing circumstances set forth in the recitals of this order and the above cited FPC Order No. 497, to make the provisions of this supplemental Order No. 497–A, effective immediately and without the prior notice and public procedure provisions of section 553 of Subchapter II of Title 5 of the United States Code, which prior notice and public procedure provisions and effective date requirements are impractical and contrary to the public interest in this instance. Moreover, since the changes to FPC Form 23, as well as the content of supplemental Form 23A prescribed herein are consistent with the objectives of the initial rulemaking action in this matter and are primarily for the purposes of clarifying and perfecting the reporting procedures thereunder, compliance with the notice, public procedure and effective date requirements of 5 U.S.C. 553 is unnecessary.

(3) The generation and fuel planning report forms adopted by this order are for immediate use and good cause exists for making the amendments herein effective forthwith.

The Commission, acting pursuant to the provisions of, among others, section 309 of the Federal Power Act. as amended, (49 Stat. 858; 16 U.S.C. 825h), orders:

(A) There are hereby prescribed a Monthly Electric Utility Generation And Fuel Planning Report Form, designated FPC Form 23 (Rev. 3–74), as set out in Appendix B[1] attached hereto, and a Quarterly Electric Utility Generation And Fuel Planning Report Form, designated FPC Form 23A, as set out in Appendix C[2] attached hereto.

(B) Part 141, Statements and Reports (Schedules), Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18, Code of Federal Regulations, is hereby amended by revising § 141.300 and adding § 141.301 as set forth below:

§ 141.300 Form No. 23, Monthly Electric Utility Generation and Fuel Planning Report Form.

(a) This Form, comprised of five schedules, as identified hereinafter, is designed to secure information from electric utilities on a monthly basis covering projected next month electric generation and fuel requirements and last complete month data for users of heavy fuel oil. It is designed to serve governmental analytical, fuel allocation and regulatory purposes during the Nationwide fuel emergency.

(b) The Form, properly completed, shall be mailed in quadruplicate to the Federal Power Commission by the fifth day of each month for which data are to be reported, commencing with the report for June 1974, which report shall be mailed by May 5, 1974, by all electric utilities which are required to file Federal Power Commission Form No. 4, Monthly Power Plant Report, except for consolidated reporting of some Federal power projects (by Bonneville Power Administration, Southeastern Power Administration and Southwestern Power Administration) all such reporting entities being identified specifically in the List of Electric Utility Systems (Appendix A) attached to Federal Power Commission Order No. 497–A.

(c) An additional conformed copy of the Monthly Electric Utility Generation And Fuel Planning Report Form is to be mailed on the same date to: Data Collection—Federal Energy Office—Box 2887—Washington, D.C. 20013.

(d) Each reporting electric utility shall file one conformed copy of the Monthly Electric Utility Generation And Fuel Planning Report Form with each of the respective state public service commissions (or Governors in states where there is no established state public service commission with public utility regulatory jurisdiction over the reporting utility), of the state or states in which the reporting utility operates and such other states which are partly or wholly within the geographic boundaries of the electric reliability council or councils in which the reporting utility participates or is located.

(e) The Monthly Electric Utility Generation And Fuel Planning Report Form is comprised of:

Schedule 1, Projected Energy Requirements and Sources
Schedule 2, Projected Fuel Requirements for Generation
Schedule 3, Fuel Requirement Changes Resulting from (1) Scheduled Outages During the Month and (2) Completed and Scheduled Alterations, Additions or Retirements in System Generating Plants During 12 Month Period Preceding End of Subject Month
Schedule 4, Projected Usable Fuel Inventories for the Last Day of the Month Preceding the Subject Month
Schedule 5, Actual Data for Deliveries and Inventories—Last Complete Month

§ 141.301 Form No. 23A, Quarterly Electric Utility Generation and Fuel Planning Report Form.

(a) This Form, comprised of four schedules, as identified hereinafter, is designed to secure information from electric utilities on a quarterly basis covering projected electric loads, generation plans and fuel requirements data for the ensuing reporting period by users of heavy fuel oil. The report covers four quarters: January–March, April–June, July–September, October–December. Each submittal revises previously reported data for the next three quarters and extends the projections through the succeeding quarterly period. The report is designed to serve governmental analytical, fuel allocation and regulatory purposes during the Nation-wide fuel emergency.

(b) The Form, properly completed, shall be mailed in quadruplicate to the Federal Power Commission by the first day of the month preceding the beginning of each quarter; provided, however, the report shall commence with the report for the May 1974–April 1975 period, which report shall be mailed by April 15, 1974, by all electric utilities which are required to file Federal Power Commission Form No. 4, Monthly Power Plant Report, except for consolidated reporting of some Federal power projects (by Bonneville Power Administration, Southeastern Power Administration and Southwestern Power Administration), all such reporting entities being identified specifically in the List of Electric Utility Systems (Appendix A) attached to Federal Power Commission Order No. 497–A.

(c) An additional conformed copy of the Quarterly Electric Utility Generation And Fuel Planning Report Form is to be mailed on the same date to: Data Collection—Federal Energy Office—Box 2887—Washington, D.C. 20013.

(d) Each reporting electric utility shall file one conformed copy of the Quarterly Electric Utility Generation And Fuel Planning Report Form with each of the respective state public service commissions (or Governors in states where there is no established state public service commission with public utility regulatory jurisdiction over the reporting utility), of the state or states in which the reporting utility operates and such other states which are partly or wholly within the geographic boundaries of the electric reliability council or councils in which the reporting utility participates or is located.

(e) The Quarterly Electric Utility Generation And Fuel Planning Report Form is comprised of:

Schedule 1, Projected Energy Requirements and Sources
Schedule 2, Projected Fuel Requirements for Generation
Schedule 3, Effect on System Fuel Requirements Due to Scheduled Changes in System Generating Plants During the Next 12-Months Period
Schedule 4, Fuel Storage Capacities (on-site or near-site)

(C) Section 3.142(a) of 18 CFR is hereby amended by adding the following paragraphs:

§ 3.142 Approved forms, etc.

(a) * * * (42) Form 23, Monthly Electric Utility Generation And Fuel Planning Report Form (§ 141.300 of this chapter).

* * * * *

(48) Form 23A, Quarterly Electric Utility Generation And Fuel Planning Report (§ 141.301 of this chapter).

(D) Each electric utility, as specifically identified on Appendix A, shall complete and file the Monthly and Quarterly Electric Utility Generation And Fuel Planning Report Forms 23 and 23A[3] in the manner set forth in paragraph (B) above.

(E) The Commission, in its continuing review of this general subject matter, will take such future actions as may be appropriate.

(F) This order and the amendments to the Commission's Rules and Regulations prescribed herein, shall take effect

[1] Filed as part of original document.
[2] Filed as part of original document.
[3] Forms 23 and 23A filed as part of the original document.

immediately upon the issuance of this order.

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

By the Commission.

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

APPENDIX A—LIST OF ELECTRIC UTILITY SYSTEMS TO FILE FPC FORM NO. 23 AND FPC FORM NO. 23A

I. FEDERAL POWER SYSTEMS

Alaska Power Administration, U.S. Dept. of Interior, P.O. Box 50, Juneau, Alaska 99801.
Eklutna Project—00050535.

Bureau of Indian Affairs, U.S. Dept. of Interior, St. Ignatius, Montana 59865.
Flathead Project (Big Creek)—00002617.

Bureau of Indian Affairs, U.S. Dept. of Interior, 225 West Roosevelt, P.O. Box 456, Coolidge, Arizona 85228.
San Carlos Project (Coolidge)—00002555.

Bonneville Power Admin., 58036000, 1002 NE. Holladay St., Portland, Oregon 97208.
Corps of Eng.—BPA; Albeni Falls, Bonneville Pwr. Plt., Chief Joseph, Cougar, Detroit, Big Cliff, Green Peter, Hills Creek, Ice Harbor, Lookout Point, Dexter, McNary, The Dalles, John Day, Little Goose, Lower Monumental, Foster.

Bureau of Reclamation; Hungry Horse, Roza, Chandler, Grand Coulee.

Bureau of Reclamation; Mid-Pacific Region, Regional Director, Attn: Code 600, Federal Building, 2800 Cottage Way, Sacramento, California 95825.
Central Valley Project—48500000; Keswick, Folsom, Nimbus, Judge F. Carr, Trinity, Spring Cree, Shasta, o'Neill, San Luis, Lewiston.

Bureau of Reclamation, Pacific Northwest Region, Regional Director, Attn: Code 600, Federal Building, 5th & Fort Streets, Boise, Idaho 83702.
BPA—Bur. of Rec.—57011010; Anderson Ranch, Black Canyon, Boise River Diversion, Minidoka, Palisades, Green Springs.

Bureau of Reclamation, Upper Missouri Region, Regional Director, Attn: Code 600, Federal Building, 316 North 26th Street, Billings, Montana 59103.
Pick-Sloan Missouri Basin Program—48800000; Canyon Ferry Project, Yellowtail, Fort Peck, Garrison, Oahe, Big Bend, Gavins Point, Fort Randall.

Bureau of Reclamation, Regional Director, Attn: Code 600, Southwest Region, Division of Pwr., Herring Plaza Box H—4377, 317 E 3rd, Amarillo, Texas 79101.
Rio Grande Project—00030560; Elephant Butte.

Bureau of Reclamation, Lower Colorado Region, Regional Director, Attn: Code 600, P.O. Box 427, Boulder City, Nevada 89005.
Boulder Canyon Project—57035000; (Hoover Dam).
Colorado River System Lower Basin—(Parker-Davis), Senator, Wash.

Bureau of Reclamation, Upper Colorado Region, Regional Dir., Attn: Code 600, 125 South State Street, Salt Lake City, Utah 84111.
Colorado River Storage—48700000; Glenn Canyon, Blue Mesa, Morrow, Lower Molina, Upper Molina, Deer Creek, Flaming Gorge, Fontenelle.

Bureau of Reclamation, Regional Director, Attn: Code 600, Lower Missouri Region, Bldg. 20, Denver Federal Center, Denver, Colorado 80225.
Wyoming-Nebraska-Colorado Interconnected System—49000000; Estes, Big Thompson, Green Mtn., Mary's Lake, Flatiron, Pole Hill, Alcova, Fremont Canyon, Glendo, Guernsey, Heart Mtn., Kortes, Pilot Butte, Seminole, Shoshone, Boysen, Riverton Project.

Corps of Engineers, U.S. Army, St. Marys Falls, Sault Ste. Marie, Michigan 49783.
St. Marys Hydro—00021711.

Southeastern Power Administration, U.S. Dept. of Interior, Elberton, Georgia 30635.
SEPA—Corps of Engineers Projects—56000000; Allatoona, Buford, Clark Hill, Miller Ferry, Kerr & Philpott, Jim Woodruff, W. F. George, Hartwell.

Southwestern Power Administration, U.S. Dept. of Interior, Interconnected System, P.O. Box 1619, Tulsa, Oklahoma 74101.
SWPA—Interconnected System—57035060; Beaver, Bull Shoals, Dardanelle, Denison to Oklahoma, Eufaula, Fort Gibson, Greers Ferry, Norfolk, Table Rock, Tenkiller Ferry, Keystone, Broken Bow Lake.
DeGray Project, DeGray Dam—57035030.
Narrows Dam Project, Narrows Dam—57035040.
Whitney Dam Project, Whitney Dam—57035070.
Blakely Mtn. Dam Project, Blakely Mtn. Dam—57035010.
Denison South (Texas System), Denison Dam (Texas side)—57035020.
Sam Rayburn Project, Sam Rayburn Dam—57035050.

Tennessee Valley Authority, 814 Power Building, Attn: Mr. James Darling, Chattanooga, Tenn. 37401.
TVA, ALCOA, Cumberland Basin Projects—30000000.

U.S. Army Engineer Dist., Kansas City, 700 Federal Office Building, 601 E. 12th Street, Kansas City, Missouri 64106.
Stockton Dam—00024565.

II. NON FEDERAL POWER SYSTEMS

Aitkin Public Utils. Comm.—00022514, Aitkin, Minnesota 56431.

Ackley Elec. Lt. & Power Dept.—00014511, Ackley, Iowa 50601.

Accomack-Northampton Elec. Coop.—00045804, P.O. Box 288, Parksley, Virginia 23421.

Abbeville Wtr. & Elec. Plant—00039510, Abbeville, S.C. 29620.

Allegheny Power Service Corp.—90031006, 320 Park Avenue, New York, New York 10022.

Algona Light & Water Plant—00014517, Algona, Iowa 50511.

Alexandria Elec. Lt. & Wtr. Works—00017521, Alexandria, Louisiana 71302.

Alexandria Bd. of Public Works—00022516, Alexandria, Minnesota 56308.

Albany Light & Water Plant—00024512, Albany, Missouri 64402.

Alaska Power & Telephone Co.—00050027, Skagway, Alaska 99840.

Alaska Elec. Light & Power Co.—00050025, 134 Franklin St., Juneau, Alaska 99801.

Alabama Power Company—00001010, Birmingham, Alabama 35291.

Alabama Elec. Coop., Inc.—00300000, Andalusia, Alabama 36420.

Anita Municipal Utility—00014525, Anita, Iowa 50020.

Anchorage Mun. Lt. & Pwr. Dept.—00050510, P.O. Box 400, Anchorage, Alaska 99501.

Anadarko Mun. Wtr. & Light—00035521, Anadarko, Oklahoma 73005.

Ames Electric Dept.—00014524, Ames, Iowa 50011.

American Elec. Power Serv. Corp.—90031005, 2 Broadway, New York, New York 10004.

Altamont, City of—00012513, Altamont, Illinois 62411.

Alta Mun. Electric System—00014519, Alta, Iowa 51002.

Alpena Power Company—00021010, Alpena, Michigan 49707.

Alma Municipal Light Plant—00026512, Alma, Nebraska 68920.

Alliance Municipal Utilities—00026511, Alliance, Nebraska 69301.

Associated Elec. Coop., Inc.—00024803, P.O. Box 754, Springfield, Missouri 65801.

Ashland, City of—00015527, Ashland, Kansas 67831.

Arlington Municipal Utilities—55307, 312 Alden Street, W. Arlington, Minnesota.

Arkansas Electric Coop., Corp.—00003800, 8000 Interstate Drive, Little Rock, Arkansas 72206.

Arizona Public Service Co.—01500000, P.O. Box 2591, Phoenix, Arizona 85002.

Arizona Elec. Power Coop., Inc.—00002810, P.O. Box 148A, Benson, Arizona 85602.

Arcanum Wtr. and Elec. Lt. Plant—00034522, Arcanum, Ohio 45304.

Arcadia Electric & Water Plant—00048513, Arcadia, Wisconsin 54612.

Anthony, City of—00015521, Anthony, Kansas 67003.

Ansley Mun. Light Plant—00026513, Ansley, Nebraska 68814.

Baird, City of, Mun. Plant—00042513, 228 Walnut Street, Baird, Texas 79504.

B.A.R.C. Elec. Coop., Inc.—00045808, Millboro, Virginia 24446.

Austin Utilities—00022525, P.O. Box 368, Austin, Minnesota 55912.

Austin, City of, Electric Dept.—00042510, P.O. Box 1088, Austin, Texas 78767.

Augusta Light and Water Plant—00003510, Augusta, Arkansas 72006.

Augusta, City of—00015530, Augusta, Kansas 67010.

Auburn Board of Public Works—00026515, Box 288, Auburn, Nebraska 68305.

Atlantic Water Works & Electric Plant—00014530, Atlantic, Iowa 50022.

Atlantic City Electric Co.—18100000, 1600 Pacific Ave., Atlantic City, New Jersey 08401.

Atlanta Power Company—00011011, Atlanta, Idaho 83601.

Beaver City Corporation—00043515, Beaver, Utah 84713.

Basin Light Power Plant—00049517, Box 616, Basin, Wyoming 82410.

Basin Electric Power Coop.—00033822, Provident Life Building, Bismarck, North Dakota 58501.

Barton Village, Inc.—00044520, Barton, Vermont 05822.

Barron Light and Water Comm.—00048522, Barron, Wisconsin 54812.

Bangor Hydro-Electric Company—00018019, Bangor, Maine 04401.

Bancroft Mun. Electric Plant—00014533, Bancroft, Iowa 50517.

Baltimore Gas & Electric Co.—00019011, Lexington and Liberty Streets, Baltimore, Maryland 21203.

Baldwin City Lt. and Wtr. Dept.—00015534, Baldwin City, Kansas 66006.

Baker Municipal Electric Plant—00036625, Baker, Oregon 97814.

Big Rivers Rural Elec. Coop., Corp.—00016808, P.O. Box 24, Henderson, Kentucky 42420.

Bethany Water and Light Plant—00024521, Bethany, Missouri 64424.

Bessemer, City of, Light Utility—00021527, Bessemer, Michigan 49911.

Berlin Mun. Electric Plant—00019510, Berlin, Maryland 21811.

Beloit, City of—00015538, Box 609, Beloit, Kansas 67420.

Bellevue Mun. Light Dept.—00014535, Bellevue, Iowa 52031.
Belleville, City of—00015536, Belleville, Kansas 66935.
Beebee Island Corp.—21100000, 300 Erie Blvd. W., Syracuse, New York 13202.
City of Bedford Elec. Dept.—00045515, Attn: M. H. Jones, Lock Drawer 37, Bedford, Virginia 24523.
Beaver City Municipal Plant—00026519, Beaver City, Nebraska 68926.
Bluffton Light and Water Works—00013529, Bluffton, Indiana 46714.
Blue Earth Lt. and Water Dept.—00022546, Blue Earth, Minnesota 56013.
Blooming Prairie Mun. Light & Power—00022544, Blooming Prairie, Minn. 55917.
Bloomfield Lt. and Water Dept.—00014537, Bloomfield, Iowa 52537.
Blandin Power Company—00022020, Grand Rapids, Minnesota 55744.
Blair, City of—00026525, Dept. of Utilities, Blair, Nebraska 68008.
Blackwell Water and Light Dept.—00035524, Blackwell, Oklahoma 74631.
Blackstone Valley Electric Co.—00038026, P.O. Box 1111, Lincoln, Rhode Island 02865.
Black River Falls Elec. Util.—00048534, Black River Falls, Wisc. 54615.
Black Hills Power & Light Co.—28000000, Rapid City, South Dakota 57701.
Brazos Elec. Power Coop., Inc.—00042813, P.O. Box 6296, Waco, Texas 76706.
Braintree Electric Light Dept.—00020532, East Braintree, Mass. 02184.
Brady Water & Light Works—00042528, Brady, Texas 76826.
Bozrah Light & Power Co.—00006021, Gilman, Conn. 06336.
Bowersock Mills and Power Co.—00015257, Lawrence, Kansas 66044.
Bountiful Mun. Electric Plant—00043529, Bountiful, Utah 84010.
Boston Metropolitan Dist. Comm. Water Div.—00020637, 20 Somerset Street, Boston, Massachusetts 02100.
Boston Edison Company—00020023, 800 Boylston Street, Boston, Mass. 02199.
Bonners Ferry Mun. Lt. & Wtr. Dept.—00011533, Bonners Ferry, Idaho 83805.
Buhl Public Util. Dept.—00022561, Buhl, Minnesota 55713.
Bryan Mun. Light & Water—00034552, 841 East Edgerton Street, Bryan, Ohio 43506
Bryan, City of—00042547, Bryan, Texas 77801.
Brownsville Wtr. & Lt. Dept.—00042541, P.O. Box 1632, Brownsville, Texas 78521.
Brownfield Pwr. & Lt. Plant—00042534, Brownfield, Texas 79316.
Brooklyn Mun. Electric Plant—00014544, Brooklyn, Iowa 52211.
Broken Bow, City of—00026533, Broken Bow, Nebraska 68822.
Brigham City Corporation—00043536, Brigham, Utah 84302.
Breese Water & Light Dept.—00012528, Breese, Illinois 62230.
Brazos River Authority—00042531, P.O. Drawer 7555, Waco, Texas 76710.
Butler Light and Water Service—00024526, Butler, Missouri 64730.
Bushnell Mun. Elec. Lt. & Power Utilities—00012530, 560 E. Main Street, Bushnell, Illinois 61422.
Burwell Municipal Utilities—00026537, Burwell, Nebraska 68823.
Burlington Mun. Lt. & Pwr. Plant—00015548, 210 South 11th Street, Burlington, Kansas 66839.
Burlington Light Power and Water System—00005518, Burlington, Colorado 80807.
Burlington Electric Light Dept.—00044536, Room 10, City Hall, Burlington, Vermont 05401.
Burlingame Lt. and Pwr. Plant—00015547, Burlingame, Kansas 66413.
Burbank, City of—00004545, Public Service Dept., Burbank, California 91503.
Cape Hatteras Elec. Memb. Corp.—00032809, Buxton, North Carolina 27920.
Canton Light and Water Dept.—00024544, Canton, Missouri 63435.
Caney Valley Elec. Coop., Inc.—00015829, Cedar Vale, Kansas 67024.
Canadian Light Department—00042559, Canadian, Texas 79014.
Campbell Light & Water Dept.—00024539, Campbell, Missouri 63933.
Cambridge Lt. and Water Works—00026538, Cambridge, Nebraska 69022.
California Pacific Utilities Co.—00043005, Cedar City-Utah System, San Francisco, California 94104.
California Pacific Utilities Co.—00036025, Baker-LaGrande, Oregon System, San Francisco, California 94104.
California Dept. of Water Resources—00004653, P.O. Box 388, Sacramento, California 95802.
Cajun Electric Power Coop., Inc.—00017836, P.O. Box 578, New Roads, Louisiana 70760.
Cedar Falls Utilities—00014555, 612 East 12th Street, Cedar Falls, Iowa 50613.
Cataldo Electric, Lyons Falls, New York 13368.
Cascade Power Company—00032039, P.O. Box 348, Brevard, North Carolina 28712.
Cascade Mun. Electric Plant—00014554, Cascade, Iowa 52033.
Carthage Wtr. & Elec. Plant—00024548, 149 East Third Street, Carthage, Missouri 64836.
Carrollton Municipal Utilities—00024546, 201 West Benton, Carrollton, Missouri 64633.
Carolina Power & Light Co.—45000000, Attn: Mr. Jerry Letchworth, P. O. Box 1551, Raleigh, North Carolina 27602.
Carmi Water Light & Power Plant—00012537, Carmi, Illinois 62821.
Carlyle Elec. & Water Dept—00012534, Box 162, Carlyle, Illinois 62231.
Carlin Municipal Light Co.—00027545, Carlin, Nevada 89822.
Central Kansas Power Co.—00015028, Hays, Kansas 67601.
Central Kansas Electric Coop. Association, Inc.—00015832, 1025 Patton Road, Great Bend, Kansas 67530.
Central Iowa Power Coop.—00014826, P.O. Box 289, Marion, Iowa 52302.
Central Illinois Pub. Serv. Co.—00012032, 607 E. Adams Street, Springfield, Illinois 62701.
Central Illinois Light Co.—00012029, 300 Liberty Street, Peoria, Illinois 61602.
Central Hudson Gas & Elec. Corp—00031035, South Road, Poughkeepsie, New York 12602.
Central Electric Power Coop.—00024825, Box 269, Jefferson City, Missouri 65102.
Celina Municipal Light Dept.—00034559, Celina, Ohio 45822.
Cedarburg Light & Water Comm.—00048555, Cedarburg, Wisconsin 53012.
Cedar Rapids Water Pollution Control Plant, City Hall, Cedar Rapids, Iowa 52401.
Centralia Light Department—00046534, Centralia, Washington 98531.
Central Vermont Pub. Serv. Corp.—35000000, 77 Grove Street, Rutland, Vermont 05701.
Central Valley Project—48500000, Bureau of Reclamation, Att. Code 600, Federal Building, 2800 Cottage Way, Sacramento, California 95825.
Central Telephone & Util. Corp—46000000, P.O. Box 82888, Lincoln, Nebraska 68501.
Central Telephone & Utilities Corp.—15032, Western Power Division, 709 Second Avenue, Dodge City, Kansas 67801.
Central Power Electric Coop.—00033834, P.O. Box 1576, Minot, North Dakota 58702.
Central Power & Light Co.—00042028, Corpus Christi, Texas 78401.
Central Nebraska Public Power and Irr. Dist.—00026544, Holdrege, Nebraska 68949.
Central Maine Power Co.—00018037, Augusta, Maine 04332.
Central Louisiana Elec. Co., Inc.—00017085, P.O. Box 3368, Lafayette, Louisiana 70501.
Clarksdale Water and Light Dept.—00023546, 306 Sharkey Ave., Clarksdale, Mississippi 38614.
City of Plains Power & Light, Box 1026, Plains, Texas 79355.
Cincinnati Gas and Elec. Co.—00034043, 4th and Main Streets, Cincinnati, Ohio 45201.
Chugach Elec. Assn., Inc.—00050817, P.O. Box 3518, Anchorage, Alaska 99501.
Chillicothe Mun. Utilities—00024557, Chillicothe, Missouri 64601.
Chicago Metro. Sanitary Dept.—00012543, 100 East Erie Street, Chicago, Illinois 60611.
Cheyenne Lt. Fuel & Power Co.—00049013, P.O. Box 840, Denver, Colorado 80201.
Cherokee Mun. Light & Water Dept.—00035542, Cherokee, Oklahoma 73728.
Chanute, City of—00015555, Chanute, Kansas 66720.
Chambersburg, Borough of—00037544, Chambersburg, Pennsylvania 17201.
Collins, City of—00023553, Collins, Miss. 39428.
Coleman, City of—00042565, Coleman, Texas 76834.
Coldwater Board of Pub. Works—00021550, Coldwater, Michigan 49036.
Colby Water & Light Plant—00015569, Colby, Kansas 67701.
Coffeyville Lt. and Pwr. System—00015567, Coffeyville, Kansas 67337.
Clinton Light & Water Plant—00021547, Clinton, Michigan 49236.
Cleveland Elec. Illuminating Co.—00034047, Illuminating Building, Cleveland, Ohio 44113.
Cleveland, City of—00034561, 1201 Lakeside Avenue, Cleveland, Ohio 44114.
Clayton Mun. Electric System—00030615, Clayton, New Mexico 88415.
Clay Center Lt. and Wtr. Plant—00015563, Clay Center, Kansas 67432.
Commonwealth Edison of Indiana—13025, Hammond, Indiana 46326.
Commonwealth Edison Co.—00012041, One First National Plaza, P.O. Box 767, Chicago, Illinois 60690.
Commerce Light and Power Co.—00042572, Commerce, Texas 75428.
Columbus Div. of Electricity—00034568, Room 127, City Hall, Columbus, Ohio 43215.
Columbus & So. Ohio Electric Co.—00034050, 215 North Front Street, Columbus, Ohio 43215.
Columbia Wtr. and Light Dept.—00024562, Municipal Building, Columbia, Missouri 65202.
Colorado-Ute Elec. Assn., Inc.—00005807, P.O. Box 1149, Montrose, Colorado 81401.
Colorado Springs Lt. & Pwr. Dept.—00005525, Colorado Springs, Colorado 80901.
Community Public Service Co.—31000000, 501 W. Sixth Street, Fort Worth, Texas 76102.
Corps of Engr., U.S. Army—00042730, P.O. Box 38, Laguna Park Rural Station, Clifton, Texas 76634.
Corn Belt Power Coop.—00014834, Humboldt, Iowa 50548.
Cordova, Town of—00050525, P.O. Box 20, Cordova, Alaska 99574.
Copper Valley Electric Assn.—00050820, P.O. Box 45, Glennallen, Alaska 99588.
Coon Rapids Mun. Util.—00014558, Coon Rapids, Iowa 50058.
Conway Corporation—00003554, Conway, Arkansas 72032.
Consumers Power Company—09500000, Jackson, Michigan 49204.
Consolidated Water Power Co.—00048033, Wisconsin Rapids, Wisc. 54494.

Consolidated Edison Co. of New York, Inc.—00031040, 4 Irving Place, New York, New York 10003.
Conn. Yankee Atomic Power Co.—55100000, P.O. Box 270, Hartford, Connecticut 06101.
Curtis, City of—00026557, Curtis, Nebraska 69025.
Community Public Service Co.—31000000, 501 W. Sixth Street, Fort Worth, Texas 76102.
Cumberland Municipal Utility—00048576, Cumberland, Wisconsin 54829.
Culpeper, Town of—00045537, Culpeper Light and Pwr. Plant, c/o Town Office, Culpeper, Virginia 22701.
Crystal Falls Lt. & Water Dept.—00021562, Crystal Falls, Michigan 49920.
Crosbyton Electric System—00042576, Crosbyton, Texas 79322.
Crisp County Power Comm.—00010552, Cordele, Georgia 31015.
Crete Light & Water Works—00026555, Crete, Nebraska 68333.
Crawfordsville Elec. Lt. & Power Plant—00013552, Municipal Building, Crawfordsville, Indiana 47933.
Craig-Botetourt Elec. Coop.—00045815, Box 265, New Castle, Virginia 2412'/.
Delta Mun. Light & Power Co.—00005555, P.O. Box 19, Delta, Colorado 81416.
Delmarva Power & Light Co.—00007015, 800 King Street, Wilmington, Delaware 19899.
Delano Mun. Power Plant—00022572, Delano, Minnesota 55328.
Dayton Power and Light Co.—00034056, 25 North Main Street, Dayton, Ohio 45401.
David City Lt. and Water Dept.—00026563, David City, Nebraska 68632.
Danville Water, Gas and Elec. Dept.—00045548, Danville, Virginia 24541.
Dallas Power and Light Co.—00042039, 1506 Commerce Street, Dallas, Texas 75201.
Dairyland Power Cooperative—44000000, 2615 East Avenue South, La Crosse, Wisconsin 54601.
Dahlberg Light & Power Co.—00048037, Solon Springs, Wisconsin 54873.
Cushing Light and Power Plant—00035559, Cushing, Oklahoma 74023.
Dowagiac Bd. of Public Works—00021577, Dowagiac, Michigan 49047.
Dover, the City of—00007521, Dover, Delaware 19901.
Dover Elec. Lt. and Pwr. Plant—00034579, Dover, Ohio 44622.
Don Jones—00040083, White River, South Dakota 57579.
Dexter Hydro-Electric Corp.—00031049, P.O. Box 15, Dexter, New York 13634.
Detroit Public Lighting Comm.—00021573, Morrell St. and W. Jefferson Ave., Detroit, Michigan 48209.
Detroit Edison Company—10100000, 2000 Second Avenue, Detroit, Michigan 48226.
Denver Bd. of Water Commissioners—00005558, 144 West Colfax, Denver, Colorado 80202.
Denton Municipal Utilities—00042578, Dept. of Public Utilities, Municipal Building, Denton, Texas 76201.
Denison Municipal Utilities—00014568, Denison, Iowa 51442.
Easton Utilities Commission—00019552, Easton, Maryland 21601.
Eastern Maine Elec. Coop.—00018835, Calais, Maine 04619.
Eastern Iowa Lt. & Pwr. Coop.—00014841, E. 5th and Sycamore Streets, Wilton Junction, Iowa 52778.
East Palestine Light and Water Works—00034581, East Palestine, Ohio 44413.
East Kentucky Rural Electric Coop., Corp.—00016842, Winchester, Kentucky 40391.
East Bay Mun. Utility Dist.—00004559, P.O. Box 4616, Oakland, California 94623.
Durant Municipal Electric Plant—00014578, 601 4th Street, Durant, Iowa 52747.
Durant Light & Water Dept., P.O. Box 272, Durant, Mississippi 39063.
Duquesne Light Company—00037052, 435 Sixth Avenue, Pittsburgh, Pennsylvania 15219.
Duke Power Company—00032069, P.O. Box 2178, Charlotte, North Carolina 28201.
Emerson Light and Power Plant—00026577, Emerson, Nebraska 68733.
Elroy Mun. Electric Utility—00048588, Elroy, Wisconsin 53929.
El Paso Electric Company—31500000, 215 North Stanton St., El Paso, Texas 79901.
Ellis Light & Water Plant—00015582, Ellis, Kansas 67637.
Ellinwood Light and Water Dept.—00015580, Ellinwood, Kansas 67526.
Elk River Public Util. Co.—00022582, Elk River, Minnesota 55020.
Electric Energy, Inc.—00012059, P.O. Box 165, Joppa, Illinois 62953.
Electra Light & Power System—00042580, P.O. Box 504, Electra, Texas 76360.
Elbow Lake Municipal Electric, Box 36, Elbow Lake, Minnesota 56531.
Edison Sault Electric Co.—00021033, 115 Ashmun Street, Sault Ste. Marie, Michigan 49783.
Fairbury Light and Water Dept.—00026579, Fairbury, Nebraska 68352.
Fairbanks Mun. Util. System—00050540, 645 5th Avenue, Fairbanks, Alaska 99701.
Eugene Water & Electric Board—00036580, 500 East 4th Avenue, P.O. Box 1112, Eugene, Oregon 97401.
Estherville Mun. Light Plant—00014590, Estherville, Iowa 51334.
Estes Park, Town of—00005570, Estes Park, Colo. 80517.
Escondido Mutual Water Co.—00004805, 620 N. Ash Street, Escondido, California 92025.
Erie Water and Light Dept.—00015589, Erie, Kansas 66733.
Ephraim Elec. Lt. & Pwr. Plant—00043543, Ephraim, Utah 84627.
Enosburg Falls Mun. Elec. Plant—00044551, Enosburg Falls, Vermont 05450.
Empire District Electric Co.—14000000, 6th & Joplin Streets, Joplin, Missouri 64801.
Fennimore Utilities—00048594, 830 Lincoln Ave., Fennimore, Wisc. 53809.
Fayette Water and Light Dept.—00024575, Fayette, Missouri 65248.
Farmington River Power Co.—00006070, New Britain, Conn. 06050.
Farmington, City of—00030520, P.O. Box 900, Farmington, New Mexico 87401.
Farmer City Water & Lt. Plant—00012562, Farmer City, Illinois 61842.
Falls City Water and Lt. Dept.—00026582, Falls City, Nebraska 68355.
Falcon and Rio Grande Projects and PSA 39 Interconn. System—00030560, Bureau of Reclamation, Att. Code 600, Herring Plaza Box H 4377, Amarillo, Texas 79101.
Fairview Mun. Electric Plant—00043550, Fairview, Utah 84629.
Fairmont Water and Light Comm.—00022588, Fairmont, Minnesota 56031.
Fairfield Mun. Light Plant—00012559, 107 NE. Second Street, Fairfield, Illinois 62837.
Fort Wayne Light & Power—00013575, City County Building, 1 Main Street, Fort Wayne, Indiana 46802.
Fort Pierce, City of—00009541, Fort Pierce, Florida 33450.
Fort Gibson Project—00035693, Route 1, Fort Gibson, Okla. 74434.
Forest City Mun. Utils.—00014599, Forest City, Iowa 50436.
Floydada Mun. Light and Power—00042588, 112–114 W. Va. Street, Floydada, Texas 79235.
Florida Public Utilities Co.—00009056, P.O. Drawer C, West Palm Beach, Florida 33402.
Florida Power Corporation—00009038, P.O. Box 14042, St. Petersburg, Florida 33733.
Florida Power and Light Co.—00009029, General Office Bldg., P.O. Box 3100, Miami, Florida 33101.
Florida Keys Elec. Coop., Inc.—00009840, Tavernier, Florida 33070.
Fitchburg Gas and Elec. Lt. Co.—00020046, 655 Main Street, Fitchburg, Massachusetts 01421.
Garland, City of—00042596, Electric Dept., P.O. Box 189, Garland, Texas 75040.
Garkane Power Assn., Inc.—00043862, Richfield, Utah 84701.
Gainesville, City of—00009547, Utilities Department, Gainesville, Florida 32601.
Fulton Wtr. Lt. and Pwr. Plant—00024580, Fulton, Missouri 65251.
Fremont Dept. of Utilities—00026589, Fremont, Nebraska 68025.
Freeport, Village of—00031578, Municipal Building, 46 North Ocean Avenue, Long Island, New York 11520.
Freeburg Mun. Light Plant—00012571, Freeburg, Illinois 62243.
Franklin Municipal Plant—00017565, Franklin, Louisiana 70538.
Franklin Electric Light Plant—00026587, Franklin, Nebraska 68939.
Frankfort Light & Power Plant—00013577, Frankfort, Indiana 46041.
Goodland, City of—00015612, Goodland, Kansas 67735.
Golden Valley Elec. Assn., Inc.—00050826, P.O. Box 1249, Fairbanks, Alaska 99701.
Glendale Public Service Dept.—00004573, 800 Airway, Glendale, California 91201.
Glencoe Mun. Lt. and Pwr. Dept.—00022593, Glencoe, Minnesota 55336.
Gladstone, City of—00021588, Gladstone, Michigan 49837.
Girard Light and Water Plant—00015604, Girard, Kansas 66743.
Girard Boro. Mun. Light Plant—00037593, Girard, Pennsylvania 16417.
Georgia Power Company—00010045, Atlanta, Georgia 30302.
Geneseo Mun. Elec. Lt. & Power Util.—0001-2574, Box 167, Geneseo, Illinois 61254.
Garnett, City of—00015602, Garnett, Kansas 66032.
Green Mountain Power Corp.—00044047, 1 Main Street, Burlington, Vermont 05401.
Granite Falls Light and Water Dept.—00022601, Granite Falls, Minn. 56241.
Grand River Dam Authority—00035583, Drawer G, Vinita, Oklahoma 74301.
Grand Marais Pub. Utils. Comm.—00022595, Grand Marais, Minnesota 55604.
Grand Junction Mun. Lt. Plant—00014611, Grand Junction, Iowa 50107.
Grand Island Electric Dept.—00026598, Grand Island, Nebraska 68801.
Grand Haven Bd. of Pub. Works—00021591, Grand Haven, Michigan 49417.
GPU Service Corporation—90031003, 260 Cherry Hill Road, Parsippany, New Jersey 07054.
Gowrie Light & Water Plant—00014607, Gowrie, Iowa 50543.
Gouverneur Electric Plant—00031586, Gouverneur, New York 13642.
Gulf Power Company—00009065, 75 North Pace Blvd., P.O. Box 1151, Pensacola, Florida 32502.
Guam Power Authority—01400000, Attn: George S. Pomeroy III, Gen. Mgr., P.O. Box 2977, Government of Guam 00969.
Guadalupe Blanco River Auth.—00042618, Hydroelectric Division, Seguin, Texas, 78155.
Grundy Center Mun. Lt. & Power Dept.—00014618, Grundy Center, Iowa 50638.
Gresham Water Power & Electric Plant—00048603, Gresham, Wisconsin 54128.
Greenwood Utilities—00023588, P.O. Box 866, Greenwood, Miss. 38930.
Greenville, City of—00042615, P.O. Box 1049, Greenville, Texas 75401.
Greensburg Lt. and Pwr. System—00015616, Greensburg, Kansas 67054.

Greenport Elec. Light Dept.—00031599, Greenport, New York 11944.
Greenfield Mun. Utilities—00014615, Greenfield, Iowa 50849.
Hastings Utilities Dept.—00026603, P.O. Box 289, Hastings, Nebraska 68901.
Hart Hydro Electric System—00021607, Hart, Michigan 49420.
Harrisonville Water & Lt. Dept.—00024606, 712 N. Independence St., Harrisonville, Missouri 64701.
Harland, City of—00014621, Harlan, Iowa 51537.
Hardwick, Village of—00044567, Hardwick, Vermont 05843.
Hamilton Mun. Electric Plant—00034605, 950 North Third Street, Hamilton, Ohio 45013.
Halsted Municipal Utilities, Halsted, Minnesota 56548.
Haines Light & Power Co.—00050050, Haines, Alaska 99827.
Hagerstown Elec. Light Plant—00019594, Hagerstown, Maryland 21740.
Gulf States Utilities Co.—32000000, P.O. Box 2951, Beaumont, Texas 77704.
Highland Electric Light Plant—00012589, Highland, Illinois 62249.
Hibbing Public Utils. Comm.—00022615, E. 19th St. & 6th Ave., East, Hibbing, Minnesota 55746.
Hetch Hetchy Water & Power—00004588, 855 Harrison Street, San Francisco, Calif. 94107.
Herington Water & Elec. Dept.—00015623, Herington, Kansas 67449.
Henderson Mun. Power and Light—00016560, P.O. Box 8, Henderson, Kentucky 42420.
Henderson Elec. Light Station—00016547, Henderson, Kentucky 42420.
Heber Light and Power Plant—00043564, Heber, Utah 84032.
Hearne Municipal Plant—00042634, Hearne, Texas 77859.
Hawaiian Electric Co., Inc.—00051025, P.O. Box 2750, Honolulu, Hawaii 96803.
Hatfield Boro. Elec. Lt. Dept.—00037612, Hatfield, Pennsylvania 19440.
Holyoke, City of—00020597, Gas & Electric Dept., Cabot Street, Holyoke, Mass. 01040.
Holton Light Department—00015627, Holton, Kansas 66436.
Holly, Town of—00005649, Holly, Colo. 81047.
Holland Board of Public Works—00021614, Holland, Michigan 49423.
Holdrege Mun. Light and Water—00026612, Holdrege, Nebraska 68949.
Hoisington, City of—00015626, Hoisington, Kansas 67544.
Hilo Electric Light Co., LTD.—00051028, P.O. Box 1027, 1200 Kilauea Ave., Hilo, Hawaii 96720.
Hillsdale Board of Pub. Works—00021611, Hillsdale, Michigan 49242.
Hillsboro Mun. Electric Dept.—00015622, Hillsboro, Kansas 67063.
Hill City Water and Lt. Plant—00015625, Hill City, Kansas 67642.
Hutchinson Mun. Electric Plant—00022617, Hutchinson, Minnesota 55350.
Hugoton Light & Water Plant—00015633, Hugoton, Kansas 67951.
Hudson Light & Power Dept.—00020602, Hudson, Massachusetts 01749.
Houston Lighting & Power Co.—00042086, Houston, Texas 77001.
Houma Light and Water Plant—00017598, Houma, Louisiana 70360.
Horton Wtr. and Electric Dept.—00015631, Horton, Kansas 66439.
Hopkinton Municipal Utilities, Box 248, Hopkinton, Iowa 52237.
Hoonah, City of—00050545, Box 38, Hoonah, Alaska 99829.
Homestead Lt. & Water Dept.—00009560, Krome Avenue, Homestead, Florida 33030.
Homer Light & Water Plant—00017587, Homer, Louisiana 71040.
Indiana Statewide Rural Elec. Coop., Inc.—00013849, Hoosier Energy Division, P.O. Box 908, Bloomington, Indiana 47401.
Indiana-Kentucky Electric Corp.—50500000, P.O. Box 468, Piketon, Ohio 45661.
Independence City Power & Light Dept.—00024625, 420 South Main, Independence, Missouri 64050.
Independence, City of—00014635, Independence, Iowa 50644.
Imperial Light & Water Plant—00026617, Imperial, Nebraska 69033.
Imperial Irrigation District—00004590, Imperial, California 92251.
Illinois Power Company—00012072, 500 South 27th Street, Decatur, Illinois 62525.
Idaho Power Company—02700000, P.O. Box 70, Boise, Idaho 83707.
Idaho Falls Elec. Lt. Dept.—00011621, Idaho Falls, Idaho 83401.
Hyrum Electric Light Plant—00043585, Hyrum, Utah 84319.
Ipswich Water & Light Dept.—00020613, Ipswich, Massachusetts 01938.
Iowa Southern Utilities Co.—00014103, Centerville, Iowa 52544.
Iowa Public Service Co.—00014097, 502 Sixth Street, Sioux City, Iowa 51101.
Iowa Power & Light Company—00014093, Att: R. G. Page, Mgr. Elec. Sys. & Sys. Op., 823 Walnut Street, Des Moines, Iowa 50303.
Iowa-Illinois Gas & Elec. Co.—05000000, 206 East Second Street, Davenport, Iowa 52801.
Iowa Elec. Light & Power Co.—00014089, Cedar Rapids, Iowa 52406.
Iola Electric System—00015637, P.O. Box 450, Iola, Kansas 66749.
Interstate Power Company—10600000, 1000 Main Street, Dubuque, Iowa 52001.
Indianola Mun. Utilities—00014637, Indianola, Iowa 50125.
Indianapolis Power & Light Co.—00013063, Indianapolis, Indiana 46204.
Johnson, City of, Electric Dept.—00015645, Johnson, Kansas 67855.
Jetmore Power and Light Dept.—00015644, Jetmore, Kansas 67854.
Jasper Mun. Lt. & Pwr. Plant—00042637, Jasper, Texas 75951.
Jasper Municipal Dept.—00013601, Jasper, Indiana 47546.
Janesville Mun. Utilities—00022619, Main Street, Janesville, Minn. 56048.
Jamestown Bd. of Public Utils.—00031624, 200–212 E. Third Street, Jamestown, New York 14701.
Jacksonville Electric Dept.—00009566, Room 613, City Hall, Jacksonville, Florida 32202.
Jacksonville Mun. Elec. Plant—00012598, Jacksonville, Illinois 62650.
Jackson Water and Light Dept.—00024629, Jackson, Missouri 63755.
Island Light and Power Co.—00038059, Block Island, Rhode Island 02807.
Kauai Electric Company—00051060, P.O. Box 278, Eleele Kauai, Hawaii 96705.
Kauai Division—00051060, Citizens Utilities Company, High Ridge Park, Att: H. G. Stewart, Vice President, Stamford, Conn. 06905.
Kansas Power & Light Co.—00015113, Topeka, Kansas 66612.
Kansas Gas and Electric Co.—00015104, Box 208, Wichita, Kansas 67201.
Kansas City Power & Light Co.—00024070, P.O. Box 679, Kansas City, Missouri 64141.
Kansas City Bd. of Public Utils.—00015648, 1211 North 8th Street, Kansas City, Kansas 66101.
Kahoka Water and Light Dept.—00024638, Kahoka, Missouri 63445.
Julesburg, Town of—00005658, Julesburg, Colorado 80737.
Jonesboro Water & Light Plant—00003587, Jonesboro, Arkansas 72402.
Jonesboro Power & Light Plant—00017609, Jonesboro, Louisiana 71251.
Kissimmee Utility Dept.—00009578, P.O. Box 340, Kissimmee, Florida 32741.
Kingman, City of—00015650, Kingman, Kansas 67068.
Kingfisher Light & Power Dept.—00035593, Kingfisher, Oklahoma 73750.
Kimball Municipal Utilities—00026621, Kimball, Nebraska 69145.
Key West Utility Board—00009575, Duval and Green Streets, Key West, Florida 33041.
Ketchikan Public Utilities—00050550, P.O. Box 1019, Ketchikan, Alaska 99901.
Kenyon Municipal Utilities—00022632, Kenyon, Minnesota 55946.
Kentucky Utilities Co.—00016091, 120 South Limestone Street, Lexington, Kentucky 40507.
Kennett Mun. Light & Power—00024640, Kennett, Missouri 63857.
Kaukauna Elec. & Water Dept.—00048618, Kaukauna, Wisconsin 54130.
Lakeland Light and Water Dept.—00009597, P.O. Box 368, Lakeland, Florida 33802.
Lake Crystal Mun. Light Plant—00022636, Lake Crystal, Minnesota 56055.
Lafayette, City of, Utils. Sys.—00017642, P.O. Box 208, Lafayette, Louisiana 70504.
La Plata, City of—00024649, La Plata, Missouri 63549.
La Junta Mun. Electric Plant—00005662, 6th and Colorado Ave., La Junta, Colorado 81050.
La Farge Mun. Electric Co.—00048626, La Farge, Wisconsin 54639.
La Crosse, City of—00015654, La Crosse, Kansas 67548.
Kotzebue Electric Assn., Inc.—00050855, P.O. Box 44, Kotzebue, Alaska 99752.
Kodiak Electric Anns., Inc.—00050851, Port Lions Plant, Kodiak, Alaska 99615.
Kodiak Electric Assn., Inc.—00050850, P.O. Box 787, Kodiak, Alaska 99615.
Laporte City Utilities—00014647, Laporte City, Iowa 50651.
Lansing Bd. of Water & Light—00021626, 123 W. Ottawa Street, Lansing, Michigan 48903.
Lansdale Boro. Electric Dept.—00037630, Lansdale, Pennsylvania 19446.
Lamoni Municipal Utilities—00014646, Lamoni, Iowa 50140.
Lamar Light and Power Dept.—00005665, Lamar, Colorado 81052.
Lake Worth Utilities Auth.—00009590, 114 College Street, Lake Worth, Florida 33460.
Lake Superior Dist. Power Co.—40000000, Ashland, Wisconsin 54806.
Lake Providence Elec. Light and Water Plant—00017653, Lake Providence, Louisiana 71254.
Lake Mills Mun. Light Plant—00014644, Lake Mills, Iowa 50450.
Lake Lure, Town of—00032656, Lake Lure, North Carolina 28746.
Lewiston Public Works—00018544, Island Avenue, Lewiston, Maine 04240.
Lenox Mun. Light Plant—00014654, Lenox, Iowa 50851.
Lebanon, City of—00034629, City Hall, Lebanon, Ohio 45036.
Lea County Electric Coop.—00030870, Lovington, New Mexico 88260.
Le Sueur Mun. Utilities—00022646, Le Sueur, Minn. 56058.
Lawton Park Gen. Station—00013578, 1 Main Street, Fort Wayne, Indiana 46802.
Lawrence Park H. Lt. & Pwr. Co.—00031082, 599 New Park Ave., West Hartford, Conn. 06170.
Laurel Municipal Power Plant—00026623, Laurel, Nebraska 68745.
Las Animas Mun. Light & Power—00005664, Las Animas, Colorado 81054.
Larned Water & Elec. Dept.—00015659, Larned, Kansas 67550.
Longmont, City of—00005672, Longmont, Colo. 80501.
Long Island Lighting Co.—00031087, Old Country Road, Mineola, L.I., New York 11501.
Logansport Elec. Light and Power Plant—00013622, Logansport, Indiana 46947.

Logan Mun. Light Plant—00043620, Logan, Utah 84321.
Lockhart Power Company—00039118, Lockhart, S.C. 29364.
Litchfield Lt. and Pwr. Plant—00022648, Litchfield, Minnesota 55355.
Lindsborg Lt. and Water Plant—00015665, Lindsborg, Kansas 67456.
Lindsay Light and Power Dept.—00035605, Lindsay, Oklahoma 73052.
Lincoln Light Dept.—0001566, Lincoln, Kansas 67455.
Lincoln Electric System—00026628, 1401 "O" Street, Lincoln, Nebraska 68508.
Lyons Light and Water Plant—00026634, Lyons, Nebraska 68038.
Lyndonville Electric Plant—00044644, Lyndonville, Vermont 05851.
Luverne, City of—00022652, Luverne, Minn. 56156.
Lubec Water and Electric Dist.—00018555, 24 Water Street, Lubec, Maine 04652.
Lubbock, City of—00042646, Lubbock, Texas 79457.
Lower Colorado River Auth.—00042644, P.O. Box 220, Austin, Texas 78767.
Lowell Municipal Utilities—00021630. Lowell, Michigan 49331.
Loveland Electrical Dept.—00005679, Loveland, Colorado 80537.
Louisville Gas & Elec. Co.—00016127, 311 West Chestnut Street, Louisville, Kentucky 40202.
Los Angeles Dept. of Water and Power—45500000, P.O. Box 111, Los Angeles, California 90051.
Malden, Bd. of Public Works—00024666, Malden, Missouri 63863.
Maine Yankee Atomic Power Co.—00018097, 9 Green Street, Augusta, Maine 04330.
Maine Public Service Co.—00018094, Presque Isle, Maine 04769.
Madison Light Plant—00026635, Madison, Nebraska 68748.
Madison Gas & Electric Co.—00048072, P.O. Box 1231, Madison, Wisconsin 53701.
Madison Electric Works Dept.—00018566, Madison, Maine 04950.
Madison, City of—00022659, Power Plant, Madison, Minn. 56256.
Madelia Mun. Light & Pwr. Plant—00022658, Box 24, Madelia, Minnesota 56062.
Macon Mun. Utilities—00024661, 121-123 West Bourke, Macon, Missouri, 63552.
M. & A. Elec. Power Coop.—00024846, Poplar Bluff, Missouri 63901.
Marquette Bd. of Light & Power—00021637, P.O. Box 40, Marquette, Michigan 49855.
Marlow Water & Light Dept.—00035617, Marlow, Oklahoma 73055.
Marion Water and Light Plant—00015673, Marion, Kansas 66861.
Marceline, City of—00024670, Marceline, Mo. 64658.
Marblehead Mun. Light Dept.—00020630, Marblehead, Massachusetts 01945.
Maquoketa Mun. Light Dept.—00014667, Maquoketa, Iowa 52060.
Manti City Light & Power Plant—00043627, 110 So. 4th West, Manti, Utah 84642.
Manning Mun. Light Plant—00014664, Manning, Iowa 51455.
Manitowoc Pub. Utilities Comm.—00048633, P.O. Box 278, 1303 S. 8th Street, Manitowoc, Wisconsin 54220.
Mangum Light and Power Dept.—00035611, Mangum, Oklahoma 73554.
McLeansboro, City of—00012606, McLeansboro, Illinois 62859.
McGregor Mun. Electric Plant—00014670, McGregor, Iowa 52157.
Maui Electric Co., Ltd.—00051100, P.O. Box 398, Kahului, Maui, Hawaii 96732.
Mascoutah Lt. and Power Plant—00012612, Mascoutah, Illinois 62258.
Martinsville Electric Dept.—00045614, Martinsville, Virginia 24112.
Marshfield Elec. & Water Dept.—00048636, P.O. Box 655, Marshfield, Wisconsin 54449.
Marshall Utility Dept.—00012609, Marshall, Illinois 62441.
Marshall Municipal Utilities—00024675, Marshall, Missouri 65340.
Marshall Municipal Utilities—00022661, Marshall, Minnesota 56258.
Marshall Elec. and Wtr. Works—00021641, Marshall, Michigan 49068.
Middle South Services, Inc.—90031017, Box 61000, New Orleans, Louisiana 70160.
Metlakatla Power & Light—00050570, Purple Lake Plant, Metlakatla, Alaska 99926.
Merrillan Light & Water Dept.—00048645, Merrillan, Wisconsin 54754.
Merced Irrigation District—00004611, P.O. Box 2288, Merced, California 95340.
Menasha Elec. & Water Utils.—00048642, Menasha, Wisconsin 54952.
Melville Light & Water Dept., Melville, Louisiana 71353.
Memphis Mun. Light Plant—00024684, Memphis, Missouri 63555.
Medina Electric Coop., Inc.—00042912, P.O. Box 1028, Pearsall, Texas 78061.
Meade, City of—00015677, Meade, Kansas 67864.
McPherson Bd. of Public Utils.—00015675, P.O. Box 650, McPherson, Kansas 67460.
Molokai Electric Co., Ltd.—00051140, Kaunakakai, Molokai, Hawaii 96748.
Missouri Utilities Co.—00024121, Cape Girardeau, Mo. 63701.
Missouri Public Service Co.—00024108, 10700 East 50 Highway, Kansas City, Missouri 64138.
Missouri Power & Light Co.—00024106, P.O. Box 780, Jefferson City, Mo. 65101.
Mississippi Power Company—00023076, 2992 W. Beach, P.O. Box 4079, Gulfport, Mississippi 39501.
Minnikota Power Coop., Inc.—22000000, Grand Forks, North Dakota 58201.
Minnesota Power & Light Co.—00022103, Duluth, Minnesota 55802.
Minneapolis, City of—00015682, Minneapolis, Kansas 67467.
Minden Light & Water Dept.—00017675, Minden, Louisiana 71055.
Milford Mun. Light Plant—00014672, Milford, Iowa 51351.
Moorhead Water & Light Dept.—00022669, 519 Elm St. South, Moorhead, Minnesota 56560.
Moon Lake Electric Assn.—34000000, Vernal, Utah.
Montezuma Mun. Light Plant—00014674, P.O. Box 65, Montezuma, Iowa 50171.
Montaup Electric Company—00020085, P.O. Box 391, Fall River, Mass. 02722.
Montana Power Company—00025113, 40 East Broadway, Butte, Montana 59701.
Montana Light and Power Co.—00025106, Troy, Montana 59935.
Montana-Dakota Utilities Co.—16000000, 400 North Fourth Street, Bismarck, North Dakota 58501.
Monroe Power and Light Dept.—00043655, Monroe, Utah 84754.
Monroe, City of—00017686, Municipal Power Plant, P.O. Box 84, Monroe, Louisiana 71203.
Monroe City Lt. and Power Dept.—00024702, Monroe City, Missouri 63456.
Mullen, Villiage of—00026648, Mullen, Nebraska 69152.
Mt. Pleasant Mun. Utils.—00014675, 509 N. Adams Street, Mount Pleasant, Iowa 52641.
Mt. Carmel Pub. Utility Co.—00012101, Mt. Carmel, Illinois 62863.
Mountain Lake Mun. Light & Power Plant—00022675, Mountain Lake, Minn. 56159.
Mountain Iron Municipal Light Dept., Mountain Iron, Minnesota 55768.
Mount Pleasant Elec. Lt. Dept.—00043662, Mount Pleasant, Utah 84647.
Morrisville, Village of—00044659, Morrisville, Vermont 05661.
Morgan City Water and Electric Plant—00017697, Morgan City, Louisiana 70380.
Mora Light and Power Plant—00022673, Mora, Minnesota 55051.
Moose Lake Water & Light Comm.—00022671, Moose Lake, Minnesota 55767.
Natchitoches, City of—00017708, Natchitoches, Louisiana 71457.
Napoleon Mun. Utilities—00034665, Napeleon, Ohio 43545.
Nantucket Gas and Elec. Co.—00020090, 10 Federal Street, Nantucket, Massachusetts 02554.
Nantahala Power and Light Co.—00032117, Franklin, North Carolina 28734.
Naknek Electric Assn., Inc.—00050572, Naknek, Alaska 99633.
N. W. Elec. Power Coop., Inc.—00024853, 312 North Chestnut Street, Cameron, Missouri 64429.
Muscoda Light and Power Co.—00048657, Muscoda, Wisconsin 53573.
Muscatine Mun. Electric Plant—00014677, Muscatine, Iowa 52761.
Murray Power Plant Dept.—00043669, Murray, Utah 84107.
Mulvane, City of—00015695, Mulvane, Kansas 67110.
New Mexico Elec. Serv. Co.—00030103, Hobbs, New Mexico 88240.
New Lisbon Elec. Light & Water Plant—00048666, New Lisbon, Wisconsin 53950.
New Hampton Light Plant & Water Works—00014681, New Hampton, Iowa 50659.
New England Gas & Elec. Assn.—08000000, 130 Austin Street, Cambridge, Massachusetts 02139.
New England Elec. System—09000000, Turnpike Road, Westboro, Mass. 01581.
Nevada Power Company—00027089, P.O. Box 230, Las Vegas, Nevada 89101.
Nevada Irrigation Dist.—00004615, P.O. Box 823, Colfax, California 95713.
Neodesha, City of—00015699, Neodesha, Kansas 66757.
Nebraska Public Power Dist.—00026646, Box 499, Columbus, Nebraska 68601.
Nebraska City Utilities—00026641, Nebraska City, Nebraska 68410.
Newkirk Pwr. & Light Dept.—00035632, Box 469, Newkirk, Oklahoma 74647.
Newberry Wtr. and Light Board—00021649, Newberry, Michigan 49868.
New York State Elec. & Gas Corporation—00031100, P.O. Box 287, Ithaca, New York 14850.
New Ulm Public Utils. Comm.—00022683, New Ulm, Minnesota 56073.
New Smyrna Beach, City of—00009627, Municipal Light & Power, New Smyrna Beach, Florida 32069.
New Roads Lt. and Wtr. Plant—00017719, New Roads, Louisiana 70760.
New River Light & Power Co.—00032674, 227 East King Street, Boone, North Carolina 28607.
New Prague Water, Light, Power & Bldg. Comm.—00022680, New Prague, Minn. 56071.
Newport Eelectric Corporation—00038071, Newport, Rhode Island 02841.
New Orleans Sewerage & Water Board—00017715, 1300 Perdido Street, New Orleans, Louisiana 70112.
North Counties Hydro Elec. Co.—00012107, 1603 Orrington Avenue, Evanston, Illinois 60201.
North Central Power Co. Inc.—00048090, Grantsburg, Wisconsin 54840.
North Branch Wtr. & Lt. Comm.—00022688, North Branch, Minnesota 55056.
Norris Rural Pub. Pwr. Dist.—00026651, P.O. Box 399, Beatrice, Nebraska 68310.
Nome Light & Power Utils.—00050575, P.O. Box 70, Nome, Alaska 99762.

Nogales Division—00002055, Citizens Utilities Company, High Ridge Park, Att: H. G. Stewart, Vice President, Stamford, Conn. 06905.
Niles Bd. of Public Works—00021652, Niles, Michigan 49120.
Niagara Mohawk Power Corp.—21000000, 300 Erie Blvd., West, Syracuse, New York 13202.
Newton Falls, City of—00034675, 19 N. Canal Street, Newton Falls, Ohio 44444.
Newport Electric Corp.—00038071, Newport, Rhode Island 02841.
Norway, City of—00021656, Norway, Michigan 49870.
Norton, City of—00015702, Norton, Kansas 67654.
Northwestern Wisconsin Elec. Co.—00048095, Grantsburg, Wisconsin 54840.
Northwestern Public Serv. Co.—00040111, Huron, South Dakota 57350.
Northern States Power Co.—41000000, 414 Nicollet St., Minneapolis, Minn. 55401.
Northern Michigan Electric Coop., Inc.—00021882, Boyne City, Michigan 49712.
Northern Indiana Pub. Serv. Co.—00013097, 5265 Hohman Avenue, Hammond, Indiana 46320.
Northern Commercial Co.—00050060, Bethel, Alaska 99559.
Northeast Util. Service Co.—55000000, P.O. Box 270, Hartford, Connecticut 06101.
Northeast Missouri Electric Power Coop.—00024861, Palmyra, Missouri 63461.
Ogden Mun. Utilities—00014685, Ogden, Iowa 50212.
Odessa Mun. Light Plant—00024712, Odessa, Missouri 64076.
Oconto Electric Coop.—00048922, Route 1 Box 125, Oconto Falls, Wisc. 54154.
Oberlin Light and Power—00034684, Oberlin, Ohio 44074.
Oberlin, City of—00015706, Oberlin, Kansas 67749.
Oakley Municipal Plant—00015704, P.O. Box 116, Oakley, Kansas 67748.
Oakdale & South San Joaquin Irr. Dists., Tri-Dam Proj.—00004618, P.O. Box 188, Oakdale, California 95361.
N.Y.S. Dept. of Transportation—00031650, Waterways Maintenance Sub-Div., 1220 Washington Ave., State Campus, Albany, New York 12226.
Nushagak Electric Coop., Inc.—00050880, Box 197, Dillingham, Alaska 99576.
Norwich Dept. of Pub. Util.—00006556, 34 Shetucket Street, Norwich, Connecticut 06360.
Orlando Utils. Comm.—00009640, Box 3193, Orlando, Florida 32802.
Ord Light and Water Plant—00026655, Ord, Nebraska 68862.
Orange & Rockland Util., Inc.—00031115, 75 West Route 59, Spring Valley, New York 10977.
Orange City Mun. Light Plant—00014689, P.O. Box 516, Orange City, Iowa 51041.
Opelousas Electric Light & Water Works Plant—00017730, P.O. Box 712, Opelousas, Louisiana 70570.
Omaha Public Power Dist.—00026652, Electric Building, Omaha, Nebraska 68102.
Oklahoma Gas & Electric Co.—00035097, P.O. Box 321, Oklahoma City, Oklahoma 73101.
Okeene, Town of—00035635, Okeene, Okla. 73763.
Ohio Valley Electric Corp.—50600000, P.O. Box 468, Piketon, Ohio 45661.
Ohio Edison Company—00034133, Akron, Ohio 44308.
Owatonna Mun. Utils. System—00022696, Owatonna, Minnesota 55060.
Ottumwa Water Works—00014693, Ottumwa, Iowa 52501.
Otter Tail Power Company—12000000, Fergus Falls, Minn. 56537.
Ottawa Water and Light Dept.—00015719, Ottawa, Kansas 66067.
Osborne Mun. Light Plant—00015715, Osborne, Kansas 67473.
Osawatomie Lt. and Water Dept.—00015713, Osawatomie, Kansas 66064.
Osage Mun. Light & Power—00014692, 7th and Chestnut Streets, Osage, Iowa 50461.
Osage City Mun. Light Plant—00015712, Osage City, Kansas 66523.
Orrville Municipal Utils.—00034689, 1115 Perry Street, Orrville, Ohio 44667.
Oroville Wyandotte Irr. Dist.—00004620, P.O. Box 117, Forbestown, Calif. 95941.
Parowan City Corp.—00043697, Parowan, Utah 84761.
Park River Lt. & Wtr. Plant—00033699, Park River, North Dakota 58270.
Paragould Light Plant Comm.—00003615, Paragould, Arkansas 72450.
Palmyra Light and Water Dept.—00024716, Palmyra, Missouri 63461.
Painesville Elec. Light Dept.—00034691, Painesville, Ohio 44077.
Pacific Power & Light Co.—24000000, Public Service Building, Portland, Oregon 97204.
Pacific Gas & Electric Co.—00004109, 245 Market Street, San Francisco, Calif. 94105.
Oxford Light and Power Plant—00026656, Oxford, Nebraska 68967.
Owensville Mun. Utilities—00024714, Owensville, Missouri 65066.
Owensboro Mun. Utilities—00016595, 4301 Hardinsburg Road, Owensboro, Kentucky 42301.
Pennsylvania Power Co.—00037135, New Castle, Penn. 16103.
Pennsylvania Power & Light Co.—00037137, 9th and Hamilton Streets, Allentown, Pennsylvania 18101.
Pender Mun. Light Plant—00026660, Pender, Nebraska 68047.
Pella Mun. Electric Plant—00014702, Pella, Iowa 50219.
Pelican Utility Company—00050100, 653 NE. Northlake Way, Seattle, Washington 98105.
Peabody Elec. Light Dept.—00020668, Peabody, Mass. 01960.
Pawhuska Light & Power Dept.—00035644, Pawhuska Oklahoma 74056.
Paw Paw Dept. Public Works—00021659 Paw Paw, Michigan 49079.
Passaic Valley Water Comm.—00029595, P.O. Box 203, Clifton, New Jersey 07011.
Pasadena Water & Power Dept.—49600000, Room 301, City Hall, Pasadena, California 91109.
Placer County Water Agency—00004632, Power Systems Division, P.O. Box 667, Foresthill, California 95631.
Piqua Mun. Power Plant—00034700, Piqua, Ohio 45356.
Pioneer Pwr. and Light Co.—00048107, Westfield, Wisconsin 53964.
Piggott Pub. Impr. Dist. No. 1—00003631, Piggott, Arkansas 72454.
Pick-Sloan Missouri Basin Prog.-Eastern Division-Canyon Ferry Project—48800000, Bureau of Reclamation, Att. Code 600, 316 North 26th Street, Billings, Montana 59103.
Philadelphia Electric Co.—26000000, 2301 Market Street, Philadelphia, Penn. 19101.
Petersburg Light & Power Dept.—00050600, P.O. Box 329, Petersburg, Alaska 99833.
Peru Light Plant—00012646, Peru, Illinois 61354.
Peru Elec. Light and Pwr. Dept.—00013658, Peru, Indiana 46970.
Perry Water & Light Dept.—00035650, Perry, Oklahoma 73077.
Pratt Mun. Electric & Water Dept.—00015727, Pratt, Kansas 67124.
Power Auth. of State of N.Y.—00031668, The Coliseum Tower, 10 Columbus Circle, New York, New York 10019.
Potomac Electric Power Co.—02500000, Room 812, Washington, D.C. 20006.
Portland General Electric Co.—00036139, 906 Electric Building, Portland, Oregon 97205.
Portland, City of—00021667, Portland, Michigan 48875.
Ponca City Wtr. & Lt. Dept.—00035653, Ponca City, Oklahoma 74602.
Pleasant Hill Mun. Utils.—00024728, Pleasant Hill, Missouri 64080.
Plaquemine Lt. and Wtr. Plant—00017741, Plaquemine, Louisiana 70764.
Plainview, City of—00026662, Plainview, Nebraska 68769.
Plains Elec. Generation & Transmission Coop.—00030895, 2401 Aztec Rd. NE., Albuquerque, New Mexico 87107.
Public Service Co. of Indiana, Inc.—00013115, 1000 East Main Street, Plainfield, Indiana 46168.
Public Serv. Co. of Colorado—00005088, P.O. Box 840, Denver, Colorado 80201.
Provo Dept. of Utilities—00043721, Provo City Corp., Provo, Utah 84601.
Providence, City of, Wtr. Sup. Bd.—00038600, 552 Academy Ave., Providence, Rhode Island 02908.
Protection Water and Lt. Dept.—00015730, Protection, Kansas 67127.
Princeton Mun. Electric Plant—00022704, Princeton, Minnesota 55371.
Princeton Light Department—00012649, Princeton, Illinois 61356.
Princeton Lt. and Water Plant—00024734, Princeton, Missouri 64673.
Town of Primghar Light Plant, Att: Mr. Neil Bauderman, Supt.—00014709, Primghar, Iowa 51245.
Preston, Town of—00014708, Preston, Iowa 52069.
Radford Dept. of Pub. Utils.—00045625, Radford, Virginia 24141.
Puget Sound Power & Light Co.—00046124, Puget Power Bldg., Bellevue, Washington 98009.
Public Utility Dist. No. 2 of Grant County—00046594, P.O. Box 878, Ephrata, Washington 98823.
Public Utility Dist. No. 1 of Pend Orellie County—00046617, Newport, Washington 99156.
Public Utility Dist. No. 1 of Douglas County—00046593, 1151 North Main Street, East Wenatchee, Wash. 98801.
Public Utility Dist. No. 1 of Chelan County—00046542, Wenatchee, Washington 98801.
Public Serv. Co. of Oklahoma—00035132, P.O. Box 201, Tulsa, Oklahoma 74102.
Public Serv. Co. of New Mexico—00030157, P.O. Box 2267, Albuquerque, New Mexico 87103.
Public Service Company of New Hampshire—18000000, 1000 Elm Street, Manchester, New Hampshire 03105.
Public Serv. Elec. & Gas Co.—00029131, 80 Park Place, Newark, New Jersey 07101.
Red Cloud Lt. and Pwr. Plant—00026673, Red Cloud, Nebraska 68970.
Red Bud Power, Light & Water Plant—00012655, Red Bud, Illinois 62278.
Red Bluff Water Power Control District—00042660, Pecos, Texas 79772.
Reading Light and Wtr. Plant—00034706, Pike and Market Streets, Reading, Ohio 45215.
Ravville Light & Water Plant—00017754, P.O. Box 67, Ravville, Louisiana 71269.
Rayne Elec. Lt. & Wtr. Plant—00017747, P.O. Box 69, Rayne, Louisiana 70578.
Raton Public Service Co.—00030527, Raton, New Mexico 87740.
Rantoul Light and Power Plant—00012652, Rantoul, Illinois 61866.
Rangeley Power Company—00018120, 465 Congress St., Room 604, Portland, Maine 04111.
Randolph Elec. Light and Water Plant—00026670, Randolph, Nebraska 68771.
Rochelle, City of—00012661, Rochelle, Illinois 61068.

Robstown, City of, Lt. Pwr. Sys.—00042663, Robstown, Texas 78380.
River Falls Mun. Utility—00048708, River Falls, Wisc. 54022.
Richmond Power and Light—00013669, 32 South 8th Street, Richmond, Indiana 47374.
Richmond Dept. of Public Util.—00045647, 900 East Broad Street, Richmond, Virginia 23219.
Richland Center Mun. Elec. & Water Util.—00048705, Richland Center, Wisconsin 53581.
Rich Hill, City of—00024738, 316 N. 6th Street, Rich Hill, Mo. 64779.
Rensselaer Mun. Power Plant—00013666, Rensselaer, Indiana 47978.
Redwood Falls Public Utils. Comm.—00022708, Redwood Falls, Minn. 56283.
Redlands Water & Power Co.—00005885, P.O. Box 216, Grand Junction, Colo. 81501.
Russell Mun. Electric System—00015738, Russell, Kansas 67665.
Roseau Mun. Light Plant—00022710, P.O. Box 307, Roseau, Minnesota 56751.
Roodhouse Mun. Light and Power Dept.—00012666, Roodhouse, Illinois 62082.
Rouge River Basin Project—03000000, Bureau of Reclamation, Att. Code 600, Federal Building, 5th and Fort Streets, Boise, Idaho 83724.
Rockville Centre, Village of—00031675, Rockville Centre, New York 11570.
Rockford Mun. Light Plant—00014721, Rockford, Iowa 50468.
Rock Rapids Mun. Utils.—00014722, Rock Rapids, Iowa 51246.
Rock Port Mun. Utility—00024740, Rock Port, Missouri 64482.
Rochester Gas & Elec. Corp.—00031135, 89 East Avenue, Rochester, New York 14604.
Rochester Dept. of Pub. Utils.—00022707, 506 1st Ave., N.E., Rochester, Minnesota 55901.
Saint Marys Wtr. and Lt. Plant—00015745, St. Marys, Kansas 66536.
Saint Marys Elec. Light Co.—00034722, St. Marys, Ohio 45885.
Saint John Mun. Elec. Plant—00015743, St. John, Kansas 67576.
Saint Cloud Util. Comm.—00009664, St. Cloud, Florida 32769.
Stafford Mun. Utils.—00002520, P.O. Box 55, Safford, Arizona 85546.
Safe Harbor Water Power Co.—00037166, R.D. 2, Lancaster County, Conestoga, Pennsylvania 17516.
Sacramento Mun. Util. Dist.—00004652, P.O. Box 15830, Sacramento, Calif. 95813.
Sabine River Authority—00042666, State of Louisiana, P.O. Box 44155 Capital Station, Baton Rouge, Louisiana 70804.
Sebetha, City of—00015740, Sabetha, Kansas 66534.
Ruston Dept. of Wtr. & Lt.—00017760, Ruston, Louisiana 71270.
Seguin Elec. & Water Dept.—00042677, Seguin, Texas 78155.
Sebring Utilities Comm.—00009677, 368 South Commerce Ave., Sebring, Florida 33870.
Sebewaing Elec. Light Plant—00021678, Sebewaing, Michigan 48759.
Seattle Dept. of Lighting—00046666, 1015 3rd Ave., Seattle, Washington 98104.
Schuyler Dept. of Utilities—00026681, 124 East 11th Street, Schuyler, Nebraska 68661.
Savannah Elec. & Power Co.—00010100, P.O. Box 4102, Port Wentworth, Georgia 31407.
Sargent, City of—00026680, Sargent, Nebraska, 68874.
San Diego Gas & Elec. Co.—00004124, P.O. Box 1831, San Diego, Calif. 92112.
San Antonio City Pub Serv. Bd.—00042664, San Antonio, Texas 78206.
Salt River Project Agri. Imp. & Power District—00002523, P.O. Box 1980, Phoenix, Arizona 85001.
Sikeston Bd. of Pub. Works—00024756, Sikeston, Missouri 63801.
Sierra Pacific Power Co.—17000000, P.O. Box 10100, Reno, Nevada 89510.
Sidney, City of—00026685, Sidney, Nebraska 69162.
Sibley, City of—00014735, Sibley, Iowa 51249.
Shrewsbury Electric Light Plant, 105 Maple Avenue, Shrewsbury, Massachusetts 01545.
Sho-Me Power Corp.—00024138, Marshfield, Missouri 65706.
Shelby Mun. Light Plant—00034726, Shelby, Ohio 44875.
Sharon Springs, City of—00015756, Sharon Springs, Kansas 67758.
Seymour Light and Wtr. Works—00014731, Seymour, Iowa 52590.
Seward Electric System—00050625, P.O. Box 337, Seward, Alaska 99664.
South Norwalk Electric Works—00006560, South Norwalk, Conn. 06856.
South Mississippi Elec. Pwr. Assn.—00023838, P.O. Box 2018, Hattiesburg, Miss. 39401.
South Carolina Pub. Serv. Auth.—00039726, P.O. Box 398, Moncks Corner, South Carolina 29461.
South Carolina Elec. & Gas Co.—27000000, 328 Main Street, Columbia, South Carolina 29218.
South Beloit Wtr., Gas & Electric Co.—52100000, P.O. Box 192, 222 West Washington Ave., Madison, Wisconsin 5—01.
Sonora Light and Power Plant, Box 837, Sonora, Texas 76950.
Soda Springs Lt. and Pwr. Dept.—00011665, Soda Springs, Idaho 83276.
Sleepy Eye Light and Power—00022736, Sleepy Eye, Minnesota 56085.
Sitka Municipal Utilities—00050630, P.O. Box 79, Sitka, Alaska 99835.
Sioux Falls Lt. and Pwr. Dept.—00040697, Sioux Falls, South Dakota 57107.
Southwestern Public Serv. Co.—33000000, P.O. Box 1261, Amarillo, Texas 79170.
Southwestern Elec. Power Co.—01000000, P.O. Box 1106, Shreveport, Louisiana 71156.
Southern Indiana Gas & Electric Co.—000131127, Evansville, Indiana 47703.
Southern Illinois Power Coop—00012865, P.O. Box 143, Marion, Illinois 62959.
Southern Colorado Power Division, Central Telephone & Util Corp.—46000001, Box 75, Pueblo, Colorado 812002.
Southern Elec. Generating Co.—00001170, 600 North 18th Street, Birmingham, Alabama 35203.
Southern Calif. Edison Co.—48000000, 2244 Walnut Grove Ave., Rosemead, Calif. 91770.
South Texas Elec. Coop., Inc.—00042951, P.O. Box 2485, Victoria, Texas 77903.
Springville Elec. Light & Power Co.—00031712, Springvil.e, New York 14141.
Springfield Water, Light and Power Dept.—00012676, Springfield, Illinois 62705.
Springfield, Town of—0005901, P.O. Box 4, Springfield, Colorado 81073.
Springfield Lt. and Wtr. Dept.—00022743, Public Utilities Comm., Springfield, Minnesota 56087.
Springfield City Utilities—00024762, Springfield, Missouri 65801.
Spring Valley Public Util. Comm. Elec. & Water Dept.—00022744, 104 So. Section Avenue, Spring Valley, Minn. 55975.
Spokane, City of, Water Div.—00046682, 916 East Grace Avenue, Spokane, Washington 99207.
Spencer Mun. Utilities—00014737, Spencer, Iowa 51301.
Spartanburg Water Works—00039730, P.O. Box 251, Spartanburg, S.C. 29301.
Spalding Mun. Lt. Pwr. Plant—00026694, Spalding, Nebraska 68665.
Stillwater Water & Light Dept.—00035674, Stillwater, Oklahoma 74074.
Sterling Light and Wtr. Plant—00015761, Sterling, Kansas 67579.
State Center Elec. Lt. Plant—00014740, State Center, Iowa 50247.
Starke Light & Water Plant—00009683, P.O. Box 1056, Starke, Florida 32091.
Department of Light, Gas & Water—00024763, Stanberry, Missouri 64489.
Stafford Wtr. & Light Plant—00015758, Stafford, Kansas 67578.
St. Louis Mun. Elec. Util.—00021675, St. Louis, Michigan 48880.
St. Joseph Lt. & Power Co.—00024133, 112 So. 2nd Street, St. Joseph, Missouri 64501.
St. Francis Water & Lt. Dept. c/o of City Office—00015741, St. Francis, Kansas 67756.
Springville Elec. Lt. System—00043746, 09 East 4th South, Springville, Utah 84663.
Sumner Mun. Light Plant—00014749, Sumner, Iowa 50670.
Sullivan, City of—00012685, Sullivan, Illinois 61951.
Sturgis, City of—00021690, P.O. Box 280, Sturgis, Mich. 49091.
Stuart Lt. and Power System—00014747, Stuart, Iowa 50250.
Stuart Light and Power Plant—00026697, Stuart, Nebraska 68780.
Strawberry Water Users Assn.—00043750, Spanish Fork, Utah 84660.
Strawberry Point Light and Water Dept.—00014745, Strawberry Point, Iowa 52076.
Stoughton Elec. Utility—00048729, Stoughton, Wisc. 53589.
Story City Light Dept.—00014741, Story City, Iowa 50248.
Stockton Mun. Light Plant—00015763, Stockton, Kansas 67669.
Teague Light Dept.—00042708, Teague, Texas 75860.
Taunton Mun. Lighting Plant—00020711, 55 Weir Street, Taunton, Massachusetts 02780.
Tampa Electric Company—00009119, 111 N. Dale Marbry Hwy., Tampa, Florida 33601.
Tallahassee, City of—00009689, Tallahassee, Florida 32301.
Tacoma Dept. of Public Util.—00046710, Light Division, Tacoma, Washington 98411.
Swanton, Village of—00044737, Swanton, Vermont 05488.
Swans Island Elec. Coop., Inc.—00018940, Minturn, Maine 04659.
Sutherland Lt. and Pwr. Plant—00026698, Sutherland, Nebraska 69165.
Superior Water Light & Power Co.—00048142, Superior, Wisconsin 54880.
Sunflower Electric Coop.—00015965, Box 980, Hays, Kansas 67601.
Tipton Municipal Utilities, 407 Lynn Street, Tipton, Iowa 52772.
Tipp City Municipality—00034739, Three East Main Street, Tipp City, Ohio 45371.
Thumb Elec. Coop. of Michigan—00021958, Ubly, Michigan 48475.
Thief River Falls Water & Light Dept.—00022749, Thief River Falls, Minn. 56701.
Thibodaux Lt. and Wtr. Plant—00017772, Thibodaux, Louisiana 70301.
Texas Power & Light Co.—00042155, P.O. Box 6331, Dallas, Texas 75222.
Texas Elec. Service Co.—00042138, P.O. Box 970 Fort Worth, Texas 76101.
Tenkiller Ferry Project—00035696, Route 1, Fort Gibson, Okla. 74434.
Tecumseh Light & Water Dept.—00026705, Tecumseh, Nebraska 68450.
Tulia Light and Power Dept.—00042726, Tulia, Texas 79088.
Tucson Gas and Elec. Co.—00002160, P.O. Box 711, Tucson, Arizona 85702.
Tucumcari, City of—00030540, Tucumcari, N. Mexico 88401.
Truman Mun. Light Dept.—00022750, Truman, Minnesota 56088.
Trinidad, City of—00005702, Elec. Power and Light Dept., Trinidad, Colorado 81082.
Trenton Municipal Utilities—00024767, Trenton, Missouri 64683.
Traverse City Light and Power Dept.—00021-701, Traverse City, Mich. 49684.
Traer Light and Water Plant—00014755, Traer, Iowa 50675.
Tonkawa Light & Water Dept.—00035692, Tonkawa, Oklahoma 74653.
Toledo Edison Company—00034168, 300 Madison Ave., Toledo, Ohio 43652.

United Power Association—12200000, Elk River, Minn. 55330.
United Illuminating Co.—00006159, 80 Temple Street, New Haven, Conn. 06510.
Union Electric Company—15000000, P.O. Box 149, St. Louis, Missouri 63166.
Union City, Village of—00021705, Union City, Mich. 49094.
UGI Corporation, Luzerne Electric Div.—00037182, 207 Wyoming Ave., Kingston, Penn. 18704.
Two Rivers Water & Light Dept.—00048744, Two Rivers, Wisconsin 54241.
Two Harbors Elec. Light Dept.—00022751, Two Harbors, Minnesota 55616.
Turlock Irrigation District—00004659, Turlock, California 95380.
Villisca Mun. Power Plant—00014758, Villisca, Iowa 50864.
Vero Beach Mun. Power Plant—00009695, Vero Beach, Florida 32960.
Vernon Mun. Light Dept.—00042733, Vernon, Texas 76384.
Vermont Yankee Nuclear Power Corp.—00044135, 77 Grove Street, Rutland, Vermont 05701.
Vermont Division, Citizens Utilities Company—00044024, High Ridge Park, Att: H. G. Stewart, Vice President, Stamford, Conn. 06905.
Vandalia Municipal Utilities—00024773, Vandalia, Missouri 63382.
Valley City Elec. & Wtr. Works—00033732, Valley City, North Dakota 58072.
Utah Power and Light Co.—50000000, P.O. Box 899, Salt Lake City, Utah 84110.
Upper Peninsula Power Co.—00021132, 616 Shelden Avenue, Houghton, Michigan 49931.
Upper Peninsula Gen. Co.—00021131, Marquette, Michigan 49855.
Wallingford Dept. of Pub. Util.—00006567, Electric Division, P.O. Box 190, Wallingford, Connecticut 06492.
Wakefield Light Plant—00026716, Wakefield, Nebraska 68784.
Wahoo Water and Light Dept.—00026715, Wahoo, Nebraska 68066.
Virgin Islands Water & Power Auth.—05200000, St. Thomas, P.O. Box 1492, St. Thomas, U.S. Virgin Islands 00801.
Virgin Islands Water & Power Auth.—05200001, St. Croix, P.O. Box 1492, St. Thomas, U.S. Virgin Islands 00801.
Virginia Elec. & Power Co.—37000000, P.O. Box 2 6666, Richmond, Virginia 23261.
Virginia City Dept. of Pub. Util.—00022757, Virginia, Minnesota 55792.
Vinton Power and Light Dept.—00014759, Vinton, Iowa 52349.
Vineland, City of, Elec. Util.—00029645, Vineland, New Jersey 08360.
Vinalhaven Light & Power Co.—00018148, Vinalhaven, Maine 04863.
Watertown Mun. Elec. Plant—00031725, Watertown, New York 13601.
Waterloo Light and Power Dept.—00012688, Waterloo, Illinois 62298.
Washington Water Power Co.—38000000, E. 1411 Mission Avenue, Spokane, Washington 99202.
Washington Public Power Supply System—00046775, 130 Vista Way Box 6510, Kennewick, Washington 99336.
Washington Light and Power—00013705, Washington, Indiana 47501.
Washington Island Elec. Coop.—00048974, Washington Island, Wisc. 54246.
Washington, City of—00015781, Washington, Kansas 66968.
Warren Water Light & Power Dept.—00022762, Warren, Minnesota 56762.
Wamego Light and Water Plant—00015780, Wamego, Kansas 66547.
Walsenburg Utilities—00005712, P.O. Box 311, Walsenburg, Colo. 81089.
West Liberty Elec. Lt. Plant—00014771, West Liberty, Iowa 52776.
West Bend Mun. Light Plant—00014769, West Bend, Iowa 50597.
Wells Rural Electric Co.—00027900, Wells, Nevada 89835.
Wells Public Utilities—00022766, Wells, Minnesota 56097.
Wellington Light Dept.—00015786, Wellington, Kansas 67152.
Webster City Lt. and Pwr. Plant—00014767, Webster City, Iowa 50595.
Weber Basin Wtr. Cons. Dist.—00043760, 2837 East Highway 193, Layton, Utah 84041.
Wayne Light Department—00026719, Wayne, Nebraska 68787.
Waverly Municipal Utilities—00014765, 1500 W. Bremer Avenue, Waverly, Iowa 50677.
Wauchula Lt. and Water Plant—00009701, Wauchula, Florida 33873.
Winfield Mun. Light & Power Plant—00015794,Winfield, Kansas 67156.
Wilson, City of—00015792, Wilson, Kansas 67490.
Willmar Mun. Utils. Comm.—00022771, Willmar, Minn. 56201.
White River Power Company—00048162, 443 Mt. Vernon Street, Oshkosh, Wisconsin 54901.
West Texas Utilities Co.—00042190, Abilene, Texas 79604.
Western Illinois Power Coop., Inc.—03200000, Jacksonville, Illinois 62694.
Western Farmers Elec. Coop.—00035980, P.O. Box 510, Anadarko, Oklahoma 73005.
Western Colorado Power Co.—50100000, P.O. Box 899, Salt Lake City, Utah 84110.
Westbrook Mun. Light & Power Plant—00022769, Westbrook, Minn. 56183.
West Point Lt. and Wtr. Works—00026721, West Point, Nebraska 68788.
Wisner Elec. Light and Water Plant—00026733, Wisner, Nebraska 68791.
Wisconsin River Power Co.—00048185, Wisconsin Rapids, Wisc. 54494.
Wisconsin Public Service Corp.—43000000, 600 N. Adams Street, Green Bay, Wisconsin 54305.
Wisconsin Power & Light Co.—52200000, 222 West Washington Ave., P.O. Box 192, Madison, Wisconsin 53701.
Wisconsin-Michigan Power Co.—42000000, 807 South Oneida Street, Appleton, Wisconsin 54911.
Wisconsin Electric Power Co.—00048171, Public Service Building, Milwaukee, Wisconsin 53201.
Winterset Lt. and Power Plant—00014783, Winterset, Iowa 50273.
Winters, City of, Municipal Electric Dept.—00042742, 310 S. Main Street, Winters, Texas 79567.
Winnetka, Village of—00012697, Winnetka, Illinois 60093.
Winner Municipal Plant, Winner, South Dakota 57580.
Yazoo City Public Serv. Comm.—00023735, Yazoo City, Mississippi 39194.
Yankee Atomic Electric Co.—00020180, Rowe, Massachusetts 01367.
Yadkin, Inc.—29100000, Attn: A. L. Howe, Pwr. Supt., P.O. Box 576, Badin, North Carolina 28009.
Wyo.-Neb.-Colo. Interconn. Sys. and Interconn. Pool Areas 31 and 32—48900000, and Bureau of Reclamation, Attn. Code 600, Denver Federal Center Bldg. 20, Denver, Colorado 80225.
Wyandotte Dept. of Mun. Serv.—00021717, Wyandotte, Michigan 48192.
Wrangell Light Dept.—00050700, P.O. Box 531, Wrangell, Alaska 99929.
Wolverine Elec. Coop., Inc.—00021985, 302 South Warren Avenue, Big Rapids, Michigan 49307.
Worthington, City of—00022779, Worthington, Minn. 56187.
Woodsfield Elec. Light Plant—00034774, Woodsfield, Ohio 43793.
Wolverine Power Company—09600000, C/O Consumers Power Company, Jackson, Michigan 49201.
Zeeland City Light & Power Dept.—00021725, 347 E. Washington Ave., Zeeland, Michigan 49464.
Yuma County Water Users Assn.—00004790, P.O. Box 708, Yuma, Arizona 85364.
Yuba County Water Agency, Power System—00004787, P.O. Box 176, Dobbins, California 95935.

[FR Doc.74-8491 Filed 4-12-74;8:45 am]

Title 19—Customs Duties

[T.D. 74-122]

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

PART 134—COUNTRY OF ORIGIN MARKING

Imported Rotary Metal Cutting Tools

APRIL 8, 1974.

Pursuant to section 304(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1304(a)), and § 134.42 of the Customs Regulations (19 CFR 134.42), relating to the marking of imported merchandise as to its country of origin, notice is hereby given that imported rotary metal cutting tools must be marked by means of die stamping in a contrasting color, by raised lettering, by engraving, or by some other method of producing a legible, conspicuous, and permanent mark to clearly indicate the country of origin to the ultimate purchaser in the United States. The rotary metal cutting tools in question are those classified under items 649.43, 649.44, and 649.46 of the Tariff Schedules of the United States.

Imported rotary metal cutting tools marked by means of ink stamping, tagging with adhesive labels, or any other impermanent form of marking which permits the mark to be smudged, blurred, or otherwise easily obliterated or removed are not considered to be acceptably marked as to country of origin for purposes of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), and Part 134 of the Customs Regulations (19 CFR Part 134).

However, pursuant to § 134.32(d) of the Customs Regulations, imported rotary metal cutting tools may be excepted from individual marking to indicate the country of origin if they reach the ultimate purchasers in the United States in individual tubes or containers which are legibly, conspicuously, and permanently marked to indicate the country of origin of the tools contained therein.

Effective date. The above ruling shall be effective as to merchandise entered, or withdrawn from warehouse, for consumption on or after July 16, 1974.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.74-8582 Filed 4-12-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER C—DRUGS

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

n-Butyl Chloride Capsules

The Commissioner of Food and Drugs has evaluated a new animal drug application (92-481V) filed by Hart-Delta, Inc., 5055 Choctaw Drive, Baton Rouge, LA 70805, proposing safe and effective use of *n*-butyl chloride capsules as an anthelmintic for dogs. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135c is amended in § 135c.77 by redesignating paragraphs (a); (b); and (c)(1), (2)(i), (ii), and (iii), and (3) as paragraph (a)(1), (2), (3)(i), (ii) (*a*), (*b*), (c), and (iii), respectively, and by adding a new paragraph (b). As revised, § 135c.77 reads as follows:

§ 135c.77 n-Butyl chloride capsules, veterinary.

(a)(1) *Specifications.* *n*-Butyl chloride capsules, veterinary contain 272 milligrams or 816 milligrams of *n*-butyl chloride in each capsule.

(2) *Sponsor.* See code No. 060 in § 135.501(c) of this chapter.

(3) *Conditions of use.* (i) It is used for the removal of ascarids (*Toxocara canis* and *Toxascaris leonina*) and hookworms (*Ancyclostoma caninum, Ancylostoma braziliense,* and *Uncinaria stenocephala*) from dogs and of the ascarid (*Toxocara cati*) and hookworm (*Ancylostoma tubaeforme*) from cats.

(ii)(*a*) Animals should not be fed for 18 to 24 hours before being given the drug. Puppies and kittens should be wormed at 6 weeks of age. However, if heavily infested, they may be wormed at 4 or 5 weeks of age. Administration of the drug should be followed in ½ to 1 hour with a teaspoonful to a tablespoonful of milk of magnesia or 1 or 2 milk of magnesia tablets. Normal rations may be resumed 4 to 8 hours after treatment. Puppies and kittens should be given a repeat treatment in a week or 10 days. After that they should be treated every 2 months (or as symptoms reappear) until a year old. When the puppy or kitten is a year old, one treatment every 3 to 6 months is sufficient.

(*b*) For dogs or cats that have been wormed regularly, treatment every 3 to 6 months will be sufficient. If a dog or cat has not been wormed previously and has the symptoms of large roundworms a dose should be given and repeated in 10 days. Removal of hookworms may require 3 or 4 doses at 10-day intervals.

(c) Puppies, dogs, cats, or kittens weighing 1 to 3 pounds should be given 2 capsules per dose which contain 272 milligrams of *n*-butyl chloride each. Such animals weighing 4 to 5 pounds should be given 3 such capsules. Animals weighing 6 to 7 pounds should be given 4 such capsules and animals weighing 8 to 9 pounds should be given 5 such capsules. Animals weighing 10 to 20 pounds should be given 3 capsules which contain 816 milligrams of *n*-butyl chloride each, animals weighing 20 to 40 pounds should be given 4 such capsules and animals weighing over 40 pounds should be given 5 such capsules with the maximum dosage being 5 capsules, each of which contains 816 milligrams of *n*-butyl chloride.

(iii) A veterinarian should be consulted before using in severely debilitated dogs or cats and also prior to repeated use in cases which present signs of persistent parasitism.

(b)(1) *Specifications.* *n*-Butyl chloride capsules, veterinary contain 221, 442, 884, or 1,768 milligrams or 4.42 grams of *n*-butyl chloride in each capsule.

(2) *Sponsor.* See code No. 102 in § 135.501(c) of this chapter.

(3) *Conditions of use.* (i) It is used for the removal of ascarids (*Toxocara canis* and *Toxascaris leonina*) and hookworms (*Ancylostoma caninum, Ancylostoma braziliense,* and *Uncinaria stenocephala*) from dogs.

(ii)(*a*) Dogs should not be fed for 18 to 24 hours before being given the drug. Administration of the drug should be followed in ½ to 1 hour with a mild cathartic. Normal rations may be resumed 4 to 8 hours after treament.

(*b*) The drug is administered orally to dogs. Capsules containing 221 milligrams of *n*-butyl chloride are administered to dogs weighing under 5 pounds at a dosage level of 1 capsule per 1¼ pound of body weight. Capsules containing 442 milligrams of *n*-butyl chloride are administered to dogs weighing under 5 pounds at a dosage level of 1 capsule per 2½ pounds body weight. Capsules containing 884 milligrams of *n*-butyl chloride are administered to dogs as follows: Weighing under 5 pounds, 1 capsule; weighing 5–10 pounds, 2 capsules; weighing 10–20 pounds, 3 capsules; weighing 20–40 pounds, 4 capsules; over 40 pounds, 5 capsules. Capsules containing 1,768 milligrams of *n*-butyl chloride are administered at a dosage level of 1 capsule per dog weighing 5–10 pounds. Capsules containing 4.42 grams of *n*-butyl chloride are administered at a dosage level of 1 capsule per dog weighing 40 pounds or over.

(iii) A veterinarian should be consulted before using in severly debilitated dogs.

Effective date. This order shall be effective on April 15, 1974.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: April 9, 1974.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.74-8519 Filed 4-12-74;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

PART 600—STATEMENT OF PROCEDURAL RULES

CFR Correction

In the April 1, 1973, edition of 26 CFR Parts 600 to End, the FEDERAL REGISTER page citation in the second line of the effective date note following § 601.601 (page 102), now reading "37 FR 8246", should read "38 FR 8246".

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Ohio

On January 31, 1972, the Governor of Ohio submitted the "Implementation Plan for the Control of Suspended Particulates, Sulfur Dioxide, Carbon Monoxide, Hydrocarbons, Nitrogen Dioxide, and Photochemical Oxidants in the State of Ohio" to the Administrator of the Environmental Protection Agency. The plan was adopted by the Ohio Air Pollution Control Board following public hearings held on January 18, 1972, in Columbus, Ohio. This plan was submitted pursuant to section 110 of the Clean Air Act, as amended, which requires States to adopt implementation plans to achieve and maintain the national ambient air quality standards (40 CFR Part 50). On May 31, 1972 (37 FR 10842), the Administrator approved the Ohio plan with specific exceptions. Subsequently, amendments were submitted which permitted full approval of the plan on September 22, 1972 (37 FR 19806).

On June 28, 1973, the United States Court of Appeals for the Sixth Circuit decided the case of Buckeye Power Company, et al. v. EPA, 481 F.2d 162. The court vacated the Administrator's approval of the Ohio plan and remanded the case to the Agency for compliance with section 553 of the Administrative Procedure Act, as articulated in the court's opinion, viz., to take comments, data or other evidence from interested parties, and to express the basis for administrative actions.

On August 27, 1973, the Governor of Ohio withdrew from the proposed Ohio plan the control strategy and regulations for control of sulfur oxides. Accordingly, the plan as of this date contains control strategies designed to achieve the national primary ambient air quality standards for particulate matter, carbon monoxide, hydrocarbons, nitrogen oxides and photochemical oxidants throughout the State of Ohio no later than mid-1975 and to achieve the secondary particulate standards in Ohio with the exception of the Metropolitan Cleveland Intrastate Region (Cleveland) and the Ohio portions of the Northwest Pennsylvania-

Youngstown Interstate Region (Youngstown) and the Steubenville-Weirton-Wheeling Interstate Region (Steubenville). It is anticipated that a new control strategy to achieve national standards for sulfur oxides will be submitted by the Governor of Ohio in the near future. Upon submission, the plan will be published as proposed rule-making for public comments prior to final approval or disapproval.

PUBLIC COMMENT

On November 15, 1973 (38 FR 31542), the Administrator published as proposed rule-making the extant provisions of the Ohio implementation plan and requested public comment thereon. Several responses were received and the major issues and EPA responses thereto can be summarized as follows:

(1) It was suggested that a public hearing be held to consider approval of the plan because of the importance of the proposed action. The Environmental Protection Agency believes that sufficient opportunity for public impact on the plan has been provided by the State public hearing and the Federal public comment period held in accordance with the requirements of section 553 of the Administrative Procedure Act. In this regard, oral presentations are not required (5 U.S.C. 553(c)(1967)).

(2) It was alleged that particulate control is inextricably interwoven with sulfur dioxide control. The Environmental Protection Agency feels that such interdependence does not prevail for the majority of sources. In those exceptional instances where particulate and sulfur dioxide control problems are interdependent, procedures are available to consider any compliance difficulties on a case-by-case basis.

(3) It was suggested that the particulate and hydrocarbon control strategies of the plan be disapproved because the control provisions are more stringent than necessary to achieve national standards for several areas of the State. Section 110(a) of the Clean Air Act (42 U.S.C. 1857c–5) requires the Administrator to approve a plan, or portion thereof, if he determines that it meets the requirements listed in section 110(a)(2)(A)–(H). Implementing regulations in 40 CFR Part 51 (Requirements for Preparation, Adoption and Submission of State Implementation Plans) require each State to develop control strategies adequate to attain and maintain the national ambient air quality standards. By definition, a plan with measures more stringent than necessary to achieve the national standards will meet these requirements.

Furthermore, section 116 of the Act (42 U.S.C. 1857d–1) preserves the right of States to adopt and enforce whatever standards, emission limitations or control requirements deemed necessary providing they are as stringent as Clean Air Act and 40 CFR Part 51 requirements. Taken together, the statutory and regulatory provisions clearly preclude the Administrator from disapproving a State plan in which control provisions may be more stringent than necessary to achieve national standards in a particular area.

(4) Several representatives of fuel-burning sources commented that it is impossible to comply with the requirements of AP–3–07 (Control of visible air contaminants from stationary sources) during periods of startup, shut-down and malfunction. While the agency is aware of the merits of this argument, AP–3–07, to the extent that it may under certain conditions be a form of control more stringent than necessary to achieve the national standards, is subject to the same arguments presented in Item (3) above, and, on that basis, can not be disapproved.

(5) It was claimed that many sources will be unable to comply with the July 1, 1975, date for compliance with the regulations because of lengthy time requirements for installing new control equipment. The State regulations have been in effect since early 1972 and a three-year compliance time frame is generally deemed adequate for installing needed control systems. If special problems exist, procedures are available for case-by-case consideration.

(6) Several comments noted that nitrogen dioxide emission limitations were unnecessary because the Environmental Protection Agency has proposed reclassifying all Ohio air quality control regions as Priority III. Even if the Ohio Nitrogen Dioxide Plan constitutes control more stringent than necessary to achieve the national standards, the Administrator may not disapprove the plan for reasons presented in Item (3) above. When the Environmental Protection Agency has completed reclassification of regions for nitrogen dioxide, Ohio may wish to consider revising or removing the existing emission regulations from the applicable plan.

(7) The hydrocarbon and carbon monoxide control regulations were criticized for requiring immediate compliance. While the Environmental Protection Agency recognizes the wisdom of regulating compliance by means of a schedule, immediately enforceable regulations do not per se constitute grounds for disapproval. The Environmental Protection Agency has noted that variance procedures adopted by Ohio can be used to permit the operation of sources during the period necessary to achieve compliance with the regulations.

(8) Other comments concerned economic infeasibility of control requirements and lack of attention to cost-effectiveness in the plan. While the Environmental Protection Agency is concerned that no serious economic dislocation be created as a result of emission controls, there is no provision for disapproval on such a basis within the § 110(a) requirements. It is the position of the Environmental Protection Agency that any serious difficulties of compliance can be resolved through utilization of available State and Federal procedures.

(9) Additional comments concerned the feasibility of a sulfur dioxide control strategy. Inasmuch as no such strategy has been proposed by the State, these comments will be addressed when EPA takes action on the sulfur dioxide control strategy.

APPROVAL COMMENTS

The Ohio Implementation Plan meets the requirements of Section 110 of the Clean Air Act, as amended, and the regulations for Preparation, Adoption, and Submittal of Implementation Plans in 40 CFR Part 51, and is approved with four exceptions.

The first exception relates to requirements for review of indirect sources as promulgated by the Administrator on June 18, 1973 (38 FR 15834). The State was required to submit a plan revision by August 15, 1973. No submission has been received from Ohio and on October 30, 1973 (38 FR 29893), the Environmental Protection Agency reaffirmed its March 8, 1973 (38 FR 6279), disapproval of all State plans for lack of procedures to review construction of indirect sources. At the same time the Administrator proposed a Federal regulation to correct this plan deficiency in Ohio as well as many other States. The Environmental Protection Agency conducted a public hearing in Columbus on November 30, 1973, on the proposed regulation and a final version was promulgated on February 25, 1974 (39 FR 7270). Meanwhile, the disapproval notice pertaining to new indirect source review procedures required by 40 CFR 51.18 remains unaffected by this notice. The February 25, 1974, publication also provided for a disapproval relating to § 51.12(g), air quality maintenance plan requirements for all States; this disapproval remains in effect.

The second exception relates to the adequacy of the control strategy and regulations for control of sulfur oxides. Because the Governor of Ohio withdrew the originally submitted control strategy and regulations for control of sulfur oxides, the plan must be noted as deficient in that respect. However, the Ohio Environmental Protection Agency is adopting a new strategy and regulations for the control of sulfur oxides and submittal as a plan revision is forthcoming. The Environmental Protection Agency is, therefore, not proposing a sulfur oxides control strategy at this time.

The third exception concerns plans to attain secondary standards for particulate matter in certain air quality control regions and the fourth exception relates to public comment procedures on review of new or modified sources; these exceptions are more fully described below.

A detailed description of the plan approval is set forth as follows: The originally published plan of May 31, 1972, contained a classification of regions (§ 52.1871) and attainment dates for national standards (§ 52.1875). These sections are retained with this publication. From time to time, § 52.1870 Identification of plan has been amended as new submissions have been made. This section is retained as originally published

on May 31, 1972, together with any subsequent amendments. Sections 52.1874 and 52.1876 have previously been revoked.

With regard to requirements of 40 CFR Part 51, the Administrator has made the following determinations: The plan strategy to achieve national standards for particulate matter by implementation of Ohio regulations AP–3–01, Definitions; AP–3–06, Classification of Regions; AP–3–07, Control of Visible Air Contaminants from Stationary Sources; AP–3–08, Open Burning Prohibited; AP–3–09, Restriction of Emission of Fugitive Dust and Gases; AP–3–10, Restriction on Emissions from Incinerators; AP–3–11, Restriction on Emission of Particulate Matter from Fuel Burning Equipment; and AP–3–12, Restriction of Emission of Particulate Matter from Industrial Process, meets the appropriate requirements of 40 CFR 51.13 and 51.22. Utilizing the example region approach for the particulate matter strategy development, EPA has determined that the 80 percent emission reduction obtainable by implementation of the above-cited regulations will be adequate to achieve the primary standards statewide.

The strategy will also achieve the secondary standards throughout the State, with the exception of the Youngstown, Cleveland and Steubenville regions. On May 31, 1972, when the Ohio plan was originally approved, the Administrator granted 18-month extensions for submission of plans to achieve the secondary standards for particulate matter in the Youngstown, Cleveland, and Steubenville regions (40 CFR 52.1872(a)). The time for submission of these plans expired July 31, 1973, and retention of the extension provision by this publication does not alter that expiration date. On January 25, 1974, the required plans were submitted by the State of Ohio; the submission will be published as proposed rule-making before the Administrator approves or disapproves it. Although a disapproval notice will be published at this time, a substitute strategy will not be proposed for attainment of secondary standards for particulate matter in the above-identified regions unless review of the State submission indicates a substitute strategy will be necessary.

The application of the emission limitations per the P–2 curve in AP–3–11(B)(3) and AP–3–12(B)(3) and the P–3 curve in AP–3–12(B)(4) of the Ohio regulations to sources of particulate matter in Priority II and III regions will achieve secondary standards with a sufficient amount of leeway to provide for maintenance of these standards as well. In a letter from the Director of the Ohio EPA, dated June 6, 1973, the State indicates that the portions of regulations AP–3–11(B)(4) and AP–3–12(B)(5) requiring sources in Priority II and III regions to achieve an additional emission reduction have been submitted for informational purposes only. Therefore, these requirements will not be deemed a part of the applicable implementation plan for the State of Ohio.

The plan strategy to achieve the national standards for photochemical oxidants (hydrocarbons) by implementation of Ohio regulations AP–5–01, Definitions; AP–5–06, Classification of Regions; AP–5–07, Control of Emission of Organic Materials from Stationary Sources, meets the appropriate requirements of 40 CFR 51.14 and 51.22. EPA has determined that the 40% reduction obtainable by implementation of the above-cited regulations will be adequate to achieve the national standards insofar as control of stationary sources is required.

Ohio submitted plans to achieve the photochemical oxidant standards in the Metropolitan Dayton Intrastate Region (Dayton) on July 24, 1973, and in the Ohio portions of the Metropolitan Cincinnati Interstate (Cincinnati) and the Metropolitan Toledo Interstate (Toledo) regions on June 29, 1973. These plans were published on August 15, 1973 (38 FR 22045), as proposed rulemaking and final action approving the Dayton and Toledo plans was taken on November 8, 1973 (38 FR 30971). On November 8, EPA also disapproved the deficiencies in the transportation plan for the Cincinnati region and promulgated substitute regulations. An oversight correction is being made to change the citation of § 51.15 to § 51.14 in the November 8 promulgation of § 52.1877. Today's action, together with the action taken on November 8, constitute the complete Federal plan for attainment and maintenance of national standards for photochemical oxidants (hydrocarbons).

The plan strategy to achieve the national standards for carbon monoxide by implementation of Ohio regulations, AP–5–06, Classification of Regions and AP–5–08, Control of Carbon Monoxide Emissions from Stationary Sources, meets the appropriate requirements of 40 CFR 51.14 and 51.22. Expected emission reductions on affected stationary sources of approximately 80 percent have been determined by the Administrator to be adequate to achieve the national standards.

The plan strategy to achieve the national standard for nitrogen dioxide by implementation of Ohio Regulations AP–7–05, Classification of Regions and AP–7–06, Control of Nitrogen Oxide Emissions from Stationary Sources meets the appropriate requirements of 40 CFR 51.14 and 51.22. Expected emission reductions have been determined by the Administrator to be adequate to achieve the national standard.

All of the regulations comprising the control strategies are immediately effective, thus meeting the requirements of 40 CFR 51.15.

The plan description of Ohio's ambient air monitoring program and source surveillance procedures meets the requirements of 40 CFR 51.17 and 40 CFR 51.19.

The plan presentation of Ohio's legal authority to carry out the provisions of the plan meets the requirements of 40 CFR 51.11. In addition, the plan description of the legal authority needed by local governmental units to carry out assigned roles and of interstate cooperation agreements is approved as meeting the requirements of 40 CFR 51.21.

The description of resources available to carry out the plan meets the requirements of 40 CFR 51.20. The procedures to require self-monitoring by a source in Ohio regulations AP–9–02 and AP–9–03, the procedures to require submission of emission information in Ohio regulation AP–2–03, and the procedures to make emission data available to the public in Ohio regulation AP–9–08 meet the requirements of 40 CFR 51.19 and 51.10(e). The procedures to implement control plans in case of emergency episode situations in AP–11–01, AP–11–02, AP–11–03, and AP–11–04 of the Ohio Regulations meet requirements of 40 CFR 51.16.

Review procedures provided in Ohio regulation AP–9–02 satisfy the requirements of 40 CFR 51.18 with the exception of paragraph (h) relating to public comment procedures and paragraph (a) with respect to review of indirect sources as noted above. Since Ohio regulations do not provide for public comment on review of new or modified sources a disapproval notice is published today together with a corrective regulation requiring the State to provide for public comment as part of its new source review procedure. The Administrator finds good cause for promulgating this correction without having first proposed it, since the substantive rights of those seeking permits to construct or modify sources are not affected and such procedures are clearly required by 40 CFR 51.18, which was previously available for public comment prior to promulgation. Furthermore, it is in the public interest to cause a procedure for allowing public comment on State actions affecting the environment to be instituted. The Administrator will accept written comments on the public comment requirement postmarked not later than May 15, 1974. Changes to the regulation will be made, where appropriate, based on the comments received.

The rules and regulations submitted meet the requirements of 40 CFR 51.22. All of the substantive provisions thereof, as identified in this notice of approval, become part of the applicable implementation plan for the State of Ohio, subject to the exceptions noted herein.

More detailed information supporting this decision is available in the "Evaluation Report of the Ohio Implementation Plan," which may be examined at the Freedom of Information Center, EPA, Room 329, 401 M Street, S.W., Washington, D.C., and at the Program Support Branch, EPA, Region V, 1 North Wacker Drive, Chicago, Illinois 60606.

This notice of final rulemaking is is-

sued under the authority of section 110 of the Clean Air Act (42 U.S.C. 1857c-5).

Dated: April 8, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40, of the Code of the Federal Regulations is amended as follows:

Subpart KK—Ohio

1. Section 52.1870 is amended by adding paragraph (c)(4) as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

(4) June 6, 1973, by the Director, Ohio Environmental Protection Agency.

2. Section 52.1873 is revised to read as follows:

§ 52.1873 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Ohio's plan for the attainment and maintenance of the national standards. The State included various provisions in its plan relating to AP-3-11(B)(4) and AP-3-12(B)(5) which, as described in the Governor's letter of June 6, 1973, were included for information purposes only and were not to be considered a part of the plan to implement national standards. Accordingly, these additional provisions are not considered a part of the applicable plan.

§ 52.1877 [Amended]

3. Section 52.1877 is amended by changing the citation of § 51.15 to § 51.14.

4. Section 52.1879 is amended by adding paragraphs (c) and (d) as follows:

§ 52.1879 Review of new sources and modifications.

* * * * *

(c) The requirements of § 51.18(h) of this chapter are not met because the State failed to submit procedures providing for public comment on review of new or modified stationary sources.

(d) Regulation providing for public comment. (1) For purposes of this paragraph, "Director" shall mean the "Director of the Ohio Environmental Protection Agency".

(2) Prior to approval or disapproval of the construction or modification of a stationary source, the Director shall:

(i) Make a preliminary determination whether construction or modification of the stationary source should be approved, approved with conditions or disapproved;

(ii) Make available in at least one location in the region in which the proposed stationary source would be constructed or modified, a copy of all materials submitted by the owner or operator, a copy of the Director's preliminary determination, and a copy or summary of other materials, if any, considered by the Director in making his preliminary determination; and

(iii) Notify the public, by prominent advertisement in a newspaper of general circulation in the region in which the proposed stationary source would be constructed or modified, of the opportunity for public comment on the information submitted by the owner or operator and the Director's preliminary determination on the approvability of the new or modified stationary source.

(3) A copy of the notice required pursuant to this paragraph shall be sent to the Administrator through the appropriate regional office and to all other State and local air pollution control agencies having jurisdiction within the region where the stationary source will be constructed or modified.

(4) Public comments submitted in writing within 30 days of the date such information is made available shall be considered by the Director in making his final decision on the application.

5. Sections 52.1880 and 52.1881 are added as follows:

§ 52.1880 Control strategy: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met because the Ohio plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate Region and the Ohio portions of the Northwest Pennsylvania-Youngstown and the Steubenville-Weirton-Wheeling Interstate Regions.

§ 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(a) The requirements of § 51.13 of this chapter are not met because the Ohio plan does not provide for attainment and maintenance of the national standards for sulfur oxides (sulfur dioxide).

[FR Doc.74-8576 Filed 4-12-74;8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Southwest Pennsylvania AQCR, Gasoline Transfer Vapor Control

On November 28, 1973, the Environmental Protection Agency, acting under court order, promulgated a number of transportation control measures for the Southwest Pennsylvania Intrastate Air Quality Control Region. Among these measures was a regulation requiring vapor recovery devices, capable of reducing hydrocarbon emissions by 90 percent, to be installed for use during the transfer of gasoline between delivery trucks and storage tanks at service stations and elsewhere.

The gasoline transfer vapor control regulation is applicable to gasoline transfer operations in the Allegheny County portion of the Southwest Pennsylvania Intrastate AQCR. Public comment on this regulation, as well as on the other measures promulgated, was invited by the Environmental Protection Agency for an additional thirty days from the date of promulgation. The Associated Petroleum Industries of Pennsylvania did submit a number of thoughtful comments within the thirty day period.

One specific comment from the Associated Petroleum Industries referred to a portion of the gasoline transfer vapor control regulation which provides that gasoline delivery vehicles "may be refilled only at facilities equipped with a vapor recovery system, or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling." The Associated Petroleum Industries pointed out that it is unclear whether this provision applies to reloading at facilities in Allegheny County, the Southwest Pennsylvania Intrastate AQCR, or to reloading at any facility regardless of geographical location. The regulation is, therefore, being amended today to indicate that the restriction against reloading a delivery vehicle at facilities not equipped with the specified vapor recovery system applies only to reloading within the Southwest Pennsylvania Intrastate Air Quality Control Region.

It should be noted that even though attainment of photochemical oxidant (hydrocarbon) standards can be achieved in the Southwest Pennsylvania Intrastate AQCR by control only of the service stations within the Allegheny County portion of the Region, the control of the so-called "bulk loading" facilities at which gasoline delivery vehicles reload, is necessary on an AQCR-wide basis. This control is necessary because unlike carbon monoxide pollution, which builds up in a fairly localized area surrounding the point of emission, photochemical oxidant pollution is an area-wide phenomenon in which hydrocarbon emissions at any point in the Southwest Pennsylvania Region, a natural air basin, may result in high oxidant levels at far distant points within the Region. Therefore, if the vapor collected within Allegheny County were released outside the County but within the AQCR, the oxidant levels in Allegheny County may well not be reduced at all. Without bulk facility control on an AQCR-wide basis, nothing may be gained.

The Associated Petroleum Industries also pointed out that reference was made in the vapor control regulation to an additional regulation controlling gas transfer vapor emissions. The regulation had been in an earlier draft of the Southwest Pennsylvania promulgation, but had subsequently been found to be unnecessary and was deleted. Therefore, the reference should also have been deleted and is today being deleted.

In view of the fact that this notice simply makes clear previously ambiguous provisions and in view of the fact that substantial prior opportunities for comment on these provisions have been given, the Administrator finds that good cause exists for making these amendments effective April 15, 1974. It should be noted to avoid confusion that the effective date is merely the date on which the amendments become an official part of the regulation. It is not the date for

final compliance. That date is specified in the regulation itself.

This notice of final rulemaking is issued under authority of sections 110 and 301(a) of the Clean Air Act, as amended, 42 U.S.C. 1857c–5 and 1857g.

Dated: April 8, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart NN of 40 CFR Part 52 is amended as follows:

1. Section 52.2042 is amended by revising paragraphs (c)(2) and (c)(3)(ii) to read as follows:

§ 52.2042 Gasoline transfer vapor control.

* * * * *

(c) * * *

(2) If a "vapor-balance return" or "simple displacement" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system.

(3) * * *

(ii) Within the Southwest Pennsylvania Intrastate AQCR, the vapor-laden delivery vessel may be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

* * * * *

[FR Doc.74–8577 Filed 4–12–74;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Field Operations Bureau, Organizational Statement; Order

This Order is being issued to reflect changes in the organization and functional statements of the Field Operations Bureau that were adopted in actions by the Commission on January 10, 1974 and February 6, 1974.

These amendments relate to internal Commission organization, and hence, the prior notice, procedure, and effective date provisions of the Administrative Procedure Act are not applicable. Authority for the promulgation of these amendments is contained in sections 4(i) and 5(b) and (d) of the Communications Act of 1934, as amended, and in section 0.231(d) of the Commission's Rules.

Accordingly, it is ordered, Effective April 15, 1974, that Part 0 of the rules and regulations is amended as set forth in the Appendix attached hereto.

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

Adopted: March 29, 1974.

Released: April 9, 1974.

FEDERAL COMMUICATIONS COMMISSION,
[SEAL] JOHN M. TORBET,
Executive Director.

Part 0 of Chapter I of 47 CFR is amended as follows:

1. Section 0.111 is revised to read as follows:

FIELD OPERATIONS BUREAU

§ 0.111 Functions of the Bureau.

The Field Operations Bureau is responsible for all Commission engineering activities performed in the field relating to radio stations and wire facilities including enforcement activities (inspection, investigation, monitoring), radio operator examination and licensing, interference suppression, and communications user liaison. These programs include, among others: (a) On-the-air measurement of technical operating parameters of all classes of radio stations; (b) Surveys of frequency occupancy and levels of violative activity; (c) Engineering projects concerning enforcement procedures and user activities; (d) Assistance to other federal agencies and local law enforcement organizations concerning illegal use of radio; (e) Full range of matters concerning licensing and activities of commercial radio operators; (f) Nationwide program of lighting and marking of antenna structures; (g) Local assistance to the public, government agencies, and user organizations in their relationship with the Commission and specific field support activities.

2. Section 0.112 is revised to read as follows:

§ 0.112 Units of the Bureau.

The Bureau consists of the following units:

(a) Office of the Bureau Chief
(b) Enforcement Division
(c) Regional Services Division
(d) Engineering Division
(e) Violations Division

3. Section 0.113 is revised to read as follows:

§ 0.113 Office of the Bureau Chief.

The Office of the Bureau Chief plans, directs, and coordinates the activities of the Bureau.

(a) *Operational functions.* (1) Responsible for the enforcement of the Commission's rules and regulations. Such enforcement activities include monitoring, inspections, and investigations of all non-government communications matters.

(2) Advises and makes recommendations to the Commission and acts for the Commission in matters pertaining to the enforcement of the Commission's rules and regulations, licensing of commercial radio operators (Part 13 of this chapter), marking and lighting of antenna towers (Part 17 of this chapter), and field liaison with the user public and local and federal government agencies (Part O).

(3) Participates in international conferences dealing with monitoring and measurements and serves as the point of contact for the United States government in matters of international monitoring, fixed and mobile direction finding, and interference elimination.

(4) Responsible for reducing or eliminating interference to authorized communications.

(5) Coordinates with, and lends assistance to, appropriate local and federal law enforcement agencies concerning the illegal or improper usage of radio communications in the field.

(6) Develops and implements programs for the marking, lighting, and placement of antenna towers constructed and operated by authorized communication users.

(7) Provides liaison assistance to the public, users and other government agencies in the field in dealing with the Commission.

(b) *Administrative functions.* (1) Develops and implements Bureau-wide management programs including resource management system, work measurement procedures, resource allocation model, management information/reporting and program review/evaluation systems; prepares consolidated budget estimates and justifications for the Bureau; develops and controls execution of operating budgets and financial plans.

(2) Develops and implements Bureau plans for personnel management, including recruiting, training, career development, employee relations, occupational health and safety and EEO activities; maintains Bureau personnel records.

(3) Coordinates external management surveys, studies and audits of Bureau operations; conducts or coordinates internal studies of systems and procedures; performs organization planning.

(4) Coordinates paperwork and committee management programs for the Bureau; including forms, reports and directives.

(5) Plans and coordinates Bureau and headquarters requirements for administrative support services such as space and printing.

(6) Provides for headquarters mail distribution.

(c) *Program development and evaluation functions.* (1) Develops overall policies, programs, objectives, and priorities (budget year and beyond) for all Bureau programs and activities; in consultation with the Divisions of the Bureau; insures that Bureau's programs are consistent with Commission policies; reviews program performance, accomplishments and effectiveness; recommends changes in policies, programs, objectives and priorities.

(2) Analyzes short and long term technical developments and the impact that predicted growth of existing and new telecommunications services will have on the Bureau's mission and workload in consultation with other Commission bureaus and offices; develops plans to integrate new and revised requirements for field enforcement and public service activities into current and future programs.

(3) Develops and evaluates (through such techniques as cost benefit-analysis) alternative field enforcement techniques and organizations in consultation with the Divisions of the Bureau; considers potential trade-offs between various technologies applicable to accomplishing the Bureau's mission; recommends

changes in present enforcement techniques and organizations which will maximize mission accomplishment under alternative resource allocations.

(4) Recommends legislation and rule changes pertaining to the field enforcement and public service programs; reviews legislation and rulemaking proposals initiated by other offices which will have a potential impact on Bureau field enforcement and public service operations; determines impact in terms of enforcement techniques and organization, workload and resource requirements.

(5) Provides planning projections of future requirements for technical equipment and real property requirements to support field enforcement and public service activities.

(6) Maintains liaison with other agencies and communications users on matters concerning program development and evaluation.

(7) Plans and coordinates development of automated and computer processing systems throughout the Bureau.

(8) Develops techniques for measuring program performance.

(9) Directs the Divisions of the Bureau in formulating budget estimates and justifications for approved programs.

4. Section 0.114 is revised to read as follows:

§ 0.114 Enforcement Division.

The Enforcement Division is responsible for administering the Bureau's field enforcement programs, including monitoring and direction finding, station inspections and investigations, and for directing, coordinating and controlling the activities of the Bureau's Field Enforcement Installations located throughout the United States, including Alaska, Hawaii and Puerto Rico. In carrying out this responsibility, the Division:

(a) Makes recommendations concerning field enforcement policies, programs, objectives, priorities and resource allocations; recommends legislation and rules revisions which will facilitate field enforcement activities; formulates budget requirements for approved programs and develops operational plans to execute programs within allocated resources.

(b) Directs the enforcement monitoring program; coordinates enforcement monitoring activities among the various fixed and mobile monitoring facilities; operates the Bureau's fixed monitoring and direction finding network; coordinates international monitoring and direction finding activities; operates the Bureau's Communication's Center to provide rapid contact with all enforcement facilities; coordinates the operation of all types of communications facilities used by Field Enforcement Installations.

(c) Directs the station inspection program; develops and implements procedures and field directives for technical inspections and measurements for all categories of radio stations and wire facilities; coordinates the inspection activities of the field enforcement staff with the technical and compliance staffs of the bureaus responsible for the services covered by the inspection program.

(d) Directs the Bureau's investigative program; develops and implements procedures and field directives for conducting investigations (i.e., specialized enforcement teams, mobile direction finding and measurement); provides expert technical witnesses in investigative cases resulting in administrative hearings and/or trials in Federal Courts; coordinates with legal and technical staffs of other bureaus and offices concerning on-going case assignments; prepares procedures for resolving complaints regarding interference to electronic home entertainment equipment without on-site inquiry.

(e) Directs issuance of discrepancy notifications; directs issuance of Notices of Apparent Liability in the Safety and Special Radio Services; conducts enforcement case work and prepares referrals to the Violations Division; recommends actions to expedite the imposition of desired sanctions; keeps the Violations Division advised of progress on open cases assigned to the field.

(f) Maintains liaison with other Bureaus and Offices, local and Federal agencies and communications users on matters concerning radio law enforcement; furnishes the Bureau Chief and other Commission offices with advice on radio law enforcement matters.

5. Section 0.115 is revised to read as follows:

§ 0.115 Regional Services Division.

The Regional Services Division is responsible for administering the Bureau's regional services program, including public information activities, licensing of radio operators and antenna survey matters, and for directing, coordinating and controlling the activities of the Bureau's Public Service Offices.

(a) Makes recommendations concerning public service, radio operator and airspace policies, programs, objectives, priorities and resource allocations; recommends legislation and rules revisions which will facilitate these activities; formulates budget requirements for approved programs and develops operational plans to executive programs within allocated resources.

(b) Consistent with Commission policy, directs the Bureau's regional public service program; develops and implements procedures to satisfy the information needs of the public; determines what types of applications and other materials are needed by the public; coordinates with other Commission offices to make certain these application forms and publications are available for distribution to the public, develops procedures for channeling inquiries and complaints received by public service offices to appropriate offices which cannot be satisfied at the regional level.

(c) Directs operator examining activities of the Bureau and administers Part 13 of the FCC Rules concerning the licensing of commercial radio operators; makes recommendations concerning rulemaking, rule interpretation and implementation of Part 13; prepares radio operator applications, examinations, licenses and information bulletins and maintains security over these materials; develops procedures for administering radio operator examinations, collecting fees, and issuing licenses, maintains necessary records of licensed operators; responds to public inquiries concerning radio operator examinations.

(d) Administers Part 17 of the FCC Rules concerning the construction, marking and lighting of antenna structures; reviews applications in the broadcast, common carrier, experimental, safety and special, cable television and other services to insure compliance with marking and lighting requirements; represents the Commission and Bureau on international organizations and at intergovernmental or public conferences on matters concerning antenna marking and lighting standards and air hazard problems, develops standards and field directives for on-site measurement and analysis of antenna structures; maintains central FCC files on existing and proposed antenna structures and airport facilities; responds to inquiries concerning antenna structures, marking and lighting.

(e) Examines and approves/disapproves industrial heating equipment certifications submitted by users pursuant to Part 18 of the FCC Rules.

(f) Upon request of the Violations Division, conducts personal interviews in the field of persons who have received Notices of Apparent Liability.

(g) Maintains liaison with the Federal Aviation Administration and other government agencies on airspace matters (including antenna construction and hazards), radio operator examinations and public service activities; furnishes the Bureau Chief and other Commission offices with advice on these matters.

6. Section 0.116 is revised to read as follows:

§ 0.116 Engineering Division.

The Engineering Division is responsible for providing technical engineering and other material support to the Enforcement and Regional Services Division. In carrying out this responsibility, the Division:

(a) Based on planning guidance developed by the Office of Bureau Chief and approved budget allocations, develops specific requirements and detailed plans for the acquisition of technical equipment, vehicles and real property required by the Enforcement and Regional Services Divisions; formulates budget estimate for technical equipment, vehicles and real property.

(b) Develops and directs the Bureau's program for acquiring, managing and disposing of land, structures, equipment, material, and vehicles.

(c) Develops measurement standards, procedures and techniques for use by Bureau technical staff in performing field measurements and observations.

(d) Assists in analyzing alternative enforcement techniques and organizations with respect to technical equipment, vehicles and real property requirements.

(e) Directs the Bureau's equipment construction and installation program.

(f) Maintains liaison with other Commission offices, government agencies, international organizations, industry technical committees and the public regarding assigned functions.

(g) Directs the Field nontechnical support functions such as leased space and property utilization, communications, utilities, transportation, shipping, vehicle fleet management, field financial plan, and coordinates field procurement activities.

7. A new § 0.117 is added to read:

§ 0.117 Violations Division.

The Violations Division is responsible for processing administrative sanctions initiated by the Enforcement Division, referring enforcement cases to the cognizant bureaus, and administering the entire sanctions program for radio operators. In carrying out this responsibility the Division:

(a) Reviews completed enforcement cases received from the Enforcement Division and prepares referrals to other bureaus and offices for the imposition of sanctions or other appropriate action; recommends to the Enforcement Division additional actions required to impose desired sanctions; coordinates policy and procedures for referral of enforcement work products with other offices of the Commission.

(b) Develops in accord with Safety and Special Radio Services Bureau policy and guidelines, procedures for use by Field Enforcement Installations in issuing Notices of Apparent Liability (NAL) in the Safety and Special Radio Services; forwards documentation of NAL's to the Safety and Special Radio Services Bureau for appropriate followup action.

(c) Reviews completed cases regarding radio operators; decides on appropriate sanction action; issues Notices of Apparent Liability where appropriate; initiates appropriate follow-up action.

(d) Reviews enforcement actions of Field Enforcement Installations for quality control and conformance to policy, rules interpretations and procedural guidelines; recommends corrective action to the Enforcement Division.

(e) Maintains central files of field enforcement actions (violation notices, cases, interference reports, etc.); maintains current status records on all ongoing enforcement matters and keeps cognizant bureaus and divisions advised on progress; prepares statistical analyses of enforcement actions as required by the Bureau or other Commission offices.

(f) Requests the Regional Services Division to conduct personal interviews in the field for recipients of NAL's.

(g) Recommends legislation, rules revision, and procedural changes to enhance the field enforcement program; develops improved methods for processing administrative sanctions.

[FR Doc.74-8591 Filed 4-12-74;8:45 am]

[Docket No. 19540; RM-1791; FCC 74-329]

PART 73—RADIO BROADCAST SERVICES

Termination of Proceeding

In the matter of amendment of § 73.202(b), *Table of Assignments, FM Broadcast Stations* (Winchendon, Mass.; Plymouth and Newport, New Hampshire; and Skowhegan, Maine).

1. A notice of proposed rule making (FCC 72-603; 37 FR 14240) was released in this matter on July 11, 1972. The Notice proposed amendment of the FM Table of Assignments (§ 73.202(b) of the Commission's rules) as follows:

City	Channel number	
	Present	Proposed
Winchendon, Mass.		249A
Plymouth, N.H.	261A	287
Newport, N.H.	285A	269A
Skowhegan, Maine	286	294

The dates for filing comments and reply comments were August 14 and August 25, 1972, respectively. On August 28, 1972, Alpine Broadcasting Corporation (Alpine), licensee of Station WWMT (FM) (now WMTQ), Mount Washington, New Hampshire, filed an "Opposition to Petition by Lakes Region Broadcasting Corporation" accompanied by a letter from counsel requesting that the late-filed comment be accepted. Also on August 28, Condit Broadcasting Corporation (Condit), licensee of WLHN (AM and FM), Laconia, New Hampshire, filed a letter opposing the assignment of a Class C channel to Plymouth, and by letter of August 30, 1972, counsel for Condit requested that its late-filed statement be considered. By order released September 22, 1972, issued pursuant to a "Petition for Additional Time to Submit Reply Comments," Alpine was given until September 29, 1972, to file reply comments with respect to the proper method for determining the service area of an FM station generally, and specifically the service area of the proposed operation on Channel 287 by Lakes Region Broadcasting Corporation (Lakes Region) at Plymouth, New Hampshire. The Alpine reply comments were filed on the due date. However, on October 10, 1972, Alpine filed a "Petition for Acceptance of Supplement to Reply Comments". Attached to the Alpine petition was a statement containing additional engineering data. Then, on October 18, 1972, Lakes Region filed a "Petition to Accept Additional Pleading" accompanied by its pleading entitled "Opposition of Lakes Region Broadcasting Corporation." Also, on October 18, 1972, WGAW, Inc. (formerly Gardner Broadcasting Co. Inc.), the petitioner for Channel 249A, Winchendon, Massachusetts, filed a "Petition for Severance and Immediate Grant of Rule Making Proposal for Winchendon, Massachusetts." On October 31, 1972, Lakes Region filed an opposition pleading to the WGAW severance and grant request, and WGAW filed a reply thereto on November 6, 1972.

2. The "Petition to Accept Additional Pleading" filed by Lakes Region will be granted because the Commission, in its Order of September 22, 1972, granting additional time for reply comments to Alpine, stated that Lakes Region could request additional time to respond to the Alpine reply comments. Because Lakes Region was able to respond to the additional engineering data filed by Alpine after the reply comment date, the Commission will also grant the Alpine request for acceptance of its supplement to its reply comments. The letter from Condit will also be considered by the Commission. Since our decision with regard to the question of whether Class C Channel 287 should be assigned to Plymouth will determine what action is necessary concerning the WGAW request for severance and immediate grant, we shall dispose of it later in this Report and Order.

3. Although the issues in this proceeding are not overly complex, the proposals to be considered herein arose out of two prior rule making proceedings (Docket Nos. 19116 and 19512). Rather than incorporate by reference, the history of the various proposals will be set forth. In the Report and Order in Docket No. 19116, the Commission, among other things, denied the requested assignment of Class C Channel 248 to Plymouth, New Hampshire, and assigned Channel 286 to Skowhegan, Maine, 32 F.C.C. 2d 549 (1971), affirmed on reconsideration, 34 F.C.C. 2d 338 (1972). In addition to filing an appeal,[1] Lakes Region (the Plymouth petitioner) filed a "Petition for Reconsideration" in Docket No. 19116 which it requested to be also considered as a counterproposal in Docket No. 19512, the proceeding in which the WGAW proposal to assign Channel 249A to Winchendon (RM-1791) was being considered. Because of the interlocking conflicts of Winchendon, Plymouth, and Skowhegan, the Commission consolidated the matters and issued the Notice of Proposed Rule Making in this docket which contains the proposed assignments set forth above. (It also severed the Winchendon proposal from Docket 19512.)

4. The key question in this proceeding is whether Class C Channel 287 should be assigned to Plymouth, New Hampshire. If such an assignment is made, it will be necessary to assign new FM frequencies to operating stations at Skowhegan, Maine, and Newport, New Hampshire. Moreover, if the proposed Class C channel is assigned to Plymouth, the Commission can assign a first FM channel (249A) to Winchendon, Massachusetts. If the Commission denies the assignment of Channel 287 to Plymouth, the present channels at Skowhegan and Newport will not be disturbed, and the Winchendon proposal would have to be

[1] Lake Region Broadcasting Corporation v. F.C.C., C.A.D.C. Case No. 1381, which has been dismissed, but is subject to being reinstated.

held in abeyance pending the outcome of the appeal (as identified in footnote 1) by Lakes Region of the Commission's decision which denied the assignment of Channel 248 to Plymouth.

5. On February 13, 1974, the Commission issued an Order to Show Cause (39 FR 7433) directing Station WCNL–FM, Newport, New Hampshire, to show cause why its license should not be modified to specify operation on Channel 269A instead of Channel 285A, if the Commission finds it to be in the public interest to assign Channel 287 to Plymouth, New Hampshire, and to substitute Channel 269A for Channel 285A at Newport, with the understanding that the permittee of Channel 287 at Plymouth will pay reasonable reimbursement of expenses incurred in the change of channel operation of WCNL–FM. The order provided that WCNL–FM would be deemed to have consented to the modification of its channel from Channel 285A to Channel 269A, if it did not ask for a hearing by February 28, 1974, or file a written statement not later than March 7, 1974. WCNL–FM did not file anything in response to the Order to Show Cause, and the Commission finds that Station WCNL–FM has consented to the modification.

6. Sugarloaf Valley Broadcasting System, Inc. is the current licensee of Station WTOS(FM) (formerly WGHM–FM), Skowhegan, Maine, having succeeded Kennebec Valley Broadcasting System, Inc. on December 20, 1972. On July 31, 1972, in its comments, Kennebec Valley stated that "If Kennebec Valley does specify Channel 286 and builds on that channel, it anticipates that its position in this proceeding will then be that it will not oppose a later modification of license to Channel 294 provided that the ultimate occupant of Channel 287 at Plymouth, New Hampshire, is required to reimburse Kennebec Valley for the reasonable cost of the shift." This statement was confirmed in the Kennebec Reply Comments filed August 24, 1972. In a pleading filed March 7, 1974, Sugarloaf Valley refers to the Order to Show Cause mentioned above, and also sets forth that the statements of July 31, 1972, and August 24, 1972, were made concerning the substitution of channels. However, Sugarloaf Valley also states that with the passage of time there has been a change in circumstances in that a change in frequency in the early weeks would have caused only a slight disruption, but that a change at this time would have serious adverse effects on the station and listeners. It avers that there is simply no efficient way of advertising and promoting a change of frequency by newspapers, billboards or mail because of the rural and small-town character of the audience, and that the only way to notify the audience would be through on-the-air announcements at the cost of cutting established advertisers and annoying and discouraging listeners. Sugarloaf Valley also contends that, if it operates on Channel 294, second harmonic interference will result, in the area of the WTOS(FM) transmitter, to Station WGAN–TV, Channel 13, Portland, Maine, thus harming the public image of WTOS(FM) if the affected television audience perceives that WTOS(FM) is the cause of the interference. Based on the foregoing alleged facts, WTOS(FM) submits that the Commission "should not proceed * * * on the assumption that WTOS willingly accepts a change of frequency." Sugarloaf Valley concludes by stating: "Rather, the Commission should reconsider, in the light of 1974 conditions, the feasibility and desirability of imposing such a change on WTOS and its listeners."

7. The date for filing comments has past, and except for the Order to Show Cause, the record has been closed. However, the Commission will consider the merits of the March 7, 1974, pleading by Sugarloaf Valley. It is not a withdrawal of consent to the modification. Station WTOS(FM) is the only station licensed to Skowhegan, a fact which minimizes the confusion as to the modification of the switch of frequencies. We believe that the guidelines as to reimbursement cited in paragraph 19 hereafter will enable the parties to resolve this matter. As to the question of second harmonic interference, we note that with WTOS (FM) operating on Channel 286, second harmonic signals fall into the Channel 13 band. Because of the lack of information submitted by WTOS(FM), there is no proof that second harmonic signals will cause interference to the television reception of Channel 13 band with WTOS(FM) operating on Channel 294. The Commission finds that the contentions of Sugarloaf Valley, filed on March 7, 1974, are not of sufficient weight to cause us to consider a change of frequency by WTOS(FM) to be contrary to the public interest. We find that there has been a consent to the modification of operation of Station WTOS(FM) from Channel 286 to Channel 294 with the understanding that the permitee of Channel 287 at Plymouth, New Hampshire will pay reasonable reimbursement of expenses in the change of channel operation of Station WTOS(FM) at Skowhegan, Maine.

8. Lakes Region has submitted a detailed engineering exhibit with its comments in support of its request for the Class C Channel 287 FM assignment at Plymouth. The engineering showing is one based on the Roanoke Rapids case,[2] which indicates the coverage to unserved and underserved areas based on assumptions of reasonable facilities. However, the location of contours was prepared on a terrain limited basis rather than the standard prediction method generally used in such computations. Lakes Region asserts that a Class C facility at Plymouth would provide FM service to 349,743 persons within 4,234 square miles, a first FM service with signal strength equal to or greater than 60 dBu to at least 36,995 persons in 1,000 square miles and a second such service to at least 38,272 persons in 895 square miles. It is stated therein that substantially all those white and gray areas which could receive service from the Plymouth FM station are also within a standard broalcast white area during nighttime hours. Lakes Region claims that a Class A FM facility at Plymouth would serve only 7,992 persons within 145 square miles of which 6,842 persons reside within a 92-square mile unserved area, and 1,150 persons reside in a 53-square mile underserved area.

9. The service computations of Lakes Region have been strenuously challenged by Alpine in its reply comments. Its challenge is that the computations based on the terrain limited concept are "just not true." According to Alpine's measured contours on only two of the 29 FM stations serving central New Hampshire, the service to unserved areas is to only 3,558 persons, and to underserved areas in only 12,568 persons.

10. Our analysis of the respective showings of Lakes Region and Alpine as to service, as well as service to unserved and underserved areas, revealed that questionable assumptions had been made in certain instances by Lakes Region, and that the Measurment data submitted by Alpine was deficient. The area of dispute between Lakes Region and Alpine was the location of the 60 dBu contour of Station WWMT (now WMTQ) at Mt. Washington, New Hampshire, and as a result thereof, the extent of unserved and the underserved areas. Lakes Region introduced a consideration of unusual terrain features as a limit of satisfactory service, according to its interpretation of an example for deviation from the standard prediction method, by summits of what appear to be significant mountain ridges. As to the Station WWMT coverage, it selected five radials (135°, 167.7°, 180°, 195.2° and 225°) as controlling mountain ridges for depiction of the station's 60 dBu service contour. However, close examination revealed that the radials on bearing 167.7° and 195.2° traversed over discrete obstacles where the angles subtended by Copple Crown obstruction on 167.7° radial was less than 3° and by North Peak/Mt. Whiteface obstruction on 195.2° radial was less than 8°. These obstacles appeared to be more or less isolated summits, as were most of the mountains in this area, rather than mountain ridges. Thus the projection of the WWMT 60 dBu contour adjacent to these radials should have been extended farther than depicted. We are inclined to believe that the Lakes Region prediction of its proposed field strength contour, as well as the contours of existing stations and assignments, are open to question as possibly being too favorable to the proposal.

11. In opposition to the Lakes Region proposal, Alpine submitted field intensity measurements made on three radials (150°, 180° and 210°) from Station WWMT and one radial (240°) from Station WGAN-FM, Portland, Maine. The Alpine field strength measurements cannot be considered to have been properly

[2] FM Table of Assignments, Roanoke Rapids and Goldsboro, North Carolina, 9 F.C.C. 2d 672 (1967).

conducted to establish the service contours of the two stations. For example, over the 210° radial from WWMT which traversed over rough terrain with a number of weak-signal receiving sites expected on the radial, Alpine made only six measurements over the 43 mile distance at uninhabited open areas along the main highways. There were at least 39 possible sites along this radial, of which 21 appeared to be in the "shadow" of terrain features or otherwise immersed in a difficult environment for good reception. Of the six sites selected, only one appeared to be representative of this type of a receiving location. By random selection, there should be at least three sites of this type in a measurement group. Further, Alpine submitted only the average values of the measurements. Normally, all test measurements should be included to substantiate the median value of the measurements at any one point. In addition, Alpine Exhibits 1 and 2 appeared to exaggerate the difference between the "alleged" WWMT 60 dBu contour and the "measured" 60 dBu contour by depicting a portion of the location of the "alleged" contour some 30 miles farther north than shown by Lakes Region.

12. Although the Notice herein stated that we tended to agree with Lakes Region that the more appropriate method for determination of service, because of the mountainous geography in the area, was on a terrain limited rather than the prediction basis, we had reservations as to the efficacy of such a method in a rule making proceeding. As illustrated above, there are conflicting claims of the location of 60 dBu contours which raise the question as to the validity of the claim of proposed limited service. We believe that the coverage determined by the standard prediction method, which fairly represents the expected coverage in most instances, should be used in our deliberation. Since such information is not submitted in the proceeding herein, our study reveals that a station operating on Channel 287 with maximum Class C facility at Plymouth would not provide a first FM service to any area and population. However, such a station would provide a second FM service to a limited area involving about 600 persons.

13. As to utilization of the FM channel, the preclusion study shows that the assignment of Channel 287 to Plymouth would foreclose future assignments on Channels 284, 287, 288A and 290. It shows that preclusion of Channels 284, 287 and 290 are confined to limited areas; the preclusion area on Channel 284 falls near and includes Portland, Maine, where there are three Class B assignments; Channel 287 falls in Adirondack State Park, Washington County, New York; and Channel 290 falls in the region near Auburn and Lewiston, Maine, where unused Channel 261 is available but applied for, and there are two Class B assignments. Lakes Region shows that there are six Class A channels available for assignment to the various sections of the precluded area on Channel 288A, and that there are also eight channels (Class A) presently assigned, but unoccupied, to communities which are located in or bordering the precluded area and which would be available for assignment to communities in other sections of the precluded area.

14. Other factual data submitted by Lakes Region in support of its request for a Class C channel is that both Plymouth and Grafton County have shown significant population growth from 1960 to 1970—Plymouth from 3,210 to 4,225 (31.6 percent) and Grafton County up to 54,914, a 12.8 percent increase. It says that Plymouth, though relatively small, is one of the largest communities in the entire area and serves as a trading and shopping center as well as a center for tourism in the entire area; that it is the home of Plymouth State College and the site of the annual state fair; and that it is the home of Sceva-Speare Hospital and the Sceva-Speare Medical Park which serve the entire surrounding area. It further sets out the names of a number of businesses located in Plymouth as well as the fact that the only motion picture theatre within a 20-mile radius is located in Plymouth. It is the headquarters of an area-wide electric cooperative whose output increased nearly 20 percent from 1970 to 1971 (as opposed to the national average increase of 4.8 percent). It is noted that the governor of New Hampshire has announced plans for a $35 million sewage plant for the Lakes Region area which will serve towns located in the areas which Lakes Region alleged presently to be unserved and underserved areas by FM broadcast stations. Other data submitted by Lakes Region points out that the area contains 157,700 persons who are non-permanent residents who maintain second homes in the five-county (Grafton, Belknap, Carroll, Merrimack and Stratford) area and that this fact of ownership continues in an increasing trend.

15. Alpine challenges the need for a Class C channel in Plymouth through statements of its President. Alpine claims that Station WWMT(FM) (now WMTQ) totally serves Grafton, Carroll and Belknap counties; that it is the key station feeding all other New Hampshire stations for the Emergency Broadcast System; that it delivers "an extremely strong signal into the Plymouth market and totally serves the Plymouth area." Alpine contends that Lakes Region is attempting to get a Class C facility to reach other New Hampshire cities which are adequately served by local and outside stations. In conclusion, the President of Alpine agrees with the Commission's decision in Docket No. 19116, in denying a Class C channel to Plymouth, at the time it assigned Channel 261A there. Information from audience surveys and a list of advertisers were submitted in support of the Alpine contentions. Condit, by letter of its Executive Vice President, opposes the Class C assignment to Plymouth on the basis that adequate service is now provided to Plymouth.

16. Upon consideration of all aspects of the Plymouth assignment, we believe that the public interest would be served by assigning Channel 287 to the Town of Plymouth.[3] Although the study shows that a Class C FM station at Plymouth would not provide a first FM service to any area and population, it would provide a second FM service to a limited number of people and would not deprive any of the communities located within the precluded areas of a channel assignment. It appears that, although the preclusion on Channel 288A would encompass some area, there are six Class A channels available for assignment to different portions of this area and that eight Class A channels are still unoccupied and assigned to communities in or bordering the precluded area and could be used at communities in other sections of the precluded area. The preclusion on the three channels is negligible. Thus Channel 287 will be assigned to Plymouth, New Hampshire.

17. There remains the question of whether to delete Channel 261A at Plymouth. Pemigewasset Broadcasters, Inc.,[4] the licensee of Station WPNH(AM), a daytime-only station at Plymouth, has filed an application for a construction permit on that channel (BPH-8110). It appears that within the area in which Channel 261A could be assigned which meets the minimum mileage separation

[3] This is noted to contrast with "Plymouth Compact" which is a designation in New England for certain population groupings.

[4] Pemigewasset filed a comment herein requesting that Channel 261A be retained at Plymouth and stating that it intended to file an application for it. Pemigewasset also filed a pleading on February 28, 1974, in response to the Order to Show Cause, supra, in which it reaffirms its request that Channel 261A be retained at Plymouth. In view of action herein, the request is moot.

requirements, no community is located. Retention of Channel 261A at Plymouth will involve intermixing Class A and Class C channels in the same area. However, Lakes Region does not object to leaving the channel at Plymouth, provided it receives favorable consideration of its Class C proposal. Because of demonstrated interest in Channel 261A, it will be retained even though it will result in an intermixture of channels. See FM Table of Assignments, Henderson, Kentucky, 9 F.C.C. 2d 805 (1967), Oxnard, California, 10 F.C.C. 2d 865 (1967), and others.

18. Assignment of Channel 287 to Plymouth removes the legal obstacles, set forth above (paras. 2–4), to the assignment of Channel 249A to Winchendon, Massachusetts. In the Notice of Proposed Rule Making (FCC 72–430) in Docket No. 19512 (the Winchendon proposal which is consolidated herein), the Commission found that WGAW, Inc. (the petitioner) had made a sufficient public interest showing to propose the channel assignment. WGAW, Inc. on October 18, 1972, reiterated its continuing desire to have the channel assigned to Winchendon. The Commission hereby assigns Channel 249A as a first FM assignment to Winchendon. In view of the assignments, the WGAW petition for severance and grant of rule making proposal is moot.

19. There remains the question concerning reimbursement of Sugarloaf Valley Broadcasting System, Inc., the licensee of Station WTOS(FM), Skowhegan, Maine, and Eastminster Broadcasting Corporation, the licensee of Station WCNL–FM, Newport, New Hampshire, for actual costs involved in changing to the frequencies specified in this Report and Order from the party benefitting, i.e., the party receiving a construction permit for the new Channel 287 Plymouth assignment made possible by the changes. We stated in connection with the Elizabethtown, Kentucky shift that, "[i]t is well settled Commission policy that when changes in the FM Table of Assignments are made which require operating stations to change frequency, the licensees thereof are entitled to reimbursement of the actual costs of the change, from the party benefitting, i.e., the party receiving a CP on the new assignment made possible by the change." FM Table of Assignments, 26 F.C.C. 2d 162, 166 (1970). Guidelines setting forth the items which may be the subject of reimbursement appear in the Circleville, Ohio FM channel change, FM Table of Assignments, 8 F.C.C. 2d 159, 163–4 (1967).

20. In paragraphs 6, 7 and 8, supra, we fully discussed the question of the consent to the modification of the channel of operation of Station WTOS(FM) and found that there was a consent to modification with the understanding of payment for reasonable reimbursement of expenses by the permittee of Channel 287 at Plymouth, incurred in the changeover of channels by WTOS(FM). We also found (paragraph 5, supra) that WCNL–FM, Newport, New Hampshire was deemed to have consented to a modification of its channel of operation upon the same understanding as to reimbursement. The rule changes adopted herein are effective on the date specified below and the licenses of Station WTOS(FM) and WCNL–FM are modified accordingly, but the stations may continue to operate under their outstanding authorizations until the Plymouth permittee is ready to operate on Channel 287 or they may effect the change at any time prior thereto if they should so desire.

21. In view of the foregoing, and pursuant to authority found in sections 4(i), 303(g) and (r), and 307(b) and 316 of the Communications Act of 1934, as amended, *it is ordered*, That, effective May 16, 1974, § 73.202(b) of the Commission's Rules, the Table of Assignments, FM Broadcast Stations is amended, to read as follows with respect to the cities listed:

City	*Channel No.*
Winchendon, Massachusetts	249A
Plymouth, New Hampshire	261A, 287
Newport, New Hampshire	269A
Skowhegan, Maine	294

22. *It is further ordered*, That effective May 16, 1974, and pursuant to section 316 of the Communications Act of 1934, as amended, the outstanding license held by Eastminster Broadcasting Corporation, for Station WCNL–FM, Newport, New Hampshire, is modified to specify operation on Channel 269A in lieu of Channel 285A subject to the following conditions:

(a) The licensee shall inform the Commission in writing no later than the effective date herein of its acceptance of this modification.

(b) The licensee shall submit to the Commission by June 4, 1974, all necessary information complying with the applicable technical rules for modification of authorization to cover the operation of Station WCNL–FM on Channel 269A at Newport, New Hampshire.

(c) The Commission will notify the licensee when a construction permit has been granted for the use of Channel 287 at Plymouth, New Hampshire. The licensee may continue to operate on Channel 285A under the outstanding authorization until the Plymouth permittee is ready to operate on Channel 287 or it may effect the change to Channel 269A at any time prior thereto if it should so desire. Ten days prior to commencing operation on Channel 269A, the licensee shall submit the same measurement data normally required in an application for an FM broadcast station license.

(d) The licensee shall not commence operation on Channel 269A until the Commission specifically authorizes it to do so.

23. *It is further ordered*, That effective May 16, 1974, and pursuant to Section 316 of the Communications Act of 1934, as amended, the outstanding license held by Sugarloaf Valley Broadcasting System, Inc., for Station WTOS(FM), Skowhegan, Maine, is modified to specify operation on Channel 294 in lieu of Channel 286 subject to the following conditions:

(a) The licensee shall inform the Commission in writing no later than the effective date herein of its acceptance of this modification.

(b) The licensee shall submit to the Commission by June 4, 1974, all necessary information complying with the applicable technical rules for modification of authorization to cover the operation of Station WGHM–FM on Channel 294 at Skowhegan, Maine.

(c) The Commission will notify the licensee when a construction permit has been granted for the use of Channel 287 at Plymouth, New Hampshire. The licensee may continue to operate on Channel 286 under its outstanding authorization until the Plymouth permittee is ready to operate on Channel 287 or it may effect the change to Channel 294 at any time prior thereto if it should so desire. Ten days prior to commencing operation on Channel 294, the licensee shall submit the same measurement data normally required in an application for an FM broadcast station license.

(d) The licensee shall not commence operation on Channel 294 until the Commission specifically authorizes it to do so.

24. *It is further ordered*, That the comment of Alpine Broadcasting Corporation filed on August 28, 1972, is accepted; that the informal letter comment of Condit Broadcasting Corporation filed on August 28, 1972, is accepted; that the "Petition for Acceptance of Supplement to Reply Comments" filed by Alpine Broadcasting Corporation on October 10, 1972, is granted; that the "Petition to Accept Additional Pleading" filed by Lakes Region Broadcasting Corporation on October 18, 1972, is granted; that

the "Petition for Severance and Immediate Grant of Rule Making Proposal for Winchendon, Massachusetts" filed by WGAW, Inc. on October 18, 1972, is moot; that the "Comments of Sugarloaf Valley Broadcasting System, Inc. filed on March 7, 1974, are accepted, and the requests contained therein are denied; and that the request contained in the "Comments of Pemigwasset Broadcasters, Inc." filed on February 28, 1974, is moot.

25. *It is further ordered,* That the Secretary of the Commission send a copy of this Report and Order by Certified Mail, Return Receipt Requested, to Sugarloaf Valley Broadcasting System, Inc., licensee of Station WTOS(FM), Skowhegan, Maine, and to Eastminster Broadcasting Corporation, licensee of Station WCNL-FM, Newport, New Hampshire.

26. *It is further ordered,* That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.)

Released: April 9, 1974.
Adopted: April 2, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-8590 Filed 4-12-74;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 33—SPORT FISHING

Long Lake National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on April 15, 1974.

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

NORTH DAKOTA

LONG LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Long Lake National Wildlife Refuge, North Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas are delineated on maps available at refuge headquarters southeast of Moffit, North Dakota. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from May 4, 1974 to September 15, 1974, daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 15, 1974.

GLENN R. MILLER, for
JIM MATTHEWS,
Acting Refuge Manager, Long Lake National Wildlife Refuge, Moffit, North Dakota.

APRIL 5, 1974.

[FR Doc.74-8545 Filed 4-12-74;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY OFFICE

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation and Pricing of Non-bonded Aviation Fuel

Modification of Notification dates established in the amendments of Part 211 10 CFR, relating to aviation fuel allocation has become necessary. The original amendments were issued April 8, 1974 (39 FR 12995, April 10, 1974).

Because of time differences between the United States and Europe and the effect of Good Friday and Easter holiday closings of some businesses, uniform implementation of the procedures for suppliers and international carriers established in § 211.145(c) (2) and (3) became impossible in the time allowed.

Therefore, the following changes are established. A supplier of bonded aviation fuel will have through April 16, 1974, rather than April 10 as originally stated, to respond to a request from an international air carrier as to whether the supplier will supply bonded aviation fuel to the carrier at the lawful price for non-bonded fuel at a given station.

International air carriers will have through April 17, 1974 (rather than April 12 as originally stated) to file the certification specified under § 211.145(c) (3) (i).

The allocation fraction recalculated after the certification will be applied for the period of April 16 through April 30, 1974, as provided in the original amendment.

Any deliveries made between April 16, 1974, and the actual calculation of the allocation fraction will be counted toward the allocation of the carrier from that supplier for the April 16 through April 30 period.

In addition, the deadline for certification by international air carriers for the May, 1974, allocation will be April 20, 1974, rather than 15 days before the allocation month as specified in the original amendment. The 15-day deadline will apply in future months.

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

(Emergency Petroleum Allocation Act of 1973, P.L. 92-159, E.O. 11748, 38 FR 33575; Economic Stabilization Act of 1970, as amended, P.L. 92-210, 95 Stat. 843; P.L. 93-28, 87 Stat. 27; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 47, 39 FR 24)

In consideration of the foregoing, 10 CFR Part 211 is amended as set forth below, effective immediately.

Issued in Washington, D.C., April 12, 1974.

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

1. Section 211.145(c)(2) and (3)(ii) are amended to read as follows:

§ 211.145 Method of allocation.

* * * * *

(c) * * *

(2) Each base period supplier of bonded fuel shall notify international air carriers, upon request, whether the supplier will provide bonded fuel at the supplier's lawful price for its non-bonded fuel at a station. For the month of April 1974, suppliers shall notify their international air carrier purchasers whether bonded fuel can be so supplied by April 16, 1974.

(3) * * *

(ii) For the period April 16, 1974 through April 30, 1971, international air carriers shall provide their suppliers with certifications pursuant to this para-

graph by April 17, 1974. Suppliers shall then calculate their allocation fractions for the period April 16 through April 30, 1974, taking into account said certifications and shall make deliveries in accordance with the provisions of this paragraph. For the period of May 1 through May 31, 1974; international air carriers shall provide their suppliers with certifications pursuant to this paragraph by April 20, 1974.

* * * * *

[FR Doc.74-8792 Filed 4-12-74;12:43 pm]

Proposed Rules

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

DEPARTMENT OF THE INTERIOR

Geological Survey

[30 CFR Part 250]

OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

Helicopter Refueling Facilities

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Outer Continental Shelf Lands Act of August 7, 1953 (43 U.S.C. 1331), it is proposed to revise 30 CFR 250.19(a) as set forth below. The primary purpose of the proposed revision is to provide that the Area Oil and Gas Supervisor of the Geological Survey may require that oil and gas lessees on the Outer Continental Shelf provide helicopter refueling sites on platforms, fixed structures or artificial islands.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested parties may submit written comments, suggestions, or objections with respect to the proposed revision of 30 CFR 250.19(a) to the Director, United States Geological Survey, National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before May 1, 1974.

Section 250.19(a) is amended to read as follows:

§ 250.19 Platforms and pipelines.

(a) The supervisor is authorized to approve the design, other features, and plan of installation of all platforms, fixed structures, and artificial islands as a condition of the granting of a right of use or easement under paragraphs (a) and (b) of § 250.18 or authorized under any lease issued or maintained under the act. In approving the design of a platform, fixed structure, or artificial island, the supervisor may require the lessee to provide a helicopter refueling site thereon for the use of helicopters employed by the Department of the Interior in inspection operations on the Outer Continental Shelf.

* * * * *

Dated: April 5, 1974.

WILLIAM A. VOGELY,
Acting Deputy Assistant Secretary of the Interior.

[FR Doc.74-8544 Filed 4-12-74;8:45 am]

DEPARTMENT OF AGRICULTURE

[7 CFR, Part 52]

FROZEN RED TART PITTED CHERRIES

Revised Grade Standards

A notice of proposed rulemaking to revise the United States Standards for Grades of Frozen Red Tart Pitted Cherries, was published in the FEDERAL REGISTER of September 11, 1973 (38 FR 24907). After consideration of all relevant matters pertaining to the proposal and in view of the changes which have been proposed, the U.S. Department of Agriculture desires further consideration by interested parties.

These grades standards are issued under authority of the Agricultural Marketing Act of 1946 (Sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this Act upon request of the applicant and upon payment of a fee to cover the cost of such service.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same in duplicate by May 15, 1974, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submittals made pursuant to this notice will be available for public review at the Office of the Hearing Clerk during regular business hours (7 CFR, 1.27 (b)).

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

Statement of consideration leading to the proposed revision. At the request of the National Red Cherry Institute the Department proposed a revision of the grade standards for frozen red tart pitted cherries to provide for three grade classifications above Substandard. Current grade standards which have been in effect since June 15, 1964, provide for two grade classifications above Substandard. These are designated as "U.S. Grade A" (or "U.S. Fancy") and "U.S. Grade C" (or "U.S. Standard"). It was requested that a "U.S. Grade B" (or "U.S. Choice") classification be included. The request also suggested the definition for "blemished cherry" under the factor of "Freedom from defects" be redefined for more clarity.

Comments regarding the proposed revision were received from two consumers and from the National Red Cherry Institute, East Lansing, Michigan.

One consumer suggested that it is not practical to establish a Grade B classification for color, texture, flavor and odor unless an accurate measurement can be made.

The Department concurs that it is desirable to use objective and accurate measurements to separate product characteristics into different quality levels. Due to the lack of a suitable instrument or device for measuring flavor and odor for this purpose, the proposal makes no differentiation between Grades A, B, and C for this factor. In all three grades, the flavor and odor must be "normal."

The Department has developed color guides that aid the inspector in separating well colored cherries from undercolored cherries. No instrument or device has yet been found entirely suitable to measure the texture of frozen cherries. However, the amount of flesh and firmness thereof does provide guidelines for evaluating texture, therefore, the standards can be interpreted and applied with reasonable uniformity by trained personnel using available interpretive guidelines to support judgment decision.

The inclusion of an additional grade level will require some adjustment in cut-off points but will not reduce the effectiveness of the grade standards in being responsive to current industry practices of recognizing these marketable grade levels.

Comments from a second consumer were not directed to the proposed revision but complained about the nonavailability of frozen red tart pitted cherries in the market.

The National Red Cherry Institute, East Lansing, Michigan, suggested the following changes be made in the proposal:

1. Make the score points for the factor of color a total of 30 points instead of 20 points as proposed. This would change the score point ranges for this factor as follows:

Grade A—27–30	SStd.—0–20
Grade B—24–26	Grade C—21–23

The justification offered was that color in frozen red tart pitted cherries is a much more important factor than for the canned products. Therefore, this factor should have more weight in the scoring system.

2. Change the total score points for the factor of "Freedom From Defects" from 30 to 20. This would change the score point ranges for this factor as follows:

Grade A—18 to 20	Grade C—14 or 15
Grade B—16 or 17	SStd.—0 to 13

The justification given was that the industry feels that this factor is not as important as the factor of color, therefore should have less weight in the scoring system.

The Department concurs in these suggested changes and has adjusted score points accordingly.

3. Make Grade B a partial limiting rule at the 25 point level, this would mean a sample unit that scored not lower than 25 points could still be classified as U.S. Grade A provided the total score was not less than 90 points.

The limiting rule will be retained as proposed by mutual agreement reached in an informal discussion.

4. In § 52.808 in the definitions for "Blemished Cherry" the word "scab" has no application to red tart pitted cherries. It was recommended the word "scab" be deleted from the definition.

The word "scab" in the definition of "blemished cherry" will be retained since this word appears in the definition of "blemished cherry" in the recently promulgated Food and Drug Standards of Quality for frozen cherry pie.

5. In § 52.803 *Sample Unit Size*, the sample unit size for "harmless extraneous material" is designated as the entire contents of the container. Since a large portion of frozen red tart pitted cherries is packed in containers ranging in size fom 30 pounds to exceeding 400 pounds such a sample unit size is unreasonable and impractical.

The Department concurs and the sample unit size for harmless extraneous material will be changed to 20 ounces and the allowances changed to coincide.

In view of these comments and as a result of an informal discussion with the standards committee of the National Red Cherry Institute, the Department is issuing a second notice of proposed rulemaking which will make the following additional changes from proposal published September 11, 1973:

The Sample Unit Size for size and the factor of color will be changed from 20 ounces to 100 cherries.

The allowances for size in the Grade A and Grade B classification and for the factor of color will be changed to coincide with the change in sample unit size.

These changes would make the frozen red tart pitted cherries grade standards easier to apply and more in line with the needs of the processors and users of this product.

The proposed revision is as follows:

PRODUCT DESCRIPTION AND GRADES

Sec.
52.801 Product description.
52.802 Grades of frozen red tart pitted cherries.

SAMPLE UNIT SIZE

52.803 Sample unit size.

FACTORS OF QUALITY

52.804 Ascertaining the grade of a sample unit.
52.805 Ascertaining the rating for each factor.
52.806 Color.
52.807 Freedom from pits.
52.808 Freedom from defects.
52.809 Character.

ALLOWANCES FOR QUALITY FACTORS

52.810 Allowances for quality factors.

LOT COMPLIANCE

52.811 Ascertaining the grade of a lot.

SCORE SHEET

52.812 Score sheet for frozen red tart pitted cherries.

Authority: Agricultural Marketing Act of 1946, sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624.

PRODUCT DESCRIPTION AND GRADES

§ 52.801 Product description.

Frozen red tart pitted cherries is the food prepared from properly matured cherries of the domestic (Prunus cerasus) red sour varietal group which have been washed, pitted, sorted, and properly drained; may be packed with or without a nutritive sweetened packing medium or any other substance permitted under the Federal Food, Drug, and Cosmetic Act, and are frozen and stored at temperatures necessary for the preservation of the product.

§ 52.802 Grades of frozen red tart pitted cherries.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of frozen red tart pitted cherries of which not more than five (5) cherries per sample unit may be less than 9/16 inch (14 mm) in diameter, and that:

(1) possess a good red color;
(2) are practically free from pits;
(3) are practically free from defects;
(4) have a good character;
(5) possess a normal flavor; and
(6) score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or "U.S. Choice") in the quality of frozen red tart pitted cherries of which not more than ten (10) cherries per sample unit may be less than 9/16 inch (14 mm) in diameter, and that: that:

(1) possess a reasonably good red color;
(2) are reasonably free from pits;
(3) are reasonably free from defects;
(4) have a reasonably good character;
(5) possess a normal flavor; and
(6) score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "U.S. Grade C" (or "U.S. Standard") is the quality of frozen red tart pitted cherries that:

(1) possess a fairly good red color;
(2) are fairly free from pits;
(3) are fairly free from defects;
(4) have a fairly good character;
(5) possess a normal flavor; and
(6) score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of frozen red tart pitted cherries that fail to meet the requirements of U.S. Grade C.

SAMPLE UNIT SIZE

§ 52.803 Sample unit size.

Compliance with requirements for size and the various quality factors is based on the following sample unit sizes for the applicable factor:

(a) Pits, character, and harmless extraneous material—20 ounces of drained cherries.

(b) Size, color, and defects (other than harmless extraneous material)—100 cherries.

FACTORS OF QUALITY

§ 52.804 Ascertaining the grade of a sample unit.

(a) The grade of frozen red tart pitted cherries is determined immediately after thawing to the extent that the cherries may be separated easily and the cherries are free from ice and solidified packing media. The grade is determined by considering in addition to the requirements of the respective grade (including the requirement of the size in U.S. Grade A and U.S. Grade B), the respective ratings of the factors of color, pits, absence of defects, character, the total score, and the limiting rules which may be applicable.

(b) The relative importance of each factor is expressed numerically on a scale of 100. The maximum number of points that may be given each factor is:

Factors:	*Points*
Color	30
Freedom from pits	20
Freedom from defects	20
Character	30
Total score	100

(c) "Normal flavor" means that the flavor is characteristic of frozen red tart pitted cherries and that the product is free from objectionable flavors of any kind.

§ 52.805 Ascertaining the rating for each factor.

The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, "27 to 30 points" means 27, 28, 29 or 30 points).

§ 52.806 Color.

(a) (*A*) *Classification.* Frozen red tart pitted cherries that possess a good red color may be given a score of 27 to 30 points. "Good red color" means that the frozen cherries possess a color that is bright and typical of properly ripened cherries and that is practically uniform in that the number of cherries that vary markedly from this color due to oxidation, improper processing, or other causes, or that are undercolored, does not exceed the number specified in Table I.

(b) (*B*) *Classification.* Frozen red tart pitted cherries that possess a reasonably good red color may be given a score of 24 to 26 points. Frozen red tart pitted cherries that fall into this classification

shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good red color" means that the cherries possess a color that is reasonably bright and typical of properly ripened cherries and that is reasonably uniform in that the number of cherries that vary markedly from this color due to oxidation, improper processing, or other causes, or that are undercolored, does not exceed the number specified in Table I.

(c) (*C*) *Classification.* If the frozen red tart pitted cherries possess a farily good red color, a score of 21 to 23 points may be given. Frozen red tart pitted cherries that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good red color" means that the frozen cherries possess a color that is fairly bright and typical of properly ripened cherries and that is fairly uniform in that the number of cherries that vary markedly from this color due to oxidation, improper processing, or other causes, or that are undercolored, does not exceed the number specified in Table I.

(d) (*SStd.*) *Classification.* Frozen red tart pitted cherries that fail to meet the requirements of U.S. Grade C may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.807 Freedom from pits.

(a) *General.* The factor of freedom from pits refers to the incidence of pits and pit fragments.

(b) *Definitions.* (1) A "pit" for the purpose of the allowances in this subpart is a whole pit or portions of pits computed as follows:

(i) A single piece of pit shell, whether or not within or attached to a whole cherry, that is larger than one-half pit shell is considered as one pit;

(ii) A single piece of pit shell, whether or not within or attached to a whole cherry, that is not larger than one-half pit shell is considered as one-half pit;

(iii) Pieces of pit shell, within or attached to a whole cherry, when their combined size is larger than one-half pit shell are considered as one pit; and

(iv) Pieces of pit shell, within or attached to a whole cherry, when their combined size is not larger than one-half pit shell are considered as one-half pit.

(2) "Drained cherries" means pitted cherries that are substantially free from any adhering sirup, sugar, or other packing medium.

(c) (*A*) *Classification.* Frozen red tart pitted cherries that are practically free from pits may be given a score of 18 to 20 points. "Practically free from pits" means that the number of pits that may be present does not exceed the allowances for this classification specified in Table I.

(d) (*B*) *Classification.* Frozen red tart pitted cherries that are reasonably free from pits may be given a score of 16 or 17 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from pits" means that the number of pits that may be present does not exceed the number specified in Table I.

(e) (*C*) *Classification.* Frozen red tart pitted cherries that are fairly free from pits may be given a score of 14 or 15 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly free from pits" means that the number of pits that may be present does not exceed the number specified in Table I.

(f) (*SStd.*) *Classification.* Frozen red tart pitted cherries that fail to meet the requirements for U.S. Grade C may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.808 Freedom from defects.

(a) *General.* The factor of freedom from defects refers to the degree of freedom from harmless extraneous material, mutilated cherries, and cherries blemished by scab, hail injury, discoloration, scar tissue, or by other means.

(1) "Cherry" means a whole cherry, whether or not pitted, or portions of such cherries which in the aggregate approximate the average size of the cherries.

(2) "Harmless extraneous material" means any vegetable substance (including, but not being limited to, a leaf or a stem and any portions thereof) that is harmless.

(3) "Mutilated cherry" means a cherry that is so pitter-torn or damaged by other means that the entire pit cavity is exposed and the appearance of the cherry is seriously affected.

(4) "Minor blemished cherry" means any cherry blemished with discoloration (other than scald) having an aggregate area of a circle 9/32 inch (7 mm) or less in diameter which more than slightly affects the appearance of the cherry but does not extend into the fruit tissue.

(5) "Blemished cherry" means any cherry blemished by skin discoloration (other than scald) which in the aggregate exceeds the area of a circle 9/32 inch (7 mm) in diameter. A cheery affected by skin discoloration extending into the fruit tissue or by scab, hail injury, scar tissue, or other abnormality, regardless of size, is considered a blemished cherry.

(b) (*A*) *Classification.* Frozen red tart pitted cherries that are practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that the number of defects that may be present does not exceed the number specified for the applicable type of defect in Table I.

(c) (*B*) *Classification.* Frozen red tart pitted cherries that are reasonably free from defects may be given a score of 16 or 17 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U. S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the number of defects that may be present does not exceed the number specified for the applicable type of defect in Table I.

(d) (*C*) *Classification.* Frozen red tart pitted cherries that are fairly free from defects may be given a score of 14 or 15 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U. S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the number of defects that may be present does not exceed the number specified for the applicable type of defect in Table I.

(e) (*SStd.*) *Classification.* Frozen red tart pitted cherries that fail to meet the requirements for Grade C may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.809 Character.

(a) *General.* The factor of character refers to the physical characteristics of the flesh of the cherries.

(b) (*A*) *Classification.* Frozen red tart pitted cherries that have a good character may be given a score of 27 to 30 points. "Good character" means that the cherries are thick-fleshed and have a firm, tender texture.

(c) (*B*) *Classification.* Frozen red tart pitted cherries that have a reasonably good character may be given a score of 24 to 26 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U. S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that the cherries may be reasonably thick-fleshed and slightly soft.

(d) (*C*) *Classification.* Frozen red tart pitted cherries that have a fairly good character may be given a score of 21 to 23 points. Frozen red tart pitted cherries that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the cherries may be thin-fleshed and may be soft but not mushy, or slightly tough but not leathery.

(e) (*SStd.*) *Classification.* Frozen red tart pitted cherries that fail to meet the requirements for Grade C may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

ALLOWANCES FOR QUALITY FACTORS

§ 52.810 Allowances for quality factors.

TABLE I—ALLOWANCES FOR QUALITY FACTORS

Factor	Sample unit size	Maximum number permissible for the respective grade					
		A		B		C	
Color: Vary markedly or undercolored.	100 cherries.	12		18		25	
Pits	20 ozs	Not more than 2 in any sample unit.	Sample average 1 per 40 ozs.	Not more than 3 in any sample unit.	Sample average 1 per 30 ozs.	4 or more in any sample unit.	Sample average 1 per 20 ozs.
Defects: Total—mutilated, minor blemished, and blemished	100 cherries.	10		15		20	
of which Blemished—limited to harmless extraneous material.	20 ozs	3 Average 1 piece per 60 oz. net contents.		7 Average 1 piece per 40 oz. net contents.		15 Average 1 piece per 20 oz. net contents.	

LOT COMPLIANCE

§ 52.811 Ascertaining the grade of a lot.

The grade of a lot of frozen red tart pitted cherries covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.83).

SCORE SHEET

§ 52.812 Score sheet for frozen red tart pitted cherries.

Size and kind of container
Container mark or identification
Label (style of pack, ratio of fruit to sugar, etc. if shown)
Net weight (ounces)
Size [1]

FACTOR	SCORE POINTS	
Color	30	(A) 27-30; (B) [2] 24-26; (C) [2] 21-23; (SStd.) [2] 0-20
Freedom from pits	20	(A) 18-20; (B) [2] 16-17; (C) [2] 14-15; (SStd.) [2] 0-13
Freedom from defects	20	(A) 18-20; (B) [2] 16-17; (C) [2] 14-15; (SStd.) [2] 0-13
Character	30	(A) 27-30; (B) [2] 24-26; (C) [2] 21-23; (SStd.) [2] 0-20
Total score	100	

Normal flavor
Grade

[1] See size limitation for U.S. Grade A and U.S. Grade B.
[2] Indicates limiting rule.

Dated: April 9, 1974.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

[FR Doc.74-8572 Filed 4-12-74;8:45 am]

Agricultural Marketing Service

[7 CFR Part 1207]

[Amdt. 3]

POTATO RESEARCH AND PROMOTION PLAN

Refunds of Assessments

This proposal would clarify the time period during which producers may file applications for refunds of assessments.

Consideration is being given to the approval of a proposed revision of § 1207.514, *Refunds,* of the rules and regulations, which was recommended unanimously by the Administrative Committee of the National Potato Promotion Board on February 2, 1974. The Potato Board was established pursuant to the Potato Research and Promotion Plan (7 CFR Part 1207; 37 FR 5008). The plan is effective under the Potato Research and Promotion Act (7 U.S.C. 2611-2627).

All persons who desire to submit data, views, or arguments in connection with this proposal should file the same in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250 not later than April 26, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Statement of consideration. Section 1207.514 *Refunds* requires any producer desiring a refund to request the refund within 90 days from the date the assessment was collected from him or withheld from his account, which also was the date a determination of assessable potatoes was made in the normal handling process and the assessment became payable. However the rule does not specify a similar time period for those producers who also handle their own potatoes. For purposes of equity, such producer-handlers should be afforded the same time period to obtain refunds as producers whose potatoes are handled by other persons. Therefore, it is proposed to require that all applications for refunds be submitted to the Board within 90 days from the date a determination of assessable potatoes is made in the normal handling process.

The proposal is to revise the introductory paragraph and first sentence of paragraph (b) of § 1207.514 to read as follows:

§ 1207.514 Refunds.

A refund of assessments may be obtained by a producer only by following the procedure prescribed in this section.

* * * * *

(b) Any producer requesting a refund shall mail an application on the prescribed form to the Board within 90 days from the date the assessment became payable pursuant to § 1207.513. * * *

* * * * *

Dated: April 9, 1974.

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

[FR Doc.74-8571 Filed 4-12-74;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[41 CFR Part 50-202]

MINIMUM WAGE DETERMINATIONS

Adjustment to Wage Increases Provided Under Fair Labor Standards Act Amendments of 1974

Some of the prevailing minimum wage determinations for particular industries currently in effect under section 1(b) of the Walsh-Healey Public Contracts Act as amended (41 U.S.C. 35 et seq.) provide minimum wages higher than $2.00 per hour. Other such determinations, based on evidence now, or soon to be, outdated, provide minimum wages of less than $2.00 per hour.

Effective May 1, 1974, the Fair Labor Standards Amendments of 1974 (P.L. 93-259) require the payment of a minimum wage of not less than $2.00 per hour, except as otherwise specifically provided, by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce (as those terms are broadly defined in that Act), or employed in certain enterprises so engaged, who does not come within one of its specific exemptions from that requirement. Based upon legal and economic data obtained in over 36 years of investigation and litigation, including administration and enforcement of eight previous statutory minimum wage increases under the Fair Labor Standards Act of 1938, economic studies, statutory reports to the Congress, and testimony, findings, and reports in administrative and legislative proceedings, I do hereby take official notice, under section 7(d) of the Administrative Procedure Act (5 U.S.C. 556(d)), that the application of, and compliance with, this requirement is such as to raise to $2.00 per hour any level of lower minimum wages prevailing in any of the groups of industries currently operating in any locality in

which materials, supplies, articles, or equipment are to be manufactured or furnished under any contracts subject to the Walsh-Healey Public Contracts Act.

Accordingly, I propose to make a final prevailing minimum wage determination under section 1(b) of the Walsh-Healey Public Contracts Act (41 U.S.C. 35(b)) for effect as to all contracts subject to the Public Contracts Act, bids for which are invited, offers for which are solicited or negotiations otherwise commended on or after May 1, 1974, that the prevailing minimum wage is $2.00 per hour in all those groups of industries currently operating in each locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under such contracts, except those particular or similar industries for which minimum wage determinations higher than $2.00 per hour have been made. Under this proposal, provision will be made for the employment of learners at lesser rates to the same extent such employment is permitted under the Fair Standards Act.

Any person adversely affected or aggrieved by this proposal (who shall be deemed to include any manufacturer of, or regular dealer in, materials, supplies, articles, or equipment purchased or to be purchased by the Government from any source, who is in any industry to which this proposal is applicable, and any employee or representative of employees of any such person) shall have a hearing, as provided in section 10(b) of the Act (41 U.S.C. 43a(b)), and an opportunity to make a showing contrary to the facts herein officially noticed, as provided in section 7(d) of the Administrative Procedure Act (5 U.S.C. 556(d)) upon timely application as herein provided.

Such application must be in writing, filed in quadruplicate with the Chief Administrative Law Judge, U.S. Department of Labor, Washington, D.C. 20210, no later than April 23, 1974. It shall define precisely each industry and each locality in such industry as to which the applicant will make such a showing and state the minimum wages he will show to be prevailing there. Each copy of such application shall have attached a copy of each document the applicant intends to introduce in evidence at the hearing, an identification of each witness he intends to call, a summary of the testimony he expects to develop from each such witness, the name and address of the person selected to present such evidence, and his estimate of the time such presentation will require. The issues at any such hearing shall not exceed those presented in any such application or applications. A hearing will be scheduled only in response to an application that is timely filed and that contains all of the information specified above. The time and place of hearing will be published in the FEDERAL REGISTER, if, and after, any applications are received. The procedure will be governed by sections 7 and 8 of the Administrative Procedure Act (5 U.S.C. 556 and 557), 41 CFR Part 50–203, Subpart C, and the applicable provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.).

Signed at Washington, D.C., this 10th day of April 1974.

PETER J. BRENNAN,
Secretary of Labor.

[FR Doc.74–8580 Filed 4–12–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 74–WE–10–AD]

GENERAL DYNAMICS MODELS 22, 22M, 30, 30A SERIES AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation regulations by adding an airworthiness directive applicable to General Dynamics Models 22, 22M, 30A Series airplanes. Many incidents of in-flight lavatory waste container fires in transport category aircraft have been reported. The loss of a jet transport category airplane is suspected to have been due to the lack of fire containment capability of the lavatory waste container. The Federal Aviation Administration has reviewed the lavatory waste container installations on all jet transport category airplanes and found that a fire hazard exists in most standard lavatory configurations on the General Dynamics Models 22, 22M, 30, 30A Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require a thorough inspection of all electrical appurtenances physically located within lavatory waste container areas for proper condition and modification of the existing waste containers on all General Dynamics Models 22, 22M, 30, 30A Series airplanes. In the interim period, before compliance with this proposed airworthiness directive is required, the Federal Aviation Administration has prepared an airworthiness directive (Amendment 39–1818, Docket 13603, to be effective April 30, 1974) requiring "no smoking" placards on lavatory doors, a "no cigarette disposal" placard at each lavatory waste container, a pre-flight "no smoking in lavatory" announcement, self-contained ash trays on lavatory doors, and initiation of lavatory waste container inspection procedures.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Western Region, Attention: Regional Counsel, Airworthiness Rule Docket, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. All communications received on or before July 1, 1974, will be considered by the agency before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

GENERAL DYNAMICS. Applies to Models 22, 22M, 30, 30A Series airplanes certificated in all categories.

Compliance required as indicated.

To reduce potential fire hazard, existing in lavatory waste containers of General Dynamics Models 22, 22M, 30, 30A Series airplanes, accomplish the following:

(a) Within 300 hours time in service from the effective date of this airworthiness directive, unless already accomplished within the last 1,000 hours, perform a thorough inspection of all electrical appurtenances, including wiring, terminal boxes, switches and hot water heaters physically located within lavatory waste container areas for proper condition. Correct any adverse condition as necessary.

(b) Within 1,000 hours time in service, or 100 days, whichever occurs first, from the effective date of this airworthiness directive, unless already modified to a configuration found acceptable to the Chief, Aircraft Engineering Division, FAA, Western Region, modify the existing lavatory waste container installation to a configuration capable of containing possible fire (Reference CAR 4b.381(d)) approved by the Chief, Aircraft Engineering Division, FAA, Western Region.

(c) Aircraft may be operated to a base for accomplishment of maintenance required under this airworthiness directive, per FAR's 21.197 and 21.199.

Issued in Los Angeles, California on April 4, 1974.

ARVIN O. BASNIGHT,
Director,
FAA Western Region.

[FR Doc.74–8527 Filed 4–12–74;8:45 am]

[14 CFR Part 39]

[Airworthiness Docket No. 74–WE–11–AD]

McDONNELL DOUGLAS MODELS DC–8–20, –30, –40, –50 SERIES AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation regulations by adding an airworthiness directive applicable to McDonnell Douglas Models DC–8–20, –30, –40, –50 Series airplanes. Many incidents of in-flight lavatory waste container fires in transport category aircraft have been reported. The loss of a jet transport category airplane is suspected to have been

due to the lack of fire containment capability of the lavatory waste container. The Federal Aviation Administration has reviewed the lavatory waste container installations on all jet transport category airplanes and found that a fire hazard exists in most standard lavatory configurations on the McDonnell Douglas Models DC–8–20, –30, –40, –50 Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require a thorough inspection of all electrical appurtenances physically located within lavatory waste container areas for proper condition and modification of the existing waste containers on all McDonnell Douglas Models DC–8–20, –30, –40, –50 Series airplanes. In the interim period, before compliance with this proposed airworthiness directive is required, the Federal Aviation Administration has prepared an airworthiness directive (Amendment 39–1818, Docket 13603, to be effective April 30, 1974) requiring "no smoking" placards on lavatory doors, a "no cigarette disposal" placard at each lavatory waste container, a pre-flight "no smoking in lavatory" announcement, self-contained ash trays on lavatory doors, and initiation of lavatory waste container inspection procedures.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Western Region, Attention: Regional Counsel, Airworthiness Rule Docket, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. All communications received on or before July 1, 1974, will be considered by the agency before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

McDONNELL DOUGLAS. Applies to Models DC–8–20, –30, –40, –50 Series airplanes Certificated in all Categories.

Compliance required as indicated.

To reduce potential fire hazard, existing in lavatory waste containers of McDonnell Douglas Models DC–8–20, –30, –40, –50 Series airplanes, accomplish the following:

(a) Within 300 hours time in service from the effective date of this airworthiness directive, unless already accomplished within the last 1,000 hours, perform a thorough inspection of all electrical appurtenances, including wiring, terminal boxes, switches and hot water heaters physically located within lavatory waste container areas for proper condition. Correct any adverse condition as necessary.

(b) Within 1,000 hours time in service, or 100 days, whichever occurs first, from the effective date of this airworthiness directive, unless already modified to a configuration found acceptable to the Chief, Aircraft Engineering Division, FAA, Western Region, modify the existing lavatory waste container installation to a configuration capable of containing possible fire (Reference CAR 4b.-381(d)) approved by the Chief, Aircraft Engineering Division, FAA, Western Region.

(c) Aircraft may be operated to a base for accomplishment of maintenance required under this airworthiness directive, per FAR's 21.197 and 21.199.

Issued in Los Angeles, California on April 4, 1974.

ARVIN O. BASNIGHT,
Director FAA Western Region.

[FR Doc.74–8536 Filed 4–12–74;8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74–NW–06]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation regulations that would alter the description of the Bremerton, Washington Control Zone.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108. All communications received on or before May 15, 1974, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108.

A review of the Bremerton, Washington Control Zone airspace disclosed that additional controlled airspace is needed to contain the instrument landing system (ILS) approach procedure to Kitsap County Airport Runway 19.

In consideration of the foregoing, the FAA proposes to amend Part 71 of the Federal Aviation Regulations as follows:

In § 71.171 (39 FR 354) the description of the Bremerton, Washington Control Zone is amended to read:

BREMERTON, WASHINGTON

Within a 5-mile radius of Kitsap County Airport (Latitude 47°29'35" N., Longitude 122°45'35" W.), within 3 miles each side of the 209° bearing from the Kitsap RBN (Latitude 47°29'48" N., Longitude 122°45'36" W.) extending from the 5-mile radius to 8 miles SW. of the RBN, and within 2 miles each side of the 028° bearing from the Kitsap RBN extending from the 5-mile radius zone to 7 miles northeast of the RBN. This Control Zone will be effective during the time established in advance by a Notice to Airmen and continuously published in the Airmen's Information Manual.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Seattle, Washington on April 1, 1974.

J. H. TANNER,
Acting Director,
Northwest Region.

[FR Doc.74–8535 Filed 4–12–74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74–RM–2]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the transition area for Wendover, Ut.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Station P.O. Box 7213, Denver, Colorado 80207. All communications received on or before May 10, 1974 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 E. 25th Avenue, Aurora, Colorado 80010.

A public-use instrument approach procedure utilizing the Bonneville, Ut.,

VORTAC has been developed for Wendover AF Auxiliary Field, Wendover, Ut. It is necessary to designate additional controlled airspace to provide protection for aircraft executing this procedure.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.181 (39 FR 440) amend the transition area at Wendover, Ut., to read:

WENDOVER, UT.

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Wendover AF Auxiliary Field (latitude 40°43'41" N., longitude 114°02'12" W.); that airspace extending upward from 1200 feet above the surface within 12.5 miles north and 8.5 miles south of the Bonneville VORTAC 084° and 272° radials, extending from the VORTAC to 23 miles east and west of the VORTAC; and that airspace extending upward from 8500 feet MSL bounded on the north by V6, on the west by V253, on the south by V32, and on the east by a line extending from latitude 40°51'30" N., longitude 112°56'30" W.; north to latitude 41°00'00" N., longitude 112°56'30" W.; thence east to latitude 41°00'00" N., longitude 112°45'00" W., thence north to latitude 41°10'40" N., longitude 112°45'00" W.; thence northwest to latitude 41°12'00" N., longitude 112°52'00" W.; thence north via longitude 112°52'00" W., to V6, excluding that portion which falls within the 1200-foot transition area.

This amendment is proposed under authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Aurora, Colorado, on April 5, 1974.

M. M. MARTIN,
Director,
Rocky Mountain Region.

[FR Doc.74-8534 Filed 4-12-74;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 288]

[Docket No. 26539; EDR-265]

EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Notice of Proposed Rule Making

Correction

In FR Doc. 74-7551 appearing at page 12142 of the issue for Wednesday, April 3, 1974, make the following changes:

1. The date "March 27, 1974" should appear above the first paragraph.

2. In the second line of footnote 3, at the bottom of the third column on page 12142, "provisions" should read "provisional".

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19999]

FM BROADCAST STATIONS

Proposed Table of Assignments, Hollidaysburg, Pa.

In the matter of amendment of § 73.202(b), *Table of Assignments,* FM Broadcast Stations. (Hollidaysburg, Pennsylvania Docket No. 19999, RM-2142.

1. On February 16, 1973, Cove Broadcasting Company, Inc. (Cove Broadcasting), licensee of AM Station WKMC, Roaring Spring, Pennsylvania, filed a petition proposing the assignment of FM Channel 285A to Hollidaysburg, Pennsylvania. Hollidaysburg (population 6,262) [1], the seat of Blair County (population 135,356), is located about 80 miles east of Pittsburgh, Pennsylvania. Channel 285A could be assigned to Hollidaysburg in conformance with the Commission's minimum mileage separation rule and without affecting any other FM assignment in the FM Table of Assignments. Hollidaysburg has no local broadcast transmission service.

2. In support of the petition Cove Broadcasting submitted information and data with respect to Hollidaysburg, e.g., population, education, recreation, financial institutions, medical and religious facilities, transportation, the form of government, and public organizations. It maintains that the history of Hollidaysburg dates back to before the American Revolution, that the transportation industry is the primary contributor to the growth of the community, and that the local industries, consisting of a number of nationally known companies, provides economic balance as well as employment to 4,200 persons. Petitioner states that the proposed channel would provide a city grade service to Hollidaysburg, and would also bring a first nighttime service to the "Cove" area which includes Southern Blair County, Northern Bedford County, Hollidaysburg and Roaring Spring.

3. In its engineering statement, petitioner indicates that preclusion is minimal to nonexistent on adjacent channels, and that co-channel preclusion would occur mostly to communities which already have adequate FM channel assignments. Hollidaysburg is located approximately five miles south of Altoona and is a part of the Altoona Urbanized Area (population 81,795). It appears that Channel 285A could be assigned to either Hollidaysburg or Altoona, and if assigned to Altoona, it could be used at Hollidaysburg under the provisions of Section 73.203(b). Under our population criteria guidelines, Altoona, with a population of 62,900 persons, would qualify for a third FM assignment. Altoona presently has three unlimited time standard broadcast stations with two FM stations, which appear to provide service to Hollidaysburg.

4. We believe that petitioner has made a sufficient public interest showing to warrant issuance of a notice of proposed rule making. However, in view of their populations, the present number of channel assignments, and the proximity of Altoona to Hollidaysburg, we are proposing assignment of the channel to either of the two communities. Commenting parties should discuss the merits of assignment of Channel 285A to either Hollidaysburg or Altoona.

5. Accordingly, pursuant to authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, it is proposed to amend the Table of Assignments in § 73.202(b) with respect to the cities listed below:

City	Channel number	
	Present	Proposed
Hollidaysburg, Pa.		285A
or		
Altoona, Pa.	251, 261A	251, 261A, 285A

6. Comments are invited on the proposals set forth and discussed above. Proponent will be expected to answer whatever questions, if any, are raised in the Notice and other questions that may be presented by initial comments. The proponent is expected to file comments even if nothing more than to incorporate by reference the petition, and is expected to state its intention to apply for the channel, if assigned, and, if authorized to promptly build the station. Failure to make this showing may result in the denial of the petition.

6. *Cut-off procedure.* As in other recent FM rule making proceedings the following procedures will govern:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that they will not be considered in connection with the decision herein.

7. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before May 17, 1974, and reply comments on or before May 27, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comment, reply comments, or other appropriate pleadings.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, pleadings, briefs, and other documents shall be furnished the Commission.

9. All filings made in this proceeding will be available for examination by interested parties during regular business

[1] All population figures are from the 1970 U.S. Census, unless otherwise indicated.

hours in the Commission's Public Reference Room at its Headquarters in Washington, D.C. (1919 M Street, NW.).

Adopted: April 3, 1974.

Released: April 10, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WALLACE E. JOHNSON, *Chief, Broadcast Bureau.*

[FR Doc.74-8589 Filed 4-12-74;8:45 am]

[47 CFR Part 73]

[Docket No. 20000]

FM BROADCAST STATIONS

Proposed Table of Assignment, Stockton, Calif.

Notice of Proposed rule making. In the matter of amendment of § 73.202(b), *Table of Assignments*, FM Broadcast Stations. (Stockton, California); Docket No. 20000, RM-2157.

1. The Commission has before it a petition for rule making filed by Barnes Enterprises, Inc., licensee of standard broadcast Station KWG, Stockton, California, on March 8, 1973, proposing the assignment of FM Channel 261A to Stockton, California.

2. Stockton is a city of 107,644 population,[1] and is the seat of San Joaquin County, population 290,208. It is located about 65 miles east of San Francisco, California. There are three unlimited time AM stations, two commercial FM stations (257A and 297) and two educational FM stations operating in Stockton. Channel 261A could be assigned to Stockton in conformity with the Commission's minimum mileage separation rule.

3. In support of its request petitioner states that Stockton is located in an agricultural area, has some diversified industry, and is at the hub of a very large recreational area. It adds that thousands from outside the area use Stockton as a base for fishing and boating activities; and as a base for camping, hiking and pack trips into the high Sierra Mountains. It points out that 1970 Census shows a 40.6 percent increase in population is the 20-year period between 1950 and 1970; in the past ten years the Stockton Urbanized Area realized a 13.3 percent population increase, and in the same ten-year period the city of Stockton increased its population by 24.7 percent.

4. The preclusion study shows that the proposed assignment would cause no preclusion on the six pertinent adjacent channels. Petitioner contends that the area in which Channel 261A could be assigned contains communities which either have adequate aural broadcast service, existing FM assignments, or are too small for consideration of an assignment.

5. Petitioner states that there is a need for a third commercial FM allocation in Stockton to better serve this rapidly growing area. It points out that Channel 261A appears to be the only channel available for addition to Stockton which meets the minimum mileage separation rules and other criteria of the Commission FM allocation policy. Since Stockton is already assigned a Class A and a Class B channel, this will not contravene the Commission policy on the intermixture of channel assignments. Petitioner further contends that the proposed assignment will equalize the competitive opportunities between the three stations. It also states that if the proposed channel is assigned, it plans to immediately apply for a permit to construct an FM station. In view of the foregoing information, we believe consideration of the above proposal is warranted.

6. In view of the foregoing and pursuant to authority found in sections 4(i), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments (§ 73.202(b)) to read as follows:

City	Channel number	
	Present	Proposed
Stockton, Calif.	257A, 297	257A, 261A, 297

7. *Showings Required.* Comments are invited on the proposal discussed above. Proponent will be expected to answer whatever questions are raised in the Notice and other questions that may be presented in initial comments. The proponent of the proposed assignment is expected to file comments even if he only resubmits or incorporates by reference his former pleading. He should also restate his present intention to apply for the channel if it is assigned and, if authorized, to build the station promptly. Failure to do so may lead to denial of the request.

8. *Cut-off procedure.* The following procedures will govern the consideration of filings in this proceeding:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposal in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

9. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before May 17, 1974, and reply comments on or before May 27, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

10. In accordance with the provisions of § 1.419 of the Commission's Rules and Regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

11. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C., (1919 M Street, NW.).

Adopted: April 3, 1974

Released: April 10, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WALLACE E. JOHNSON, *Chief, Broadcast Bureau.*

[FR Doc.74-8588 Filed 4-12-74;8:45 am]

[47 CFR Part 73]

[Docket. No. 19998]

FM BROADCAST STATIONS

Proposed Table of Assignments, Wellsville, N.Y., and Mitchell, S. Dak.

Notice of proposed rule making. In the matter of amendment of § 73.202(b) *Table of Assignments* FM Broadcast Stations. (Wellsville, New York, and Mitchell, South Dakota) Docket No. 19998.

1. The Commission, on its own motion, proposes to make changes in the FM Table of Assignments, § 73.202(b) of the Rules, to alleviate the short-spacing situations affecting the channels assigned to Wellsville, New York, and Mitchell, South Dakota. Comments are invited on the proposal described below which would substitute Channel 228A for Channel 257A at Wellsville, New York, and Channel 272A for Channel 269A at Mitchell, South Dakota.

2. The channels are not presently authorized for use at either community, but an application filed for the Mitchell channel pointed up the fact of short to be replaced by Channel 228A at Wellsville was also brought to our attention. Fortunately the problems could be remedied by replacing the channels with other channels which would not be short-spaced to existing channel assignments. Thus if Channel 257A were to be replaced by Channel 282A at Wellsville, New York, and Channel 269A were to be replaced by Channel 272A at Mitchell, South Dakota, there would be no spacing problems.

3. Comments on the above proposal are invited. There is one additional matter in connection with our proposal and comments responsive to it which are filed. Because of the proximity of Wellsville, New York, to the Canadian border, this matter requires coordination with that Country's officials. It is our expectation that Canadian views on the proposal can be received in sufficient time to avoid any delay in what otherwise

[1] All population figures are from the 1970 U.S. Census unless otherwise indicated.

would have been the expected time in which to conclude this proceeding.

4. *Cut-off procedure.* The following procedure will govern:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposal in this Notice, they will be considered as comments in this proceeding, and Public Notice to that effect will be given, as long as filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision herein.

5. In view of the foregoing and pursuant to authority contained in section 4(i), 5(d)(1), 303 and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules, we propose for consideration the following revisions in our Table of FM Assignments (§ 73.202(b) of the rules) with respect to the cities listed below:

City	Channel number	
	Present	Proposed
Wellsville, N.Y.	257A	228A
Mitchell, S. Dak.	269A	272A

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before May 17, 1974, and reply comments on or before May 27, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties, shall be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the Commission's Rules and Regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its Headquarters, 1919 M Street, NW., Washington, D.C.

Adopted: April 4, 1974.

Released: April 10, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-8592 Filed 4-12-74;8:45 am]

[47 CFR Part 73]

[Docket No. 20002]

FM BROADCAST STATIONS

Proposed Table of Assignments, Marco, St. Augustine, and Milton, Fla.

Notice of Proposed Rule Making. In the matter of amendment of § 73.202(b), *Table of Assignments,* FM Broadcast Stations. Marco, Florida; St. Augustine, Florida; and Milton, Florida) Docket No. 20002, RM-2143, RM-2184, RM-2251.

1. The Commission has under consideration three petitions for rule making to assign or change the FM channel assignments in the State of Florida. There are no conflicts between the proposals. The petitions are as follows:

RM-2143 Channel 266 to Marco, Florida
The Deltona Corporation
RM-2184 Channel 283 to St. Augustine, Florida
Senator Jack D. Gordon
RM-2251 Channel 274 for Channel 272A at Milton, Florida
Mapoles Broadcasting Company

MARCO, FLORIDA

2. Comments are invited on the proposal by the Deltona Corporation ("Deltona") seeking the assignment of Channel 266 to Marco, Florida. It would bring a first local service to Marco an island community off the west coast of Florida to the south of Naples and almost due west of Miami. Deltona is the owner of virtually the entire island of Marco [1] and is in the process of developing it with business, residential and recreational construction. The 1970 Census figure of 972 persons is said by Deltona to have been more than quadrupled (to a current 4,800) with a 1980 projected figure of 18,720. Marco has no broadcast facility and we think it appropriate to explore the possibility of rectifying this lack for what appears to be a significant population center in the area. Deltona urges us to make a Class C assignment rather than a Class A assignment on the basis of first and second FM service that a Class C but not a Class A channel could provide. Indeed, this alleged difference may prove important in deciding whether a Class C assignment is warranted. At present, however, we lack the necessary data. Deltona's assertions in this regard are based on existing facilities rather than on the methods outlined in Roanoke Rapids-Goldsboro, North Carolina (9 F.C.C. 2d 672, 673 (1967)). Such a showing, including pertinent maps, is required in order to resolve this question.

3. Deltona has shown that the channel could be assigned without necessitating other changes in the FM Table, and it is clear that it could be used consistent with applicable engineering requirements as to city coverage and the like. Nevertheless, some preclusionary effect would result from the proposed assignment. While no further showing from Deltona is required on this point, our decision to proceed with its proposal should not be taken as indicating a firm determination that these preclusionary effects are without consequence. We reserve that decision, observing only that they are not such as to necessarily be an impediment. Were it otherwise, we would not issue a Notice.

4. Deltona should provide the requested information in its comments and confirm its intention to proceed should the channel be assigned. It should also indicate what its intentions would be if a Class A channel should be assigned instead of the requested Class C channel. Comments from other interested parties are also invited.

ST. AUGUSTINE, FLORIDA

5. State Senator Jack D. Gordon (Gordon) petitions for assignment of Channel 283 to St. Augustine, Florida. Doing so would require substitution of Channel 288A for Channel 285A, assigned to WKTX, Inc., licensee of Station WJNJ-FM, at Atlantic Beach, Florida. St. Augustine (population 12,352) is the seat of St. John County (population 30,727) and has two standard broadcast stations and a Class A FM station. The requested channel would be its second FM assignment.

6. Gordon alleges that, although St. Augustine has experienced a decline in its population between 1960 and 1970, the area immediately surrounding it stands presently on the threshold of rapid and explosive growth. He points to the planned community of St. Augustine Shores by The Deltona Corporation, located 4.5 miles south of St. Augustine, contends that some 300 homes have been completed or under construction with an estimated population of about 1,200, and expects to have 8,000 living units within the next 10 years with 32,000 persons residing therein. Gordon asserts that the St. John County population is expected to increase about 25 percent by 1980. Gordon also points to another community that of Palm Coast being constructed by International Telephone and Telegraph some 28 miles south of St. Augustine with expected population of 700,000 persons by the year 2000 and to a number of smaller communities which can be treated by programming over the St. Augusine facility.

7. Gordon asserts that, because of the present and future growth in population, there exists a sound economic basis upon which a Class C station could operate in this area of coastal Northeast Florida. His expected coverage showing, based on the Roanoke Rapids-Goldsboro, North Carolina, criteria, indicates that a St. Augustine station, operating with 75 kilowatts and an antenna height of 500 feet above average terrain, would not provide a first FM service to any area. However, it would provide a second FM service to 7,635 persons (1970 Census). The proposal to assign Channel 283 to St. Augustine would not preclude future assignment on any of the seven pertinent channels involved, but the assignment of Channel 288A as substitute for Channel 285A at Atlantic Beach would foreclose future assignment on Channel 288A only. Gordon's study shows that there are

[1] Our consideration of this proposal should not in any way be taken as indicating an absence of questions about the licensing of what would be the only radio station in the community to the corporation that owns or controls virtually the entire community. Such questions are properly resolvable only upon the filing of an application and will not affect our action here which is limited to an examination of the community's need for local service and other related issues.

four communities within the precluded area where Channel 288A could be assigned, and that there are four other Class A Channels available so that each of these communities could have an assignment. It appears that there are two or more FM services presently available within most of the expected service area. However there is a small area where there is only one FM service available. We are therefore inviting comments on the proposal concerning its merit and whether the assignment would be in the public interest.

8. One further matter that needs to be considered here is the consequence of the proposed substitution of the channel at Atlantic Beach, Florida. Channel 285A is presently assigned to Station WJNJ–FM and the station's channel would have to be changed to Channel 288A. Gordon states that should he become the permittee of Channel 283 at St. Augustine, he stands ready to reimburse Station WJNJ–FM for all legitimate and prudent out-of-pocket expenses incurred by Station WJNJ–FM for the cost of changing channels, including engineering, legal, and equipment costs, the re-printing of station logs and stationary, out-of-pocket non-deductible expenses while Station WJNJ–FM is off the air during the period of changing frequency, and the cost of advertising promotion for the new frequency of Station WJNJ–FM. A show cause order will therefore be issued to the licensee of Station WJNJ–FM to provide it with an opportunity to indicate whether it consents to or is opposed to the proposed change in its assignment.

MILTON, FLORIDA

9. H. Byrd Mapoles, tr/as Mapoles Broadcasting Company (Mapoles), licensee of Station WXBM–FM, operating on Channel 272A at Milton, Florida, is requesting a change in his channel assignment. Mapoles states that, due to the operation of Station WBOP–FM, Pensacola, Florida, on Channel 268 from a location about four miles west of the site of the Milton station, Station WXBM–FM cannot adequately serve its listening audience in Milton and the neighboring communities and rural areas. Mapoles contends that the great disparity in power between the two facilities (100 kW. vs 3 kW.) and the close proximity of the two stations on the dials (four channels apart) have created a substantial amount of interference to reception of the WXBM–FM signal, that the interference is manifested by the "capture effect" of receivers employing automatic frequency control (AFC) which seeks the stronger signal, and that this AFC action often results in either the total loss of the WXBM–FM signal or the simultaneous reception of both signals. Mapoles asserts that the move of WXBM–FM from Channel 272A to Channel 274 would completely eliminate the problem by virtue of greater channel separation and the reduction in the disparity of signal strength between the two stations that would result through-out the normal WXBM–FM service area.

10. In addition, Mapoles urges that the substitution of the channel would result in service to 289,180 more persons in an area of 3,297 square miles who would receive the WXBM–FM signal. The geographical areas would include Escambia County, part of Okaloosa County in northern Florida, and Baldwin and Escambia Counties in southern Alabama. Since most of the areas around Milton are farm lands, Mapoles states that Station WXBM–FM broadcasts a great deal of farm news, market reports and special weather broadcast along with the program format which principally consists of country and western music.

11. The requested change in the assignment to Channel 274 at Milton would foreclose future assignments on Channels 272A, 274 and 276A. There are several communities located within the preclusion areas which do not have local FM broadcast facilities. The communities are East Brewton, population 2,336; Robertsdale, population 2,078; Citronella, population 1,935, all in Alabama; Century, population 2,679; Cantonment, population 3,241; and Gulf Breeze, population 4,190, all in Florida. Foley, Alabama, population 3,368, also does not have a local FM station, but it has a daytime-only standard broadcast station (WHEP). Mapoles contends that Foley, Cantonment and Gulf Breeze are served by FM stations located in Mobile, Alabama, and Pensacola, Florida. However, we need to know whether there are any other channels available that could be assigned to one or more of these communities. Further, on the basis of the Roanoke Rapids-Goldsboro, North Carolina, showing, the petitioner's study indicates that the Milton station, operating with 100 kilowatts and antenna height of 500 feet above average terrain, would not provide a first FM service to any area, but it would provide a second FM service to 817 persons in an area of 72 square miles.

12. Station WXBM–FM is the only local broadcast station at Milton, a community of 5,360 persons and the seat of Santa Rosa County, population 37,741 persons. Although the proposed change in the type of operation would result in approximately 300,000 more persons receiving another FM service, it would not result in substantial gain in population receiving a first or a second FM service. However, it appears that Station WXBM–FM may not be able to provide a satisfactory service to Milton and its environs using its present channel because of the proximity to Station WBOP–FM. While these facts support the proposed change in the assignment from Channel 272A to Channel 274 at Milton, Florida, they also support the substitution of another Class A channel. Accordingly, in addition to inviting comments on the Mapoles proposal, we wish to consider the comparative merit of a Class A substitution as well. We need to know if a channel is available and what the advantages and disadvantages of such an approach would be.

13. *Showings required.* Comments are invited on the proposals discussed above. Proponent will be expected to answer whatever questions are raised in the Notice and other questions that may be presented in initial comments. The proponents of the proposed assignments are expected to file comments even if they only submit or incorporate by reference their former pleadings. Proponents should also restate their present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file comments may lead to denial of the request.

14. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposal in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

15. In view of the foregoing and pursuant to the authority contained in sections 4(i), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules, it is proposed to amend the Table of FM Assignments, § 73.202 (b) of the Commission's rules and regulations, as follows:

City	Channel number	
	Present	Proposed
Atlantic Beach, Fla	285A	288A
Marco, Fla		266
Milton, Fla	272A	274
St. Augustine, Fla	249A	249A, 283

16. *It is ordered,* That, pursuant to section 316 of the Communications Act of 1934, as amended, WKTX, Inc., licensee of Station WJNJ–FM, Atlantic Beach, Florida, SHALL SHOW CAUSE why its license should not be modified to specify operation on Channel 288A instead of Channel 285A if the Commission in this proceeding finds it in the public interest to assign Channel 283 to St. Augustine, Florida, and to substitute Channel 288A for Channel 285A at Atlantic Beach, Florida; this order being made with the understanding that the permittee of Channel 283 at St. Augustine, Florida, will pay reasonable reimbursement of expenses incurred in the change of channel operation of Station WJNJ–FM at Atlantic Beach, Florida.

17. Pursuant to § 1.87 of the Commission's rules and regulations, the licensee of Station WJNJ–FM, may, not later than May 23, 1974, request that a hearing be held on the proposed modification. Pursuant to § 1.87(f), if the right to request

a hearing is waived, WKTX, Inc., may, not later than July 1, 1974, file a written statement showing with particularity why its license should not be modified, or not so modified as proposed in the Order to Show Cause. In this case, the Commission may call on WKTX, Inc., to furnish additional information, designate the matter for hearing, or issue without further proceeding an order modifying the license as provided in the Order to Show Cause. If the right to request a hearing is waived and no written statement is filed by the date referred to above, WKTX, Inc., will be deemed to consent to modification as proposed in the Order to Show Cause and a final Order will be issued by the Commission if the channel changes mentioned in paragraph 15 above are found to be in the public interest.

18. H. Byrd Mapoles, tr/as Mapoles Broadcasting Company, has requested a Show Cause Order to be issued to specify the use of Channel 274 by Station WXBM-FM. Since the petitioner is the licensee of the station involved, we view the request as consent to modification, and therefore find it unnecessary to issue an order to show why its license should not be modified to specify operation on Channel 274 if that channel is substituted for Channel 272A at Milton, Florida.

19. The Secretary of the Commission will send a copy of this notice of proposed rulemaking by Certified Mail, return receipt requested, to the parties to whom Show Cause Orders were directed.

20. Pursuant to applicable procedures set out in § 1.415 of the Commission's Rules and Regulations, interested parties may file comments on or before May 23, 1974, and reply comments on or before June 3, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

21. In accordance with the provisions of Section 1.419 of the Commission's Rules and Regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

22. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street NW., Washington, D.C.

Adopted: April 8, 1974.

Released: April 11, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-8593 Filed 4-12-74;8:45 am]

[47 CFR Part 76]

[Docket No. 19995; FCC 74-335]

CABLE TELEVISION SYSTEMS

Network Program Exclusivity Protection

Notice of inquiry and proposed rulemaking. In the matter of Amendment of Subpart F of Part 76 of the Commission's Rules and Regulations with respect to Network Program Exclusivity Protection by Cable Television Systems, Docket No. 19995, RM-2275.

1. The Commission has before it a Petition for Rulemaking (RM-2275) in the above-entitled matter, filed on November 12, 1973, by the National Cable Television Association (NCTA). This petition asks that the Commission institute a rulemaking proceeding looking towards the adoption of six specified modifications of the network program exclusivity rules, as encompassed in § 76.91 of the rules, as "* * * an interim measure pending a thorough study by the Commission of the need for any nonduplication rule."

2. The NCTA petition has provoked heated responses both in support and in opposition to their proposals. Cable television interests suggest that the premises underlying the non-duplication rules are demonstrably invalid and that the rules themselves are inequitable, without proven justification, contrary to the public interest, and the single most vexing problem to cable television subscribers. Broadcasting interests have responded that the rules rest on a solid legal foundation, that any changes in the present rules would be extremely injurious to them, that NCTA's proposals are in violation of the "Consensus Agreement," and that any inconvenience to cable subscribers caused by the rules is essentially illusory. They urge that the Commission not commence a rulemaking proceeding in this matter.

3. The basic components of our network program exclusivity or non-duplication rules have remained essentially intact since the adoption of our Second Report and Order [1] in 1966. Between 1966 and 1972, the Commission was involved in developing a comprehensive regulatory scheme for cable television which would permit the industry to develop significantly without causing substantial harm to our nationwide television broadcasting service. The primary purpose of network program exclusivity has been to prevent the erosion or fractionalization of local television station audiences which could precipitate a substantial decrease in the advertising revenues of local stations and, thereby, threaten their continued economic viability.

4. Prior to 1973, the Commission's overriding concern for establishing a sound regulatory framework for cable militated against any thorough reexamination of the nonduplication rules and their operational effects. However, we have been keenly aware of the dissatisfaction and frustration expressed by cable subscribers and system operators with the rules as they presently stand. And, now that our basic regulatory structure for cable is firmly in place, we believe it is appropriate and seasonable to commence a rulemaking proceeding in order to review our present rules and policies on network program exclusivity and to determine what, if any, modifications of the rules may be warranted.

HISTORY

5. Prior to discussing any proposed modifications of the exclusivity rules, a brief history of their evolution would be helpful. The nature and extent of the potential economic effects of cable television on television broadcast stations has long been a matter of concern to the Commission.[2] Our first step in the direction of imposing non-duplication rules came in 1962, in the case of Carter Mountain Transmission Corporation,[3] when the Commission denied an application for a permit to install microwave facilities to be used to transmit distant television signals to a cable system. The Commission found that the proposed service, by providing the cable system with distant signals which would duplicate the programming of the sole local television station, would have a sufficient adverse economic impact on the station to cause its demise. After weighing the benefits to be derived from Carter's improved facilities against the potential loss of the only local broadcasting service, it was determined that the proposed operations would not be in the public interest. The microwave application was, therefore, denied, without prejudice, however, to Carter's refiling when it could show that the cable system would carry the signal of the local station without duplication of its programing.

6. Following the Carter Mountain decision, we instituted rule making proceedings [4] which resulted in the adoption of the Commission's first CATV rules, governing microwave-served systems. In the First Report and Order,[5] the Commission concluded that a cable system's duplication of local television station programming via carriage of distant signals constituted an unfair method of competition with broadcasters. In order to equalize the conditions under which cable systems and broadcasters competed and to ameliorate the risk that cable television would have a future adverse economic impact on television broadcasting service, we adopted mandatory signal carriage and program exclusivity rules for microwave-served cable systems.[6]

7. Approximately one year later, we released our Second Report and Order [7] in

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[1] Second Report and Order in Docket Nos. 14895, 15233, and 15791, 2 FCC 2d (1966).

[2] See Report and Order in Docket No. 12443, "CATV and TV Repeater Services," 26 FCC 403 (1959).

[3] Carter Mountain Transmission Corp., 32 FCC 459 (1962), aff'd sub nom, Carter Mountain Transmission Corp. v. FCC, 321 F 2d 359 (D.C. Cir. 1963), cert. denied, 375 U.S. 951 (1963).

[4] Notice of Proposed Rule Making in Docket No. 14895, 27 Fed. Reg. 12586 (1962). Further Notice of Proposed Rule Making in Docket No. 14895 and Notice of Proposed Rule Making in Docket 15233, 28 Fed. Reg. 13789 (1963).

[5] First Report and Order in Docket Nos. 14895 and 15233, 38 FCC 683 (1965).

[6] Under former Section 21.712 (e) and (f) non-duplication protection was required for a period of 15 days before and after a program broadcast.

[7] Second Report and Order in Docket Nos. 14895, 15233, and 15971, 2 FCC 2d 725 (1966).

which we asserted jurisdiction over all cable systems and adopted more comprehensive rules and regulations governing their operation. The program exclusivity provisions of the 1966 rules[8] required that a cable system located within the Grade B or higher priority contour of a television station, upon request of the station licensee or permittee, maintain the station's exclusivity as a program outlet against lower priority or more distant duplicating signals on the same day as the program broadcast by the station. Priorities under this rule were assigned on the basis of television stations' predicted signal strength contours, which, from highest to lowest priority, were Principal Community, Grade A, Grade B, and television translator stations operating in the community of the system with 100 watts or higher power.

8. Two years after the release of the Second Report and Order, the Commission launched an inquiry into the long range development of cable television service, which resulted in the adoption of the Cable Television Report and Order[9] in 1972. The network program exclusivity provisions of the new rules,[10] although reducing the period of required nonduplication protection from same day to simultaneous, carried forward all precedents and policies evolved under former Section 74.1103. But, with the release of our Reconsideration of Report and Order[11] later in 1972, the period of required exclusivity protection reverted to same day for stations in the Mountain Standard Time Zone licensed to communities not in the first 50 major television markets.

CONSIDERATIONS IMPELLING A RULEMAKING

9. There are several considerations which impel us to institute this inquiry and rule making proceeding today. Over the past several years, we have been continually flooded with complaints and petitions from cable television system operators, cable system subscribers and members of Congress concerning a variety of alleged inequities which occur as a result of our network program exclusivity rules. The sheer volume and consistency of these complaints has suggested that, at minimum, some reexamination of our existing provisions would be appropriate in order to determine the validity of the numerous objections which have been raised. In addition, relatively little current information on the operational effects of our exclusivity rules has ever been compiled.[12] This fact became particularly evident to us during our consideration of the rule changes proposed in Docket No. 18785.[13] Any in-depth evaluation of the exclusivity rules we might have contemplated in conjunction with Docket No. 18785 would necessarily have been circumscribed not only by the narrow scope of that proceeding, but by the paucity of available data on the practical impact of our rules. As a result, we decided to inaugurate an inquiry and rule making proceeding to serve as a forum in which the views of all concerned parties could be aired and which would provide current and comprehensive data necessary to enable us to determine what modifications of the existing exclusivity rules might be warranted. Concurrent with our own consideration of these matters, the National Cable Television Association filed its petition for rule making. The NCTA petition contains substantial data which, although by no means is dispositive of the questions with which we are concerned, does serve to reinforce our view that a reexamination of the present network program exclusivity rules is appropriate at this time.

10. In view of the complexity of the issues related to network program exclusivity, we will not attempt to provide an exhaustive review of either the NCTA petition or the comments filed in response thereto. Rather, we will outline NCTA's proposed modifications of the rules and summarize representative opposition comments, followed by a statement of the issues on which we would like comments.

11. The NCTA petition enumerates six proposed modifications of the rules, requesting:

a. That cable systems be required to provide non-duplication protection only to those television stations within whose 35-mile zone the cable system is located, in whole or in part.

b. That systems be permitted to carry a protected station on the channel which is required to be blacked out.

c. That systems operating in communities served by television translator stations not be required to delete programs which the translator may carry.

d. That a change in a television station's facilities should not give rise to a requirement for non-duplication protection.

e. That a permanent exemption from the non-duplication rules be adopted for cable systems having fewer than 1500 subscribers.

f. That simultaneous-only, rather than same-day non-duplication protection be provided for stations in the Mountain Standard Time Zone.

12. This petition contains substantial data in support of the aforementioned proposals, including the results of studies relating to the proposed 1500 subscriber system exemption and data on network program practices in the Mountain Standard Time Zone. Generally, NCTA argues that the present non-duplication rules cause hardship and inconvenience to cable television systems and their subscribers and that adoption of the proposed modifications will make the existing rules more equitable without unduly injuring broadcasters. Comments filed in reply to the petition by cable television operators fully support the NCTA's position on the issues.

13. Broadcasting interests express unanimous opposition to the commencement of any rule making proceeding in regard to the network program exclusivity rules. They accuse NCTA of selectivity abrogating certain portions of the "Consensus Agreement" while claiming the benefits of others, and suggest that such action will make future compromises between the industries unlikely. On the merits of the NCTA's proposed modifications, they state that exclusivity should not be limited to cable systems within a station's specified zone, because it is the complementary nature of the signal carriage and non-duplication rules that is of importance, not consistency between them. They further state that the majority of existing cable systems would qualify under the proposed exemption for systems having fewer than 1500 subscribers and that NCTA's data is inconclusive of this issue as well as in regard to their proposed change to simultaneous-only protection for stations in the Mountain Standard Time Zone. Generally, it is argued that network program exclusivity is needed by broadcasters even more now than it was in the mid 1960's and that the rules should remain as they now stand.

ISSUES FOR COMMENT

14. Numerous complaints and petitions we have received concerning program exclusivity seem to indicate that our present rules may engender results neither contemplated by the Commission nor necessary for the adequate protection of local television broadcast stations. For example, due to the operation of our existing rules, cable television subscribers are often precluded from viewing television signals ordinarily receivable off-the-air in their community via simple roof-top antennae. In addition, cable system operators object to the fact that they are required to carry stations which are significantly viewed in their community, under our signal carriage rules, and are then required to black out the same stations during a substantial portion of the broadcasting day in order to comply with our exclusivity rules. In the aforementioned circumstances, our rules may be creating what is, in effect, an artificial zone of protection for one station as against another station with which it would otherwise have to compete for viewers in the cable community.

15. To avoid such alleged results, it may be necessary to provide a method of assigning priorities or zones of protection to television stations which will better reflect actual television viewing patterns in cable communities. Some modification of the existing system of priorities may be required in order to

[8] Section 74.1103(e)(f)(g).

[9] Cable Television Report and Order, FCC 72-103, 36 FCC 2d 143 (1972).

[10] Section 76.91 et seq.

[11] Reconsideration of Report and Order, 36 FCC 2d 326 (1972).

[12] In 1967, the Commission sent questionnaires to cable systems and television station licensees for the purpose of determining the effects of the program exclusivity provisions of former § 74.1103. Notice of Inquiry in Docket No. 17505, 9 FCC 2d 984 (1967). However, due to the voluntary nature of that inquiry, replies were returned by only 10 percent of those to whom questionnaires were mailed, and the results of the proceeding were, therefore, inconclusive.

[13] Our Notice of Proposed Rule Making in Docket No. 18785, FCC 70-65 (1970), proposed an amendment to the rules which would exempt cable systems having fewer than 500 subscribers from our signal carriage and program exclusivity rules.

accomplish this result. The present system of priorities was initially established prior to the adoption of any signal carriage restrictions by the Commission. At that time, the exclusivity rules provided the only protection to local broadcasters from the competition of distant duplicating signals carried by cable systems. Since we now have comprehensive signal carriage requirements and restrictions, based upon clearly defined formulas it may be desirable to modify our priorities so as to make them more consistent with our carriage rules.

16. There are a number of other issues on which we would like comments. For instance, since smaller market television stations, particularly UHF's often are only marginally profitable and have the least stable financial situations, should our non-duplication rules and exemptions vary according to the size of the television market in which a cable system is located? Should any blanket exemptions from our rules be based upon criteria other than system size? What improvements can be made in the existing provisions regarding program notices, and what sanctions should be applied to either cable systems or broadcast stations that do not comply with the exclusive rules?

17. In the list of questions, below, we have attempted to present all possible areas in which modifications of the rules may be desirable, and all issues which may be of relevance to our final determinations in this matter. We trust that substantial statistical data will be submitted in support of any general claims of harm made by commenting parties. Any issues raised in responsive comments, but not addressed below, will receive due consideration by the Commission.

The Commission requests comments from all interested parties on the following questions:

1. Generally, what, if any, modifications of the Commission's network program exclusivity rules should be adopted?

2. Should a new or modified system of priorities or zones of protection be established for television broadcast stations?

3. Can the network program exclusivity rules be modified so as to better reflect actual viewing patterns of television signals available off-the-air in cable communities and, thereby, be made more consistent with the Commission's signal carriage rules?

4. Should the degree of exclusivity protection afforded television broadcast stations vary according to the size of the television market in which a cable system is located?

5. Should a general exemption or other form of relief be provided for cable systems located outside of the specified 35-mile zones of all television broadcast stations? (Defined by § 76.5(f) of the rules.)

6. Should a higher priority or other special consideration be provided for television stations located within the same state as a cable system, as against out of state stations?

7. Should a general exemption be adopted for cable systems having fewer than 1500 subscribers?

8. Should any general exemptions from the rules be based upon criteria other than system size (the number of subscribers to a cable system, as defined by § 76.5(a))? For example, a formula based on the total population of a community could be employed, whereby cable systems located in communities having a total population of 3100 or less would be exempted from the rules regardless of the actual number of system subscribers:

3100 × 3.1 persons per household = 1000 households

1000 × 50% penetration = 500 households

9. Should the period of required exclusivity in the Mountain Standard Time Zone be changed?

10. Should cable systems be permitted to carry a protected station on a channel which is required to be blacked out?

11. Should a cable system be permitted to carry television programs carried by television translator stations serving the cable community?

12. Should a change in a television station's facilities give rise to a requirement for non-duplication protection?

13. What improvements can be made in the procedural aspects of the rules concerning timing and sufficiency of program notices and schedules required to be supplied to cable system by television stations requesting exclusivity?

14. Should new rules or procedures be adopted to provide for the imposition of sanctions by the Commission against:

a. cable systems which fail to comply with proper requests for network program exclusivity protection, or

b. broadcasters who fail to provide cable systems with proper and timely program notices.

What sanctions, if any, should be available to the Commission?

15. Should existing waiver procedures and policies be modified?

18. The Commission continues to regard some form of network program exclusivity as a necessary incident to a coherent cable regulatory policy, as one means of maintaining a healthy and viable nationwide television broadcasting service. As we stated in our Cable Television Report and Order:

> * * * the Commission retains full freedom and, indeed, the responsibility to act as future developments warrant. . . . This is not to say that such matters as signal carriage, exclusivity, and leapfrogging are insignificant. These rules represent our best judgment as to broad policies that should govern cable's evolution. The Commission has no intention of setting out detailed regulations today, only to rewrite them tomorrow. But, as we gain experience and insight, we retain the flexibility to act accordingly—to make revisions, major or minor—and to keep pace with the future of this dynamite area of communications technology.

Authority for this rulemaking proceeding is contained in sections 2, 3, 4 (i) and (j), 301, 303, 307, 308, 309, and 403 of the Communications Act of 1934, as amended.

Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, all interested parties may file comments on or before June 17, 1974, and reply comments on or before July 5, 1974. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account any other relevant information before it in addition to the specific comments invited by this notice.

In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, replies, pleadings, briefs and other documents filed in this proceeding shall be furnished to the Commission. Responses will be available for public inspection during regular business hours in the Commission's Public Reference Room at its Headquarters in Washington, D.C.

Adopted: April 3, 1974.

Released: April 9, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-8587 Filed 4-12-74;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 435]

UNDELIVERED MAIL ORDER MERCHANDISE AND SERVICES

Opportunity To Submit Written Data, Views or Arguments; Extension of Time

Notice of a Revised Proposed Trade Regulation Rule Concerning Undelivered Mail Order Merchandise and Services was published in the FEDERAL REGISTER on March 8, 1974 (39 FR 9201). The Notice also set forth the text of the revised proposed rule.

In response to petitions from interested parties for more time to submit written data, views or arguments, the Federal Trade Commission has extended the closing date for receiving such comments until June 14, 1974. Comments should be submitted to the Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Pennsylvania Avenue and Sixth Street, NW., Washington, D.C. 20580.

Approved: April 9, 1974.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-8604 Filed 4-12-74;8:45 am]

POSTAL SERVICE

[39 CFR Part 123]

NONMAILABLE MATTER

Undelivered Mail Order Merchandise and Services; Extension of Comment Period

The Postal Service submitted a proposed regulation regarding undelivered mail order merchandise and services which appeared on March 8, 1974 (39 FR 9203). This rule was proposed in conjunction with the Federal Trade Commission's rule which appeared on the same date (39 FR 9201).

The Federal Trade Commission has extended the date for filing comments to its proposed regulation until June 14, 1974. As a result of many requests for additional time to respond, the Postal Service also extends the date for filing comments until June 14, 1974. Comments may be filed with the Assistant General Counsel, Consumer Protection Office, Law Department, U.S. Postal Service, Washington, D.C. 20260.

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.74-8603 Filed 4-12-74;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 STATE

[Public Notice CM-129]

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

Notice of Meeting

The Department of State announces that Study Group 1 of the U.S. CCITT National Committee will meet on May 8, 1974 at 10 a.m. in room 502 of the Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. This Study Group deals with U.S. Government regulatory aspects of international telegraph and telephone operations and tariffs and, with respect to the meeting announced herein, will deal particularly with tariff principles for the lease of telecommunication circuits.

The agenda of the May 8 meeting will include:

a. Consideration of possible temporary documents to be submitted on behalf of the United States at an upcoming international conference, and

b. Finalization of U.S. delegation instructions for the aforementioned conference.

Members of the general public who desire to attend the meeting on May 8 will be admitted up to the limit of the capacity of the meeting room.

Dated: April 5, 1974.

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

[FR Doc.74-8548 Filed 4-12-74;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 74-123]

FOREIGN CURRENCIES

Certification of Rates

APRIL 3, 1974.

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372 (c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 74-40 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Austria schilling:	
Mar. 25, 1974	$0.0527
Mar. 26, 1974	.0529
Mar. 27, 1974	.0527
Mar. 28, 1974	.0530
Mar. 29, 1974	.0532
Belgium franc:	
Mar. 25, 1974	$0.025510
Mar. 26, 1974	.025480
Mar. 27, 1974	.025295
Mar. 28, 1974	.025675
Mar. 29, 1974	.025550
Denmark krone:	
Mar. 28, 1974	$0.1645
Germany deutsche mark:	
Mar. 25, 1974	$0.3943
Mar. 26, 1974	.3932
Mar. 27, 1974	.3898
Mar. 28, 1974	.3972
Mar. 29, 1974	.3948
Netherlands guilder:	
Mar. 25, 1974	$0.3730
Mar. 26, 1974	.3714
Mar. 27, 1974	.3678
Mar. 28, 1974	.3725
Mar. 29, 1974	.3720
Norway krone:	
Mar. 28, 1974	$0.1821
Mar. 29, 1974	.1845
Portugal escudo:	
Mar. 29, 1974	$0.0405
Sweden krona:	
Mar. 25, 1974	$0.2258
Mar. 26, 1974	.2253
Mar. 28, 1974	.2276
Mar. 29, 1974	.2260
Switzerland franc:	
Mar. 25, 1974	$0.3341
Mar. 26, 1974	.3328
Mar. 27, 1974	.3307
Mar. 28, 1974	.3350
Mar. 29, 1974	.3316

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.

[FR Doc.74-8584 Filed 4-12-74;8:45 am]

[442.164]

TARIFF CLASSIFICATION OF SYNTHETIC SINGLE CRYSTAL QUARTZ AND ARTICLES THEREOF

Notice of Petition Filed by American Manufacturer

APRIL 8, 1974.

The Customs Service has received a petition pursuant to section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516), on behalf of an American manufacturer of synthetic single crystal quartz products requesting that the Customs Service change its previous ruling holding cultured quartz crystal products to be classifiable under the provision for glass, in the mass, containing over 95 percent silica by weight, in item 540.11, Tariff Schedules of the United States (TSUS). The ruling was issued on February 5, 1965. An abstract of the ruling was published as T.D. 56413(18), dated May 20, 1965.

The merchandise which is the subject of the American manufacturer's petition consists of synthetic single crystal quartz, as grown; synthetic quartz cut into lumbered bars; and synthetic quartz cut into wafers, but not lapped to frequency. The petition states that synthetic quartz is manufactured by depositing extremely pure silicon dioxide which has been dissolved in an aqueous solution on a solid quartz seed in an autoclave maintained at high temperature and pressure. Synthetic quartz is primarily used in the manufacture of electronic components for stabilizing frequencies.

The reason submitted in the petition for the belief that the subject merchandise is not classifiable under item 540.11, TSUS, is that synthetic quartz crystal is not glass.

The petitioner believes that the subject merchandise is properly classifiable under the provision for synthetic materials of gemstone quality, such as, but not limited to, corundum, spinel, and rutile, and articles not specially provided for, of such materials, in item 520.75, TSUS. The petitioner alleges that synthetic quartz has the same general chemical composition as natural quartz, and has a crystalline molecular structure. The petitioner states that synthetic quartz crystals of a grade suitable for electronic use are "of gemstone quality" in that they are translucent and free of visible internal imperfections.

Classification under item 520.75, TSUS, would result in the assessment of higher rate of duty than that now being assessed under item 540.11, TSUS.

Consideration will be given to relevant data, views, or arguments pertaining to the subject petition which are submitted to the Commissioner of Customs, Attention: Classification and Value Division, Washington, D.C. 20229, and received on or before May 6, 1974. No public hearing will be held.

VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.74-8583 Filed 4-12-74;8:45 am]

Office of the Secretary

PHOTO ALBUMS FROM CANADA

Tentative Discontinuance of Antidumping Investigation

APRIL 11, 1974.

Information was received on September 10, 1973, that photo albums from Canada were being sold at less than fair

value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of October 15, 1973 (38 FR 28577).

I hereby announce a tentative discontinuance of the antidumping investigation concerning photo albums from Canada.

Statement of reasons on which this notice of tentative discontinuance of antidumping investigation is based. The investigation revealed that the proper basis of comparison for fair value purposes is between purchase price and the adjusted home market price of such or similar merchandise.

The purchase price was calculated by deducting from the duty-paid delivered price to the United States, foreign inland freight, brokerage fees, sales commissions, United States duty, and cash discount, where appropriate. Additions were made for Canadian duties on imported materials, refunded or not collected by reason of the merchandise under consideration, and federal sales taxes.

Home market price was calculated on the basis of the f.o.b. price to purchasers in Canada with deductions for inland freight and cash discount where appropriate. Adjustments were made for sales commission, certain selling expenses, and differences in the merchandise.

Comparisons between purchase price and the adjusted home market price revealed some instances where purchase price was lower than the adjusted home market price of such or similar merchandise. However, these were determined to be minimal in terms of the volume of export sales involved.

In addition, formal assurances were received from the sole manufacturer investigated, who accounted for substantially all of the exportations of photo albums to the United States during the period of investigation, that it would make no future sales at less than fair value within the meaning of the Act.

The facts recited above constitute evidence warranting the discontinuance of the investigation.

Interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20229, in time to be received by his office on or before April 25, 1974. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office on or before May 15, 1974.

Unless persuasive evidence or argument to the contrary is presented pursuant to the preceding paragraphs, a final notice will be published discontinuing the investigation.

This notice of tentative discontinuance of antidumping investigation is published pursuant to § 153.15(b) of the Customs regulations (19 CFR 153.15(b)).

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

[FR Doc.74-8735 Filed 4-12-74;9:47 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA 1568]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 5, 1974.

The Department of Agriculture, on behalf of the Forest Service has filed application CA 1568 for the withdrawal of 60 acres of national forest lands described herein, from all forms of appropriation under the mining laws (30 U.S.C. ch 2) but not from leasing under the mineral leasing laws, subject to valid existing rights.

The lands are located within the Tahoe National Forest and have been open to entry under the general mining laws, subject to valid existing rights. The lands are proposed for campground, picnic and recreation facilities and any disturbance to these facilities would adversely affect their value for public purposes. The Forest Service has made application to withdraw the lands from mining in order to protect their value for present and future purpose.

On or before May 15, 1974, all persons who wish to submit comments, suggestions, or objections with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

The Department's regulations provide that the Authorized Officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and their resources. Adjustments will be made as necessary to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The Authorized Officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested.

The determination of the Secretary on the application will be published in the Federal Register. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

MOUNT DIABLO BASE AND MERIDIAN

TAHOE NATIONAL FOREST

Secret Canyon Recreation Site

T. 20 N., R. 11 E.,
Sec. 31, S½ Lot 5, S½S½ Lot 8

The area described aggregates 60 acres.

WALTER F. HOLMES,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-8612 Filed 4-12-74;8:45 am]

[New Mexico 20546]

NEW MEXICO

Notice of Application

APRIL 4, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), El Paso Natural Gas Company has applied for an 8⅝ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 23 S., R. 24 E.
Sec. 1, E½SE¼, SW¼SE¼
Sec. 12, NW¼NE¼, E½W½, W½SE¼
Sec. 13, E½NW¼, NE¼SW¼
Sec. 23, SE¼NE¼, N½SE¼, SW¼SE¼
Sec. 24, W½NW¼
Sec. 26, NW¼NE¼, E½NW¼, SW¼NW¼, W½SW¼
Sec. 27, SE¼SE¼
Sec. 34, N½NE¼, SW¼NE¼, NW¼SE¼, E½SW¼
T. 24 S., R. 24 E.,
Sec. 3, Lots 3, 4, SW¼NW¼
Sec. 4, SE¼NE¼, E½SE¼, SW¼SE¼
Sec. 9, W½NE¼, SE¼NW¼, E½SW¼

This pipeline will convey natural gas across 8.262 miles of Federal land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address of the District Manager, Bureau of Land Management, Post Office Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-8543 Filed 4-12-74;8:45 am]

Fish and Wildlife Service

BACK BAY NATIONAL WILDLIFE REFUGE

Notice of Public Hearing

Notice is hereby given in accordance with provision of the Wilderness Act of September 3, 1964 (P.L. 88-577;78 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9:30 a.m. May 15 at the City Council Chambers, Virginia Beach, Virginia, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior

regarding the desirability of including a portion of the Back Bay National Wildlife Refuge within the National Wilderness Preservation System. The wilderness study included the entire acreage within the Back Bay National Wildlife Refuge, which is located in Princess Anne County, Virginia.

A study summary containing a map and information on the Back Bay Refuge may be obtained from the following: Refuge Manager, Back Bay National Wildlife Refuge, Box 6128, Virginia Beach, Virginia 23456, or the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormick Post Office and Courthouse, Boston, Massachusetts 02109.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director, at the above address by June 17, 1974.

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

APRIL 9, 1974.

[FR Doc.74-8570 Filed 4-12-74;8:45 am]

National Park Service

NATIONAL CAPITAL PARKS

Notice of Extension of Interpretive Visitor Transportation Services

Pursuant to Public Law 93-62 (Act of July 6, 1973, 87 Stat. 146), the Secretary of the Interior has been authorized to extend interpretive visitor transportation services to and between parks, memorials, monuments and other Federal areas within the District of Columbia and its environs upon the determination that such services are desirable to facilitate visitation and to insure proper management and protection of these areas. Public Law 93-62 specifically authorizes the extension of such visitor services to the grounds of the United States Capitol with the concurrence of the Architect of the Capitol.

Pursuant to this authority, it has been determined that extension of existing interpretive visitor transportation services from the Mall to the grounds of the Capitol is desirable to facilitate visitation and to properly manage and protect the Mall and Capitol in regard to accommodation of visitors and appropriate interpretation of these areas. The Architech of the Capitol has concurred in this determination and therefore, notice is hereby given that, pursuant to the direction of Public Law 93-62 and the authority of the Act of July 25, 1916, as amended and supplemented (16 U.S.C. 1, et. seq.), interpretive visitor transportation services are to be extended from the Mall to the grounds of the United States Capitol.

MANUS J. FISH, Jr.,
Director, National Capital Parks.

[FR Doc.74-8569 Filed 4-12-74;8:45 am]

EVERGLADES NATIONAL PARK, FLORIDA

Public Hearings Regarding Wilderness Proposal

Notice is hereby given in accordance with the provisions of the Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1131, 1132), and in accordance with Departmental procedures as identified in 43 CFR 19.5 that public hearings will be held beginning at 9:30 a.m. on May 22, 1974, in the Dade County Agricultural Center, 18710 Southwest 288 Street, Homestead, Florida, and beginning at 9:30 a.m. on May 23, 1974, in the Poinciana Elementary School, 2825 Airport Road, Naples, Florida, for the purpose of receiving comments and suggestions as to the appropriateness of a proposal for the establishment of wilderness comprising about 764,700 acres within the Everglades National Park, Florida.

A packet containing a preliminary wilderness study report, and providing additional information about the proposal, may be obtained from the Superintendent, Everglades National Park, Box 279, Homestead, Florida 33030, or from the Regional Director, Southeast Region, National Park Service, 3401 Whipple Avenue, Atlanta, Georgia 30344.

A description of the preliminary boundaries and a map of the areas proposed for establishment as wilderness are available for review in the Visitor Center, Everglades National Park, Florida, in the Florida Planning Office, 201 South Bronough Street, Tallahassee, Florida, and in Room 1210 of the Department of the Interior Building at 18th and C Streets NW., Washington, D.C.

Interested individuals, representatives of organizations and public officials are invited to express their views in person at the aforementioned public hearings, provided they notify the Hearing Officer, in care of the Superintendent, Everglades National Park, Box 279, Homestead, Florida 33030, by May 20, 1974, of their desire to appear. Those not wishing to appear in person may submit written statements on the wilderness proposal to the Hearing Officer at that address for inclusion in the official record which will be held open for written statements until June 24, 1974.

Time limitations may make it necessary to limit the length of oral presentations and to restrict to one person the presentation made in behalf of an organization. An oral statement may, however, be supplemented by a more complete written statement which may be submitted to the Hearing Officer at the time of presentation of the oral statement. Written statements presented in person at the hearing will be considered for inclusion in the transcribed hearing record. However, all materials so presented at the hearing shall be subject to determinations that they are appropriate for inclusion in the transcribed hearing record. To the extent that time is available after presentation of oral statements by those who have given the required advance notice, the Hearing Officer will give others present an opportunity to be heard.

After an explanation of the proposal by a representative of the National Park Service, the Hearing Officer, insofar as possible will adhere to the following order in calling for the presentation of oral statements:

(1) Governor of the State or his representative.
(2) Members of Congress.
(3) Members of the State Legislature.
(4) Official representative of the counties in which the proposed wilderness is located.
(5) Officials of other Federal agencies or public bodies.
(6) Organizations in alphabetical order.
(7) Individuals in alphabetical order.
(8) Others not giving advance notice, to the extent there is remaining time.

Dated: April 5, 1974.

RICHARD C. CURRY,
Associate Director, National Park Service.

[FR Doc.74-8475 Filed 4-12-74;8:45 am]

SLEEPING BEAR DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Sleeping Bear Dunes National Lakeshore Advisory Commission will be held between 4 p.m. and 5 p.m. on Friday, April 26, 1974, at Sugar Loaf Village, Maple City, Michigan.

The Commission was established by Pub. L. 91-479 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Sleeping Bear Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. John B. Daugherty (Chairman), Frankfort, Michigan
Mr. William B. Bolton, Empire, Michigan
Mr. Verrol Conklin, Honor, Michigan
Mr. Carl T. Johnson, Cadillac, Michigan
Mr. Frank C. MacFarlane, Cedar, Michigan
Mr. John Stanz, Glen Arbor, Michigan
Mr. Noble D. Travis, Leland, Michigan
Mr. Louis F. Twardzik, East Lansing, Michigan
Mr. Charles R. Williams, Traverse City, Michigan
Mr. Charles H. Yeates, Allegan, Michigan

The purpose of the Advisory Commission meeting is to report on the status of land acquisition and related activities and to bring the Commission members up to date on management programs and plans. These items will be presented by the staff of Sleeping Bear Dunes National Lakeshore.

The meeting will be preceded by a Planning Conference focusing on Federal, State, Regional, and local planning for Benzie and Leelanau Counties and Sleeping Bear Dunes National Lakeshore. This meeting has been organized by the

Sleeping Bear Dunes National Lakeshore Advisory Commission.

The meeting is open to the public. It is expected that 150 persons will be able to attend the session, in addition to the National Lakeshore staff and Advisory Commission members.

Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to file written statements, may contact J. A. Martinek, Superintendent, Sleeping Bear Dunes National Lakeshore, Frankfort, Michigan, at 616-352-9611. Minutes of the meeting will be available for public inspection two weeks after the meeting at the office of the Superintendent, 400½ Main Street, Frankfort, Michigan.

Dated: April 8, 1974.

ROBERT M. LANDAU,
Liaison Officer, Advisory Commissions, National Park Service.

[FR Doc.74-8488 Filed 4-12-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 8]

SALES OF CERTAIN COMMODITIES

Monthly Sales List (Fiscal Year Ending June 30, 1974)

The CCC Monthly Sales List for the fiscal year ending June 30, 1974, published in 38 FR 19259 is amended as follows:

1. The provisions of section 32 entitled "Peanuts—Shelled or farmers stock—restricted use sales" published in 38 FR 19261 as amended in 38 FR 22808, as revised in 38 FR 31691, and as amended in 38 FR 34217 are deleted.

Effective date: 2:30 p.m., e.d.t., March 29, 1974.

Signed at Washington, D.C. on April 8, 1974

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

[FR Doc.74-8621 Filed 4-12-74;8:45 am]

Office of Equal Opportunity

CITIZENS ADVISORY COMMITTEE ON CIVIL RIGHTS

Notice of Public Meeting

Pursuant to the provisions of the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776), notice is hereby given that a public meeting of the USDA Citizens Advisory Committee on Civil Rights will be held on May 7-9, 1974 at the Department of Agriculture, Washington, D.C. The meeting will convene at 9 a.m. each of the three days in Room 509-A. The meeting is open to the public.

The purpose of the meeting is to acquaint the committee members with the missions of the Department and develop a plan of work for the tenure of the committee.

Further information concerning this meeting may be obtained by contacting the Director, Office of Equal Opportunity, Washington, D.C. 20250. Interested persons may file written statements with the committee before or after the meeting.

Done at Washington, D.C., this 9th day of April 1974.

JEROME SHUMAN,
Director, Office of Equal Opportunity.

[FR Doc.74-8574 Filed 4-12-74;8:45 am]

Rural Electrification Administration

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.

Availability of Draft Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application submitted by Tri-State Generation and Transmission Association, Inc., 10520 Melody Drive, Northglenn, Colorado. The Statement covers the following transmission facilities:

A. Approximately 68 miles of 230 kV line from Laramie, Albany County, Wyoming, to Archer, Laramie County, Wyoming. Terminal facilities will be provided in a proposed substation to be constructed by Pacific Power and Light Company at Laramie, Wyoming, and an existing substation of the Bureau of Reclamation at Archer, Wyoming.

B. Approximately 86 miles of 230 kV line from Archer, Laramie County, Wyoming, to Brush, Morgan County Colorado. Terminal facilities will be provided in the existing substation of the Bureau of Reclamation at Archer, Wyoming, and in Tri-State's existing Story Substation at Brush, Colorado.

C. Approximately 14.5 miles of 230 kV line from Ault, Weld County, Colorado, to Fort Collins, Larimer County, Colorado. Terminal facilities will be provided in a proposed substation to be constructed by the Bureau of Reclamation at Ault and in the existing substation of the City of Fort Collins.

D. Approximately 26.0 miles of 230 kV line from Tri-State's proposed Gore Pass Substation approximately 4.5 miles north of Kremmling, Grand County, Colorado, to an existing Bureau of Reclamation Switching Station 3 miles northwest of Granby, Grand County, Colorado. The proposed Gore Pass Substation will be a 20/26.6/35 MVA, 138 kV to 69 kV facility.

E. Approximately 75.0 miles of 230 kV line from Tri-State's Big Sandy Substation presently under construction near Limon, Lincoln County, Colorado, to Tri-State's proposed Burlington Substation near Burlington, Kit Carson County, Colorado. The Burlington Substation will be a 60/80/100 MVA, 230 kV to 115 kV facility.

Additional information may be secured on request, submitted to Mr. David H. Askegaard, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Statement have been sent to various Federal, State and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Askegaard at the address given above. Comments must be received on or before June 14, 1974 to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 8th day of April 1974.

GEORGE P. HERZOG,
Acting Administrator, Rural Electrification Administration.

[FR Doc.74-8573 Filed 4-12-74;8:45 am]

Soil Conservation Service

CROMLINE CREEK WATERSHED PROJECT, NEW YORK

Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and Part 1500.6e of the Council on Environmental Quality Guidelines issued on August 1, 1973, the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental statement is not being prepared for the Cromline Creek Watershed Project, New York.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. A. C. Addison, State Conservationist, Soil Conservation Service, USDA, Midtown Plaza-Room 400, 700 East Water Street, Syracuse, New York 13210, has determined that the preparation and review of an

environmental statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment measures supplemented by one pump plant and 2.1 miles of channel modification.

The environmental assessment file is available for inspection during regular working hours at the following locations:

Soil Conservation Service, USDA, Midtown Plaza-Room 400, 700 East Water Street, Syracuse, New York 13210.

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 8, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-8607 Filed 4-12-74;8:45 am]

INDIAN CREEK WATERSHED PROJECT, MICHIGAN

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental statement for the Indian Creek Watershed Project, Lapeer, Sanilac, and Tuscola Counties, Michigan, USDA-SCS-ES-WS-(ADM)-74-29(D).

The environmental statement concerns a plan for watershed protection, flood prevention, and improved drainage. The planned works of improvement include conservation land treatment, supplemented by 7.7 miles of channel work.

A limited supply is available at the following locations to fill single copy requests.

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue, SW., Washington, D.C. 20250
Soil Conservation Service, USDA, Room 101, 1405 South Harrison Road, East Lansing, Michigan 48823

Copies of the draft environmental statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Arthur H. Cratty, State Conservationist, Soil Conservation Service, Room 101, 1405 South Harrison Road, East Lansing, Michigan 48823.

Comments must be received on or before June 3, 1974, in order to be considered in the preparation of the final environmental statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 5, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-8608 Filed 4-12-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

BROWN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket Number: 73-00504-01-77000. Applicant: Brown University, Providence, R.I. 02912. Article: Electron Spectrometer System, ES 100B. Manufacturer: AEI Scientific Apparatus, Ltd., United Kingdom. Intended use of Article: The article is intended to be used for a variety of studies of the chemical bonding and electronic structure of materials. Primary research objectives are (1) the characterization of solid surfaces, including studies of absorption processes and surface reactions; and (2) the investigation of chemical bonding in molecules containing transition metal atoms. In addition, the article will be used by students in physics, chemistry and related fields to learn an important new analytical technique.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (October 14, 1971).

Reasons: The foreign article is capable of attaining a vacuum of approximately 1×10^{-10} torr. The National Bureau of Standards (NBS) advised in its memorandum dated March 8, 1974 that the capability described above is pertinent to the applicant's electron spectroscopy for chemical analysis (ESCA) studies of solid samples, especially pure metals. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended purposes which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8632 Filed 4-12-74;8:45 am]

INDIANA UNIVERSITY—PURDUE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00207-00-11000. Applicant: Indiana University—Purdue University at Indianapolis, School of Medicine, 1219 West Michigan Street, Indianapolis, Indiana 46202. ARTICLE: LKB-9042-S Direct Probe Inlet System for Combination Gas Chromatograph-Mass Spectrometer. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to introduce into a small spectrometer organic and biologic compounds which are of low volatility and/or high molecular weight and which cannot be analyzed by combined gas chromatography-mass spectrometry. These materials would include antibiotics, drug metabolites, such as glucuronides, underivatized steroids, and others. Students in Medical Genetics 240, Pediatrics 547, and Biochemistry B-842 will use the article for metabolic and genetic screening or for the solving of biochemical problems. The article will also be used by graduate students seeking the Ph. D degree and by Research Fellows in the various clinical departments. The students and fellows will be shown the proper use of the apparatus and will be allowed to use it for their research purposes.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8628 Filed 4-12-74;8:45 am]

LANE COMMUNITY COLLEGE ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Theory of Electricity Devices

The following is a consolidated decision on applications for duty-free entry of Theory of Electricity Devices pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00356-99-26000. Applicant: Lane Community College, 4000 East 30th Avenue, Eugene, OR 97405. Article: Dr. Clemenz standard construction device for the theory of electricity. Manufacturer: Dr. Clemenz, West Germany. Intended use of article: The article is intended to be used in the teaching of various courses designed to give a general physics background for technical students studying engineering, physics and physical sciences. Application received by Commissioner of Customs: January 24, 1973. Advice submitted by the National Bureau of Standards on: February 19, 1974.

Docket Number: 74-00182-99-26000. Applicant: Staten Island Community College, 715 Ocean Terrace, Staten Island, New York 10301. Article: Standard Constructive Device for the Theory of Electricity. Manufacturer: Dr. Clemenz, West Germany. Intended use of article: The article is intended to be used for instructor demonstrations in the course ET-2 Industrial Electricity Theory and ET-26 Electric Machines I. The objective of the courses is to establish an understanding of electricity and electrical machine fundamentals in the minds of the students who are electrical utility employees enrolled in an Industrial Management curriculum. Application received by Commissioner of Customs: October 18, 1973. Advice submitted by the National Bureau of Standards on: February 19, 1974.

Docket Number: 74-00205-99-26000. Applicant: Community College of Allegheny County, 711 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pa. 15219. Article: Dr. Clemenz Teaching Aids for the Theory of Electicity. Manufacturer: Dr. Max Clemenz, West Germany. Intended use of article: The article is intended to be used for teaching purposes in the course entitled Electricity III. The instructional objective of the course is an understanding of the theory of operation and familiarity with mathematical design calculations for single phase and polyphase power systems, transformers, magnetic concepts, motors and generators of several types. Application received by Commissioner of Customs: November 2, 1973. Advice submitted by the National Bureau of Standards. February 14, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article is a kit of a relatively small number of components designed to demonstrate various principles of electricity and magnetism and electrical engineering through the performance or observation of the relatively large number of experiments which combinations of these components makes possible. Among the capabilities provided by the article is the capability to demonstrate principles of multi-pole rotating machinery. The most closely comparable domestic instrument is a demonstration set manufactured by Cambosco, Incorporation (Cambosco). None of the Cambosco sets provide the capability for experiments demonstrating multi-pole rotating machinery and no supplemental components are available to provide these capabilities. We are advised by the National Bureau of Standards (NBS) in the respectively cited memoranda that the demonstration of the principles of multi-pole rotating machinery is pertinent to the purposes for which each of the foreign articles cited above is intended to be used. We, therefore, find that no Cambosco set is of equivalent scientific value to any of the foreign articles to which the foregoing applications relate for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8629 Filed 4-12-74;8:45 am]

UNIVERSITY OF CALIFORNIA, DAVIS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00192-01-07500. Applicant: University of California, Department of Food Science & Technology, Davis, California 95616. Article: Microcalorimeter, LKB 10700-2. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to study the energy changes (heats of reaction) which accompany the chemical or physical interactions of molecules of biological interest. The article will be used in a number of projects, most notably, in investigations which study the base-specific interactions of polynucleotides or nucleic acids as a function of varying ionic strength and solvent composition, in studies in which address themselves to the heat effects associated with protein denaturation and protein hydrolysis, in experiments which measure the heats of the binding of a substrate to an enzyme, and in investigations which study the energy changes associated with polyelectrolyte-metal ion interactions (e.g., the binding of calcium ions to casein, myosin, etc.). The article will also be used in a graduate program to demonstrate the principles of calorimetry to the variety of changes in biological materials that involve emission or absorption of heat.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capabilities for operation in a differential mode and a sensitivity of one microcalorie. The most closely comparable domestic instrument, the Tronac Model 1250, manufactured by Tronac Incorporated does not provide operation in differential mode or have an equal sensitivity. The Department of Health, Education, and Welfare advised in its memorandum dated February 15, 1974 the capabilities of the article described above are pertinent to the applicant's use in measurement of heats of reaction in polynucleotide interactions, protein denaturation, and protein hydrolysis.

For these reasons, we find that the Model 1250 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8633 Filed 4-12-74;8:45 am]

UNIVERSITY OF MARYLAND

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00095-00-86300. Applicant: University of Maryland, Department of Chemical Engineering, College Park, Md. 20742. Article: Low Frequency Sweep Accessory for Rheovibron Model DDV-II-B. Manufacturer: Toyo Measuring Instruments, Japan. Intended use of article: The article is to be used with an existing Rheovibron DDV-II-B which is being used in studies of molecular and phase interaction in polymer blends and determination of the compatibility of specific blends of homopolymers and copolymers produced from them. The article will also be used in conjunction with the Rheovibron as an experimental tool for the purpose of pursuing Doctoral level thesis research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8631 Filed 4-12-74;8:45 am]

UNIVERSITY OF MARYLAND HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00209-99-72500. Applicant: University of Maryland Hospital, 22 South Greene Street, Baltimore, Maryland 21201. Article: Engstrom Respirator System ER 300. Manufacturer: LKB Medical AB, Sweden. Intended use of article: The article is intended to be used in the University of Maryland Medical School for the training of Anesthesiology and surgical residents, nurses and inhalation therapists in the functional characteristics and clinical application of mechanical ventilators.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a pressure wave from automatically adapted to changing compliance and airway resistance resulting in improved distribution of air and ventilation of the patient. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated February 25, 1974 that the capability described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no domestic instrument which provides the pertinent characteristic of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8627 Filed 4-12-74;8:45 am]

UNIVERSITY OF MICHIGAN ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.) (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00230-33-46500. Applicant: The University of Michigan, 1335 E. Catherine Street, Ann Arbor, Michigan 48104. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used to section areas of tissue which have been pre-selected from 1 micron-thick sections. The tissues to be examined is normal red and white blood cells and leukemic cells from the blood and bone marrow of patients in the hospital, other malignant and benign neoplasms from patients and biopsies of lymph nodes, kidney, skeletal muscle and liver. The article will be invaluable in learning and understanding the ultrastructural characteristics of the various tissues, malignant cells and disease processes. The article will also be used in diagnosing diseases of the kidney, muscle and liver. In addition, the article will be used for educational purposes in the course entitled "Electron Microscopy and Biological Sample Preparation" which consists of learning the preparatory techniques for electron microscopy. Application received by Commissioner of Customs: December 3, 1973. Advice submitted by the Department of Health, Education, and Welfare on: March 15, 1974.

Docket Number: 74-00234-33-46500. Applicant: Montana State University, Bozeman, Montana 59715. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for ultrathin and semi-thin sectioning of plastic sections for light microscopic study. Experiments to be conducted include experiments on the cellular reaction to lesions in the mammalian central nervious system, most notably, experiments designed to study the reaction of phagocytic, scarring, and myelinating elements of the central nervous system. The article will also be used in a basic Biological Electron Microscopic Techniques course for graduate students as well as in graduate courses involving specific research, i.e., Special Problems and Dissertation

Research. Application received by Commissioner of Customs: December 4, 1973. Advice submitted by the Department of Health, Education, and Welfare on: March 15, 1974.

Docket Number: 74-00236-33-46500. Applicant: New York State Department of Health, Division of Laboratories & Research, 120 New Scotland Avenue, Albany, New York 12201. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in the preparation of sections of varying thicknesses of a variety of biological materials, mainly human tissue, blood or bone marrow cells and cell cultures from both normal and pathological conditions including connective tissue diseases and lymphoma. Application received by Commissioner of Customs: December 4, 1973. Advice submitted by the Department of Health, Education, and Welfare on: March 15, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. DECISION: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. REASONS: Each of the foreign articles provides a range of cutting speeds from equal to or less than 0.5 millimeters/second (mm/sec) to equal to or greater than 10 mm/sec. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 mm/sec. The conditions for obtaining high quality sections that are uniform in thickness depend to a large extent on the hardness, consistency, toughness and other properties of the specimen materials, the properties of the embedding materials and the geometry of the block. In connection with a prior application (Docket No. 69-00118-33-46500) which relates to the duty-free entry of an article in the category of instruments to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smoothcuts are obtained when the speed of cutting (among such [other] obvious factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned." In connection with another prior case (Docket No. 69-00665-33-46500) relating to the duty-free entry of an article in the same category as those described above, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is * * * a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an article similar to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 mm/sec are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments.

For these reasons, we find that the Sorvall Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-8630 Filed 4-12-74;8:45 am]

VA HOSPITAL, MADISON, WIS. ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before May 6, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Program Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00362-33-46040. Applicant: Veterans Administration Hospital, 2500 Overlook Terrace, Madison, Wisconsin 53705. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of Article: The article is intended to be used by several research laboratories at the Veterans Administration Hospital. Specific projects include:

(1) Studies concerned with subcellular structures including plasma membranes of cells and the receptor sites for various materials, particularly the hormones; i.e., insulin, glucose, and the secondarily-involved cyclic AMP system.

(2) Studies of the nature of various secretory granules of hormonal tissues and their relationship to the plasma membrane where they released as well as the origin of granules from endoplasmic reticulum and golgi.

(3) Studies of microfilaments, microtubules, and virus particules in tumors.

(4) Studies of the process of gastrointestinal absorption and the effect of various diseases, particularly diabetes mellitus, on this absorption.

(5) Studies of the internal structure of bone marrow cells and lumphocytes.

(6) Studies of tumor morphology in the prostate and bladder region with collateral studies involving tissue culture.

(7) Studies of renal studies involving various structures seen in the glomerulus.

(8) Peripheral nerve, which involves the internal structure of the individual nerve fibers.

The article will also be used to teach medical students, graduate students, physicians and scientists in the courses Pathology 731-Ultrastructural and Cytochemical Pathology and the Pathology of Diabetes Mellitus with emphasis on on-going research and newer concepts, as evidenced by this research. Application received by Commissioner of Customs: March 5, 1974.

Docket number: 74-00363-33-43780. Applicant: Veterans Administration Hospital, 2500 Overlook Terrace, Madison, Wisconsin 53705. Article: Cystoscopic Instruments. Manufacturer: Richard Wolf Medical Instruments, West Germany. Intended use of article: The article is intended to be used in the teaching of residents in urology during their rotation through the Veterans Administration Hospital residency program. The objective of the teaching is to make the residents familiar with the technique of transurethral prostatectomy, a technique which the residents slowly learn over a period of three years under very careful supervision. Application received by Commissioner of Customs: March 4, 1974.

Docket Number: 74-00364-33-14200. Applicant: Long Island-Jewish-Hillside Medical Center, 270-05 76th Avenue, New Hyde Park, L.I., New York 11040. Article: Image Analyzing Computer, Quantimet. Manufacturer: Metals Research Ltd., United Kingdom. Intended use of article: The article is intended to be used for the study of cardiac function in patients evaluated at the Medical Center. Patients who have undergone diagnostic hemodynamic and angiographic studies will be evaluated. The article will also be used to determine perfusion flow in coronary arteries, saphenous vein bypass graphs and brachiocephalic vessels. Application received by

Commissioner of Customs: March 1, 1974.

Docket Number: 74–00365–33–90000. Applicant: Emory University School of Medicine, 1360 South Oxford Road, Atlanta, Georgia 30322. Article: EMI Scanner Computerized Axial Tomographic System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to identify brain tumors, strokes, ventricular size and intracranial hemorrhage in living patients. In addition, the article will be used in teaching anatomy of the brain to medical students and residents. Application received by Commissioner of Customs: March 4, 1974.

Docket number: 74–00366–33–27000. Applicant: University of Maryland, Central Receiving, Traffic Manager's Office, College Park, Md. 20742. Article: Image Converter Camera. Manufacturer: John Hadland, United Kingdom. Intended use of article: The article is to be used to study the formation of relativistic electron rings with properties suitable for collective ion acceleration and heating. Application received by Commissioner of Customs: March 4, 1974.

Docket number: 74–00367–33–46500. Applicant: Baylor College of Medicine, Department of Ophthalmology, Texas Medical Center, 1200 Moursund Drive, Houston, TX 77025. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of Article: The article is intended to be used for studies of various ocular tissues with particular emphasis on the retina and its membrane structure. Electron microscopy and electron microscopy autoradiography of the developing retina and mature retina will be conducted. Application received by Commissioner of Customs: March 4, 1974.

Docket Number: 74–00368–33–46040. Applicant: Columbia University, 116th Street and Broadway, New York, N.Y. 10027. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used as a research tool in the following studies:

(1) Origin and fate of synaptic vesicles,

(2) Synaptic mechanisms in the vertebrate retina, and

(3) Lysosomes in the adrenal medulla and in nervous tissue. Application received by Commissioner of Customs: March 4, 1974.

Docket number: 74–00369–25–75000: Applicant: State of California Department of Transportation, 5900 Folsom Blvd., Sacramento, CA 95819. Article: 162 Kyowa Soil Pressure Transducers. Manufacturer: Kyowa Electronic Instruments Co. Ltd., Japan. Intended use of article: The article will be used to study soil pressure as a function of the elevation and other properties of an embankment in various phases of construction in a project intended to improve the design and construction of flexible culverts. Application received by Commissioner of Customs: March 7, 1974.

Docket number: 74–00371–33–46070. Applicant: Wagner College, 631 Howard Avenue, Staten Island, New York 10301. Article: Scanning Electron Microsope, Model HHS–2R. Manufacturer: Hitachi-Perkins-Elmer, Japan. Intended use of article: The article is intended to be used for an analysis of the surface structure of certain members of the enterbacteriaceae during the log and negative accelerated growth phases. A line-scan topographical analyses of colony formation at the specific state phases in growth will give supportive information to individual cell analyses and when coupled with the simultaneous observation of individual organisms at high magnification pertinent data relative to their identification will be obtained without the risk of losing or generalizing about the specimen. The article will also be used for educational purposes in the course Bacteriology 188. Scanning Electron Microscope, a comprehensive introduction to the theory and practice of scanning electron microscopy in the examinations of the structure and properties of materials such as biological specimens, metals, fibers, polymers and so forth. Application Received by Commissioner of Customs: February 26, 1974.

Docket number: 74–00372–11–56595. Applicant: Syracuse University, Department of Mechanical and Aerospace Engineering, 139 E.A. Link Hall, Syracuse, New York 13210. Article: Plenum Chamber System. Manufacturer: Reaves Industrial Furnaces Ltd., United Kingdom. Intended use of article: The article is intended to be used to study the noise produced by cold and hot air jets issuing from coaxial nozzles attached at the downstream end of plenum chamber system. The experiments to be performed will primarily concern the following:

(1) To study the reduction of jet noise by various flow interaction techniques.

(2) To study the effects of temperature and velocity gradients in a jet flow to deflect and refract the dominant noise away from the direction/s where it is not desirable to have the maximum intensity of radiated jet noise.

(3) To test the existing theories and if possible modify them or develop new theories based upon the experimental results both for the generation and suppression of jet noise.

(4) To make optical records (e.g. schlieren photographs or shadowgraphs) of the interacting coaxial jet flows and correlate them with the measured noise.

(5) To test other means of reducing noise (e.g. use of ejector-shrouds in conjunction with the coaxial nozzles).

Application received by Commissioner of Customs: March 5, 1974.

Docket Number: 74–00373–33–46040, Applicant: William Paterson College of New Jersey, 300 Pompton Road, Wayne New Jersey 07470. Article: Electron Microscope, Model EM 9S–2. Manufacturer: Carl Zeiss, West Germany. INTENDED USE OF ARTICLE: The article is to be used primarily for teaching undergraduate students in a course entitled Cell Ultrastructure to familiarize the uninitiated with the practical application of electron microscope in the routine of a research biologist. Application received by Commissioner of Customs: March 5, 1974.

Docket Number: 74–00374–33–90000. Applicant: Stanford University, Stanford University Hospital, 820 Quarry Road, Palo Alto, California 94304. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for investigation to determine its usefulness for the study of brain diseases as compared to conventional x-ray examinations. Patients having various central nervous system problems will be studied with this instrument and with other techniques. The article will also be used in a University teaching hospital for the education of medical students and post-graduate students by contributing otherwise unobtainable information about the brain in patients with various diseases. Application received by Commissioner of Customs: March 8, 1974.

Docket Number: 74–00375–65–44795. Applicant: State of California Department of Transportation, 5900 Folsom Blvd., Sacramento, CA 95819. Article: 64 Cambridge Contact Stressmeters. Manufacturer: Robertson Research International Ltd., United Kingdom. Intended use of Article: The article is intended to be used in a research project entitled: Rigid Pipe Proof Testing Under Excess Overfills Using Varying Backfill Conditions, with the primary goal of establishment of data to permit revision of current tables of allowable overfills on rigid pipe culverts under Method A backfill. Secondary objectives include assessment of structural behavior of rigid culverts under high fills for a variety of alternatives, including: (1) Method B Backfill; (2) Compressions strutting; (3) tension strutting; (4) soil-cement bedding; and (5) prestressing. Application received by Commissioner of Customs: March 12, 1974.

Docket Number: 74–00376–33–46040. Applicant: University of Minnesota School of Medicine, Department of Medicine, Mayo Memorial Building, Minneapolis, Minnesota 55455. Article: Electron Microscope, Model Elmiskop 102. Manufacturer: Siemens AG, West Germany. Intended use of Article: The article is intended to be used for studied in biomedical research involving the following problems:

(1) Correlative studies of cellular ultrastructure with biochemical and immunologic studies of the immune response.

(2) The study of the pathogenesis and genetics of certain human diseases (e.g. agammaglobulinemia, infectious hepatitis),

(3) Studies of events during normal and abnormal immunologic response by electron microscopic autoradiography.

(4) Studies of virus-like particles associated with several disease states,

(5) Investigation of macromolecules, particularly antigen-antibody complement complexes using the techniques of negative staining and shadow casting,

(6) Study of the topography of plasma membrane cells involved in the immune response (lymphocytes, macrophages, plasma cells). The article will also be used in the training of Ph. D. candidates and M.D. Post-doctoral fellows in immunobiology. Application received by Commissioner of Customs: March 11, 1974.

Docket Number: 74-00378-01-07500. Applicant: University of Maryland, Baltimore County Campus, 5401 Wilkens Avenue, Baltimore, Maryland 21228. Article: Batch Microcalorimeter. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for teaching and research. In particular, it will be used to determine the heats of reaction of solutions of the two protein components of the lactose synthetase enzyme system. The heats evolved will be of the order of 0.1–10 millicalories in a reaction requiring less than one minute for completion. The objective of the research is to determine the mechanism of complex formation and the nature of the forces stabilizing the complex. The article will be used to train undergraduate and graduate students in the field of biochemistry. Application received by Commissioner of Customs: March 12, 1974.

Docket number: 74-00379-33-46500. Applicant: William Beaumont Hospital, 3601 West 13 Mile Road, Royal Oak, Michigan 48072. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of Article: The article is intended to be used in preparing specimens for electron microscopy. Human kidneys and liver biopsies will be studied to aid in reaching more precise clinical diagnosis. An electron microscopic study of cytodifferentiation of metanephric blastoma of the mouse embryos to determine the effects of environmental factors and substrate-specific stimulation of tubular differentiation will be performed. Also, electron microscopy study of developing thyroid tumor induced by iodine deficiency will be undertaken. In addition, the article will be used to train pathology residents in the utilization of electron microscopy in clinical and experimental pathology. Application received by Commissioner of Customs: March 12, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8626 Filed 4-12-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

CLINICAL PROGRAM-PROJECTS RESEARCH REVIEW COMMITTEE

Notice of Meeting; Correction

In FR Doc. 74-6032, appearing at page 10005 in the issue for Friday, March 15, 1974, the committee meeting place for the Clinical Program-Projects Research Review Committee should be changed from "Washington Hilton Hotel, Washington, D.C." to "St. Francis Hotel, Union Square, San Francisco, California."

Dated: April 10, 1974.

ROGER O. EGEBERG,
Interim Administrator, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.74-8704 Filed 4-12-74;8:45 am]

Food and Drug Administration

CARDIOVASCULAR AND RENAL ADVISORY COMMITTEE

Cancellation of Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of March 29, 1974 (39 FR 11612) public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the meeting of the Cardiovascular and Renal Advisory Committee scheduled for April 19, 1974 is cancelled.

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8521 Filed 4-12-74;8:45 am]

Office of Education

STRENGTHENING INSTRUCTION IN ACADEMIC SUBJECTS

Notice of Waiver of Requirement for Prior Approval of Projects

Notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, has decided to modify the requirement set forth in the last sentence of 45 CFR 141.11(a) in order to permit Federal participation to match certain local expenditures incurred for the purposes of Title III-A of the National Defense Education Act (20 U.S.C. 441-445) prior to State agency approval. This modification applies only to the Federal funds appropriated for Fiscal Year 1973, most of which were not allotted to the States until Fiscal Year 1974. The Office of Education considers it appropriate to permit State agencies to use the fiscal 1973 funds to match fiscal 1973 expenditures by local agencies which were made prior to the allotment but which otherwise meet the requirements of the State plan.

Section 141.11(a) (last sentence) provides: "There can be no Federal financial participation in the expenditures for a project if the project, including any amendments thereto, had not been approved by the State agency prior to the incurrence of the expenditure." (45 CFR 141.11(a)).

With respect to funds appropriated for Title III-A of the National Defense Education Act by section 101(d) of Public Law 92-334 (enacted July 1, 1972) as amended and extended, such prior approval shall not be required, provided that approval by the State agency is obtained within a reasonable period of time.

Until this modification is legally effective, an element of uncertainty with respect to the Fiscal Year 1973 funded operation of the program will remain. Under the particular circumstances applicable to the program for that year, including the delayed release of the funds, it is considered that the public interest would be better served by the prompt and final publication of the rule change, rather than delaying the process by having a period of public comment with respect to it. Therefore pursuant to the authority contained in 5 U.S.C. 553(b), the Commissioner has determined that proposed rulemaking would be contrary to the public interest.

(5 U.S.C. 553(b); 20 U.S.C. 444(a))

Effective date. This notice shall be effective on May 15, 1974.

(Catalog of Federal Domestic Assistance Programs 13.483, Strengthening Instruction Through Equipment and Minor Remodeling)

Dated: March 11, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: March 28, 1974.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

[FR Doc.74-8586 Filed 4-12-74;8:45 am]

Office of the Secretary

BUREAU OF EDUCATION FOR THE HANDICAPPED

Statement of Organization, Functions and Delegations of Authority

Part 2 (Office of Education) Section 2-B, Organization and Functions, of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare published in the FEDERAL REGISTER on November 21, 1973 at 38 FR 32156, is hereby amended as follows:

The statement under the heading Bureau of School Systems, Office of Programs for the Handicapped, is deleted and a new statement is added, after the

statement following the Office of Indian Education, to read as follows:

BUREAU OF EDUCATION FOR THE HANDICAPPED

The Bureau of Education for the Handicapped administers programs and projects relating to the education and training of, and services for the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training. Establishes Federal education policies for education of handicapped children and coordinates the development and implementation of such policies with other agencies and institutions. Responsible for the Gifted and Talented Children and Youth program and for providing staff support to the National Advisory Committee on the Handicapped.

DIVISION OF INNOVATION AND DEVELOPMENT

The Division of Innnovation and Development is responsible for development, dissemination and replication of research, demonstration and experimental programs for the education of handicapped children. Provides support needed for development and dissemination of the results of successful applied research in special education knowledge and practices and support needed for the implementation and replication of successful model demonstration programs.

DIVISION OF PERSONNEL PREPARATION

The Division of Personnel Preparation is responsible for programs for training and preparation of special education teachers, clinicians and allied personnel. Provides grants, guidance, technical assistance and support to colleges, universities, state educational agencies and non-profit institutions which are selected to train teachers, clinicians and allied personnel to meet current and future needs for individuals trained in special education.

DIVISION OF ASSISTANCE TO STATES

The Division of Assistance to States is responsible for provision of financial and technical assistance to State, local and private educational agencies and to institutions of higher education in developing and implementing efficient, effective, services and practices in the education of handicapped children and in administration of special service education programs for handicapped children. Administers programs of assistance to State and local education agencies in developing and implementing plans and programs for the education of handicapped children and demonstration programs for special target groups of handicapped children such as the deaf-blind, severely and multiply handicapped and the poor and minority group handicapped.

DIVISION OF MEDIA SERVICES

The Division of Media Services is responsible for the development of support of resource programs for educational and media technology and for educational assessment, identification, diagnosis, and prescription essential to the delivery of educational services to handicapped children. Provides educational and media technology and assistance to teachers, State and local administrators and other individuals and organizations engaged in providing edution to handicapped children. Develops and maintains a library of captioned films and disseminates the films and other related materials on a loan basis to the deaf, other handicapped persons and to the parents of handicapped children. Administers the operation of the Area Learning Resource Center and the Regional Resource Center Network, both of which are designed to develop, demonstrate and implement the essential delivery of materials, media, communication to handicapped children. Develops State and local organizations and individuals.

Dated: April 4, 1974.

THOMAS S. MCFEE,
Acting Assistant Secretary for Administration and Management.

[FR Doc.74-8550 Filed 4-12-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-425-DR; Docket No. NFD-175]

GEORGIA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Georgia, dated April 5, 1974, is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 5, 1974:

The Counties of:

Lumpkin	Polk

Dated: April 9, 1974.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

WILLIAM E. CROCKETT,
Acting Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-8557 Filed 4-12-74;8:45 am]

[FDAA-423-DR; Docket No. NFD-173]

INDIANA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Indiana, dated April 4, 1974, is hereby amended to included the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 4, 1974:

The Counties of:

Adams	Marshall
Benton	Pulaski
Dearborn	Rush
Delaware	Scott
Floyd	Shelby
Huntington	Switzerland
Jennings	Wells
Lawrence	

Dated: April 8, 1974.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-8555 Filed 4-12-74;8:45 am]

[FDAA-420-DR; Docket No. NFD-176]

KENTUCKY

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Kentucky, dated April 4, 1974, and amended on April 5, 1974, is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 4, 1974:

The Counties of:

Boone	McCreary
Boyle	Pulaski
Bullitt	Rockcastle
Clark	Simpson
Grayson	Taylor
Green	Wayne
Harrison	

Dated: April 10, 1974.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-8625 Filed 4-12-74;8:45 am]

[FDAA-424-DR; Docket No. NFD-174]

TENNESSEE

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Tennessee, dated April 4, 1974, and amended April 5, 1974, is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 4, 1974:

The counties of:

Bedford	Johnson
Blount	Loudon
Cannon	Marshall
Carter	Meigs
Cumberland	Monroe
Davidson	Overton
Decatur	Pickett
DeKalb	Polk
Dickson	Rutherford
Fentress	Scott
Hamblen	Trousdale
Hamilton	Warren
Henderson	White
Jackson	Wilson

Dated: April 8, 1974.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

THOMAS P. DUNFE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-8556 Filed 4-12-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

SOUTH DAKOTA

Proposed Action Plan

The South Dakota Department of Transportation 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 Dakota Department of Transportation
   Office of Transportation System Planning and Programming
   Environmental Program
   Transportation Building
   Pierre, South Dakota 57501
2. District Engineer
   District #1
   P.O. Box 1476
   Aberdeen, South Dakota 57401
3. District Engineer
   District #2
   P.O. Box 56
   Huron, South Dakota 57350
4. District Engineer
   District #3
   P.O. Box 880
   Mitchell, South Dakota 57301
5. District Engineer
   District #4
   District IV Office
   Pierre, South Dakota 57501
6. District Engineer
   District #5
   P.O. Box 552
   Rapid City, South Dakota 57701
7. South Dakota Division Office—FHWA
   Federal Office Building
   P.O. Box 700
   Pierre, South Dakota 57501
8. FHWA Regional Office—Region 8
   Building 40
   Denver Federal Center
   Denver, Colorado 80225
9. U.S. Department of Transportation
   Federal Highway Administration
   Environmental Development Division
   Nassif Building—Room 3246
   400 7th Street, SW.
   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 May 14, 1974.

Issued on April 9, 1974.

L. P. LAMM,
Executive Directors, Federal Highway Administration.

[FR Doc.74-8551 Filed 4-12-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-293]

BOSTON EDISON CO. (PILGRIM NUCLEAR POWER STATION, UNIT 1)

Assignment of Members of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority in 10 CFR 2.787 (a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this proceeding:

Alan S. Rosenthal, Chairman
Dr. John H. Buck, Member
William C. Parler, Member

Dated: April 9, 1974.

MARGARET E. DU FLO,
Secretary to the Appeal Board.

[FR Doc.74-8579 Filed 4-12-74;8:45 am]

[Docket No. 50-474]

WESTINGHOUSE ELECTRIC CORP., WENESE-U.S.A.

Application for and AEC Consideration of Issuance of Facility Export License

Please take notice that Westinghouse Electric Corporation, WENESE-U.S.A., has submitted to the Atomic Energy Commission an application for a license to authorize the export of a pressurized water reactor with a thermal power level of 2696 megawatts to Asociacion Nuclear ASCO II, Puerta de Santa Madrona 12, Barcelona, Spain and that the issuance of such license is under consideration by the Atomic Energy Commission.

No license authorizing the proposed reactor export will be issued until the Atomic Energy Commission determines that such export is within the scope of and consistent with the terms of an applicable agreement for cooperation arranged pursuant to section 123 of the Atomic Energy Act of 1954, as amended (Act), nor until the Atomic Energy Commission has found that:

(a) The application complies with the requirements of the Act, and the Atomic Energy Commission's regulations set forth in 10 CFR Chapter I, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Atomic Energy Commission does not evaluate the health and safety characteristics of the facility to be exported.

Unless, on or before April 30, 1974, a request for a hearing is filed with the Atomic Energy Commission by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected by the proceeding, the Director of Regulation may, upon the determinations and findings noted above, cause to be issued to Westinghouse Electric Corporation, WENESE-U.S.A. a facility export license and may cause to be published in the FEDERAL REGISTER a notice of issuance of the license. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice, the Atomic Energy Commission will issue a notice of hearing or an appropriate order.

A copy of the application is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street, N.W., Washington, D.C.

Dated at Bethesda, Maryland this 8th day of April 1974.

For the Atomic Energy Commission.

S. H. SMILEY,
Deputy Director for Fuels and Materials, Directorate of Licensing.

[FR Doc.74-8485 Filed 4-12-74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket Nos. 25513, 25661; Order 74-4-51]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding North Atlantic and North/Central Pacific Proportional Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April, 1974.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, which was adopted at a meeting held in New York, February 25, 1974, is for effectiveness April 1, 1974 on the Atlantic and April 15, 1974 on the Pacific, and has been assigned the above C.A.B. agreement number.

The agreement revises proportional fares used in constructing through fares between points in North America and points in Europe/Middle East/Africa, and across the North/Central Pacific as a result of a recent increase in domestic Canadian fares. Proportional fares from several U.S. points near the Canadian border are adjusted to maintain preexisting competitive relationships with nearby Canadian cities. The changes result in proportional fares which do not exceed the local fares between the U.S. point involved and the specified U.S. gateway.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find that the following resolutions, in-

corporated in Agreement C.A.B. 24269 as indicated, are adverse to the public interest or in violation of the Act; provided that approval is subject, where applicable, to conditions previously imposed by the Board:

Agreement C.A.B. 24269	IATA No.	Title	Application
R-1	015	North Atlantic Proportional Fares—North American	1/2.
R-2	015b	North and Central Pacific Proportional Fares—North America	3/L.

Accordingly, it is ordered, That:

Agreement C.A.B. 24269, R-1 and R-2, be and hereby is approved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.74-8609 Filed 4-12-74;8:45 am]

[Docket No. 22859; Order 74-4-54]

NORTHWEST AIRLINES, INC.

Order of Suspension Regarding Domestic Air Freight Rate Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April 1974.

By tariff revisions filed March 15 and marked to become effective April 14, 1974, Northwest Airlines, Inc. (Northwest) proposes to increase its domestic air freight rates as follows:

1. Bulk minimum charges from $10 to $11 per shipment;

2. Bulk general commodity rates, except westbound rates for distances of 1,800 miles or over, by 7.5 percent;

3. Bulk eastbound specific commodity rates by 6 percent of the westbound 100-pound general commodity rates;

4. Bulk import general and specific commodity rates, eastbound, by 6 percent of the westbound 100-pound general commodity rates;

5. Container rates and charges by 7.5 percent, except westbound general commodity rates and charges in markets involving lengths of haul of 1,800 miles and over; and

6. Cancel numerous westbound specific commodity rates.

In support of its proposal, Northwest contends that, inter alia, its estimated operations for the year ending March 31, 1975 indicates an operating loss of $5.1 million at existing rate levels and a negative return on investment of 3.9 percent for its air freight services; the proposal would yield a projected increase of approximately $2.2 million in added revenues, which would decrease the loss to $2.9 million, without considering higher fuel prices after December 1973; and for shorter segments, the proposed levels would be below costs based upon the cost-based formula of the Bureau of Economics in Docket 22859.

The proposed rates and charges come within the scope of the Domestic Air Freight Rate Investigation, Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

Northwest has made a showing of increased costs and inadequate earnings for freight. The Board is aware of increased fuel costs in recent months and believes that adjustments in rates and charges are warranted.

Northwest's proposed increases, however, on Type D general commodity containers for distances of 950 miles or over and all rates on human remains, appear excessive in relation to cost data available to the Board. In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it applies to general commodity Type D containers, eastbound and westbound for distances of 950 miles and over, and all rates on human remains, should be suspended.

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

It is ordered, That:

1. Pending hearing and decision by the Board, the increased rates, charges, and provisions described in Appendix A [1] hereto are suspended and their use deferred to and including July 12, 1974, unless otherwise ordered by the Board and that no change be made therein during the period of suspension except by order or special permission of the Board; and

2. Copies of this order shall be filed with the tariff and served upon Northwest Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.74-8610 Filed 4-12-74;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Public Availability

Environmental impact statements received by the Council on Environmental Quality from April 1 through April 5, 1974. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines, the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (May 27, 1974)

Copies of individual statements are available for review from the originating agency. Back copies will also be available from a commercial source, the Environmental Law Institute, of Washington, D.C.

[1] Filed as part of original document.

ATOMIC ENERGY COMMISSION

Contact: For Non-Regulatory Matters: Mr. W. Herbert Pennington, Office of Assistant General Manager, E-201, AEC, Washington, D.C. 20545 (301) 973-4241. For Regulatory Matters: Mr. A. Giambusso, Deputy Director for Reactor Projects, Directorate of Licensing, P-722, AEC, Washington, D.C. 20545 (301) 973-7373.

Draft

Braidwood Station, Units 1 and 2, Will County, Illinois, April 4: The statement refers to the proposed issuance of a construction permit to the Commonwealth Edison Company for the two-unit Station. The two pressurized water reactors will produce 6,850 MWt, which will be used to generate 2,240 MWe (net). Exhaust steam will be cooled by a once-through flow of water from an artificial lake; makeup (93 cfs, avg.) will be drawn from the Kankakee River, and blowdown (46 cfs, avg.) will be discharged to it. Approximately 734 acres of agricultural land, 848 acres of woods and fallow field, and 2838 acres of strip-mine spoil will be required for the station and cooling lake. An excessive growth of algae in the cooling lake might impose adverse impact on the Kankakee. (ELR Order No. 40535.)

Final

Shearon Harris Nuclear Power Plant (2), Wake and Chatham Counties, North Carolina, April 2: The (revised) statement refers to the proposed issuance of a construction permit to the Carolina Power and Light Co. for the 4 unit Shearon Harris Plant, to be sited on a 14,000 acre tract. (The statement reflects a change in the cooling system from a once-through method to a closed cycle system of 4 towers.) The identical pressurized water reactors will produce 2,785 MWt each and a total of 3,600 MWe; future thermal levels of 2,900 MWt/unit are anticipated. Makeup water for the system will be obtained from a 4,100 acre reservoir; a total of 4,500 acres will be committed to project measures, with a resulting loss of terrestrial and riparian habitat; 3 miles of Buckhorn Creek will be altered or destroyed. Comments made by: USDA, DOC, HEW, HUD, DOI, EPA, FPC, COE, State and local agencies. (ELR Order No. 40519.)

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250 (202) 447-3965.

ANIMAL AND PLANT HEALTH INSPEC. SERVICE

Final

1974 Gypsy Moth Suppression Program. The statement refers to the proposed 1974 Cooperative Gypsy Moth Suppression and Regulatory Program. The 1974 Program is expected to include spraying in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, and Virginia. Current efforts include the use of carbaryl, trichlorfon, and Bacillus thuringiensis on approximately 375,000 acres to protect forests from imminent damage by the gypsy moth. Beneficial insects and soil arthropods may be adversely affected by the action (232 pages). Comments made by: EPA, USDA, HEW, State and local agencies, and concerned citizens. (ELR Order No. 40511.)

FOREST SERVICE

Draft

North Fork Planning Unit, Flathead, N.F., Flathead County, Montana, April 1: The statement refers to the proposed multiple use plan for the North Fork Planning Unit, Glacier View Ranger District, Flathead National Forest. The proposal would affect 261,200 acres, of which 224,130 acres are National Forest lands. The unit has been divided into seven sub-units for management. As a result of the plan, two inventoried roadless areas totalling 23,859 acres would be maintained as roadless; 45,500 acres would not be roaded, but could be logged with technological advances; 20,000 acres of roadless areas would be roaded and logged; the North Fork of the Flathead River would be proposed for inclusion in the National Wild and Scenic River System (54 pages). (ELR Order No. 40514.)

Draft

Badlands Planning Unit, Custer, N.F., Several Counties, North Dakota, April 3: The statement refers to a proposed multiple use plan for the Badlands Planning Unit of the Custer National Forest. The Unit contains 1,232,831 acres, of which 636,379 acres are administered by the Forest Service. Major aspects of the plan include the continuance of cattle grazing, oil and gas extraction, and protection of several historical, archeological, and paleontological sites. A total of 414,033 acres are currently under oil and gas lease; it is anticipated that additional leases will be granted. There will be construction of oil pipelines, and the allowance of seismic methods of mineral exploration (189 pages). (ELR Order No. 40525.)

Final

Pinyon Juniper Chaining Program, Nevada, April 3: The statement refers to the proposed control of pinyon-juniper growth on 4,000 to 5,000 acres of National Forest land annually, by the mechanical process of chaining. Adverse impact will be primarily esthetic; some wildlife species will be affected by loss of habitat (114 pages). Comments made by: EPA, HEW, USDA, DOI, State and local agencies, and concerned citizens. (ELR Order No. 40527.)

Sagebrush and Wyethia, Nevada, April 3: The statement refers to a proposed program of herbicide spraying on 5,000 acres of National Forest lands annually, in order to control sagebrush and wyethia. The agent to be used is 2,4–D. Adverse impact will occur from the introduction of the chemical to air and water. Non-target plant species will be affected; the loss of habitat will have greatest effect upon sage grouse, deer (winter range), and antelope (winter range) (101 pages). Comments made by: EPA, DOI, HEW, State and local agencies, and concerned citizens. (ELR Order No. 40529.)

SOIL CONSERVATION SERVICE

Draft

Emergency Watershed Protection Program. The statement refers to the Emergency Watershed Protection Program, authorized by Section 216 of the Flood Control Act of 1950. The program authorizes measures to be installed to safeguard lives and property from floods and the products of erosion whenever fire or other natural element or force causes a sudden impairment' of a watershed. Frequently used emergency measuers include: establishment of vegetative cover, gully control structures, streambank protection, debris and sediment removal, and emergency repair of existing dams, dikes, and other water control structures (47 pages). (ELR Order No. 40505.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230 (202) 967–4335.

Draft

Rule Promulgation, Marine Mammal Protection Act. The statement refers to the proposed promulgation of rules and issuance of permits pursuant to the Marine Mammal Protection Act of 1972. The permits would be necessary in order to allow the taking of marine mammals by commercial fishing operations, after October 21, 1974. The goal of the Act and the permit system is to reduce damage to marine mammals. The statement indicates that no significant adverse impacts are anticipated as a result of the proposal (73 pages). (ELR Order No. 40544.)

DELAWARE RIVER BASIN COMMISSION

Draft

Gilbert Generating Station, New Jersey, April 1: Proposed is the installation and operation of Unit 8, a 130-MW capacity steam turbo-generator, at Jersey Central Power and Light Co.'s Gilbert Station. The generator will utilize the waste heat from 4 existing combustion turbines, in "combined cycle generation", with #2 fuel oil being burned at 36 qpm for supplemental heat. Also planned is construction of four heat recovery steam generators, a condensor, a wet-mechanical draft cooling tower, a waste water treatment facility, and auxiliary equipment. Impact will include increased fogging, noise levels, and water consumptions (114 pages). (ELR Order No. 40518.)

DEPARTMENT OF DEFENSE

AIR FORCE

Contact: Dr. Billy Welch, Room 4D 873, The Pentagon, Washington, D.C. 20330 (202) OX 7–9297.

Final

Blair Lakes Range Operations, Alaska, April 3: The statement refers to the proposed use of the 33,964 acre range for aerial gunnery and bombing training, with inert ordnance being utilized. The action will result in increased fire potential; there will be restrictions on the airspace in the vicinity of the range (293 pages). Comments made by: EPA, DOI, State and local agencies, and concerned citizens. (ELR Order No. 40534.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN–PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314 (202) 693–7168.

Draft

Dierks Lake, Saline River, Sevier and Howard Counties, Arkansas, April 3: The statement refers to the completion of construction, the operation, and the maintenance of the Dierks Lake Project, a flood control, water supply, fish and wildlife, and recreation project that is located at river mile 56.5 of the Saline River. The project, which consists of a modified rockfill embankment, an uncontrolled spillway, a reinforced concrete gate-tower and conduit, access roads, and buildings, was over 80 percent complete as of June 30, 1973. The conservation pool of the project will inundate 1,360 acres; 14 archeological sites have been affected by the project (Tulsa District) (174 pages). (ELR Order No. 40526.)

Flood Control, Water Quality Improvement, Cook County, Illinois, April 1: The statement refers to a proposed plan for flood control and water quality improvements in Chicago. The plan has been developed by the Metropolitan Sanitary District of Greater Chicago. The proposal deals with the assessment of a tunnel and reservoir plan which is intended to correct a situation in which the overflow from combined sewers produces pollution and flooding in the waterways of the Chicago region and Lake Michigan. (ELR Order No. 40498.)

Union Lake, Bourbeuse River, Franklin County, Missouri, April 1: Proposed is the construction of a dam on the Bourbeuse River at river mile 32.5. The purposes of the project are recreation, flood control, water quality, water supply, fish and wildlife, navigation, and area development. The lake will have a normal pool of 6,600 acres, and a maximum flood control pool of 12,900 acres. Adverse impact will include the loss of terrestrial wildlife habitat and the relocation of 100 families. (St. Louis District) (two volumes). (ELR Order No. 40503.)

McNary Project, Columbia River, Washington County, Oregon, April 2: The statement discusses the impacts of continued operation and maintenance of the McNary Lake and Dam Project, a navigation and power production project on the Columbia River. Adverse impact includes the impairment of salmonid migration; the causing of sedimentation problems in the lower Walla Walla River; the effects resulting from the fluctuation of the lake (Walla Walla District) (277 pages). (ELR Order No. 40520.)

Draft

Dillingham Small Boat Harbor, Alaska, April 4: Proposed is the maintenance dredging of the Dillingham Small Boat Harbor to authorized dimensions. Typical maintenance involves the dredging of 60,000 cu. yds. of material annually. Adverse impact includes that resulting from the disturbance of marine biota, and from the commitment of land to spoil disposal (Alaska District) (57 pages). (ELR Order No. 40537.)

Tampa and Hillsborough Bays, Florida, April 2: The statement refers to the granting of a dredge permit to Benton and Company, Inc., and Bay-Con Industries, Inc., pursuant to Section 10 of the River and Harbor Act of 1899, for the purpose of dredging oyster shells from an area of 62 sq. miles, on 40,000 acres of Tampa and Hillsborough Bays. Approximately 900,000 cubic yards of oyster shells will be removed annually by those companies and used for commercial purposes. Adverse impacts are the loss of benthos in dredged areas and increased turbidity and sedimentation during the dredging process (Jacksonville District) (126 pages). (ELR Order No. 40504.)

Laurel River Lake, Kentucky, April 1: The statement refers to the proposed construction of a dam which will form Laurel River Lake. Also included in the project are a spillway powerhouse, and development of outdoor recreational facilities. Primary project purposes are recreation and production of hydroelectric power. Adverse impacts are the inundation of 6,060 acres of land, reduction of wildlife habitat and timber production area, relocation of 18 family units, and temporary negative effects on air and water quality. (ELR Order No. 40507.)

Waurika Lake Beaver Creek, Jefferson, Stephens, and Cotton Counties, Oklahoma, April 1: The statement refers to the proposed Waurika Lake which will extend into Stephens and Cotton counties. Project purposes are flood control, water supply, water quality, water control, irrigation, recreation,

and fish and wildlife. The project consists of an earthfill embankment, a reinforced concrete gate tower and conduit, an uncontrolled spillway, access roads, project buildings and water conveyance facilities. Adverse impacts are the inundation of 10,100 acres of land, relocation of 37 families, and the damage done to 7 archeological sites (Tulsa District) (127 pages). (ELR Order No. 40502.)

Trexler Lake, Supplement, Lehigh County, Pennsylvania, April 4: The document supplements a final statement on the proposed Trexler Lake Project. The project involves the construction of an earth and rockfill embankment 130 feet high, with a crest length of 820 feet, on Jordan Creek. The lake, which will provide water supply, flood control, and recreational uses, would have a surface area of 1,220 acres, and would extend 8.6 miles upstream when filled to the top of the conservation pool. Fifty percent of Lowhill Township will be acquired for the project (Philadelphia District). (ELR Order No. 40542.)

Little Dell Lake Project, Utah, April 4: The statement refers to the proposed Little Dell Lake Project, which will be a 275-foot high dam across Dell Creek. The dam will impound 30,000 acre-feet of water. The project will include diversion structures, and will necessitate the relocation of Highway 65. Project purposes include flood control, municipal and industrial water supply, recreation, and fish and wildlife measures. The project will inundate 340 acres of land and will require an additional 849 acres (in fee or easement) for project measures; much of this land is wildlife habitat. A 1.5-mile section of the Mormon and Pony Express Trail, and the site of the Little Dell Pony Express Station will be inundated. (ELR Order No. 40540.)

Captain's Cove Development, Chincoteague Bay, Accomack County, Virginia, April 1: Proposed is the granting of a permit for dredge and fill operations at Captain's Cove Development, a recreational second home development which is currently under construction on the navigable waters of Chincoteague Bay. The permit will allow construction of water-oriented recreational facilities and the development of waterfront property. Adverse impact which has or will take place includes the loss of salt marsh areas and the induced development of homes within the flood plain (Norfolk District) (96 pages). (ELR Order No. 40501.)

Ports or Whitman Co., Clarkston, and No. Lewiston, Washington, April 3: The project consists of the sale of 143 acres of land to the Port of Whitman County and 67 acres to the Port of Clarkston. The Ports intent is to develop the land as an industrial site as well as a loading and unloading point for cargo. The statement also deals with the possible easement of one other port and industrial site known as the North Lewiston site. Adverse impacts are increased air and noise pollution, and the likelihood of oil, fuel, or other spills that would cause the water quality to deteriorate (Walla Walla District) (62 pages). (ELB Order No. 40530.)

Draft

Lynnhaven Bay Dredging, Virginia, April 1: Proposed is the maintenance dredging of Lynnhaven Inlet, Lynnhaven Bay, and connecting waters. Approximately 190,000 cu. yds. of material will be removed from project channels at two-year intervals. There will be some adverse impact to marine biota (Norfolk District) (28 pages). (ELR Order No. 40515.)

Final

Red River Below the Denison Dam, April 1: The statement is a proposed comprehensive plan for the development of the Red River Basin below the Denison Dam in the States of Arkansas, Louisiana, Oklahoma, and Texas. Flood protection, water supply, navigation, power, and wildlife needs are considered. Dams, reservoirs, flood control structures, and channelization project are proposed. Implementation of recommended water and related land resource projects and programs would require land use which would change existing water course environments and thus have adverse effects on fish and wildlife in the area. Comments made by: EPA, USDA, DOI, and State agencies. (ELR Order No. 40497.)

Final

Confined Disposal Area, Pointe Mouillee, Michigan, April 5: The project consists of the construction of a diked disposal area for polluted dredge material from the lower Detroit and Rouge Rivers, at Pointe Mouillee. The facility would also include an access channel, turning basin, mooring facility, and pumpout station. Adverse impact will include the loss of productive marsh and 700 acres of Lake Erie bottom (Detroit Districts) (272 pages). Comments made by: EPA, USDA, DOC, DOI, USCG, State and local agencies. (ELR Order No. 40543.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets, NW, Washington, D.C. 20405, (202) 343-4161.

Final

North American Rockwell Building, Occupancy, California, April 4: The Statement refers to the occupancy of the North American Rockwell building in Laguna Niguel. The facility will provide additional space needed by the Federal government in southern California for records storage, research facilities and office space. Adverse impacts include potential for air quality degradation because of automobiles, and the removal of property from local tax rolls (127 pages). Comments made by: HEW, DOC, EPA, HUD, DOI, COE, State and local agencies. (ELR Order No. 40541.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240 (202) 343-3891.

NATIONAL PARK SERVICE

Draft

Proposed Wilderness, Everglades National Park, Dade and Monroe Counties, Florida, April 3: The statement refers to the proposed legislative designation of 764,700 acres (54.4 percent of the Park's land and water area) of the Everglades National Park as wilderness. The proposal would result in the preservation of natural ecosystems, including the habitats for several rare and endangered species. Management, research, and development options will be restricted by the action (135 pages). (ELR Order No. 40528.)

Master Plan, Fort Sumter National Monument, South Carolina, April 3: The statement refers to the proposed master plan for the Fort Sumter National Monument and a development plan for the Fort Moultrie unit. Construction activities include: the development of a harborfront tour boat base; a visitor center interpretive facility at Fort Moultrie; offstreet parking; and the rehabilitation and reconstruction of the fort complex. Also included is the acquisition of land, the addition of Battery Logan to the park, and the extension of tour boat service to Fort Moultrie. There will be some displacement of residents along with construction disruption; turn-of-the-century historic features will be lost in the restoration of older historic features. (ELR Order No. 40524.)

STATE DEPARTMENT

Contact: Mr. Christian Herter, Jr., Special Assistant to the Secretary for Environmental Affairs, Room 7819, Washington, D.C. (202) 632-7964.

Draft

Colorado River International Salinity Control Project, April 1: The statement refers to a project which is intended to improve the quality of water delivered to Mexico, as stipulated in Minute No. 242 of the International Boundary and Water Commission, signed and approved on August 30, 1973. Project measures will include: a desalting plant at the Gila Project near Yuma, Arizona; a concrete-lined bypass drain to the Santa Clara Slough in Mexico; the replacement of a metal flume on the Gila Main Outlet extension with a buried syphon; the implementation of improved irrigation efficiencies on the Gila's Wellton-Mohawk Division; and the modification of existing Gila River Control measures at Painted Rock Dam. (ELR Order No. 40496.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street SW., Washington, D.C. 20590 (202) 426-4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Elizabethtown-Hardin County Airport, Hardin County, Kentucky, April 4: The statement refers to the proposed construction of a new general aviation airport serving the Elizabethtown-Hardin County area. The project consists of acquisition of 620 acres of land, construction of a runway, installation of lighting, and construction of a taxiway, apron, and airport entrance road. Adverse impacts include the loss of 620 acres, the destruction of 5 ponds, increased air and noise pollution, and the displacement of an unspecified number of families (57 pages). (ELR Order No. 40539.)

Johnston County Airport, Johnston County, North Carolina, April 4: The statement refers to the construction of a new general aviation airport to serve Johnston County. The initial project consists of construction of a runway, apron, and parallel taxiway; installation of lighting, wind cone, segmented circle, and fencing; construction of a parking area and a non-directional radio beacon. The airport will increase the levels of air and noise pollution (80 pages). (ELR Order No. 40538.)

Noise Standards, Propeller-Driven Small Airplanes, April 3: The statement refers to the amendment of Federal Aviation Regulations to add noise standards and noise type certification procedures for propeller-driven small airplanes. The proposed standards have potential direct impact upon noise, air quality, and energy usage. Adverse impacts of the regulations are a slight increase in fuel consumption, and a negligible deterioration in air quality due to a very small increase in undesirable engine emissions (38 pages). (ELR Order No. 40533.)

Southern Idaho Regional Airport, Jerome County, Idaho, April 2: The statement refers to the Southern Idaho Regional Airport Authority proposal for a new regional airport in southern Jerome County. The airport would consist of a main runway, parallel taxiway, terminal building, aprons, lighting, fencing, and parking facility. Adverse impact of the project will be the increase in the

levels of air and noise pollution (35 pages). (ELR Order No. 40522.)

Independence Municipal Airport, Buchanan County, Iowa, April 1: The statement refers to the city of Independence Airport Layout Plan for the expansion of the Independence Municipal Airport. The project proposes the lengthening, and widening of the existing N/S runway to 4000' x 75' as the first stage of construction of the ultimate development plan. Adverse impacts include the relocation of a portion of a county secondary road, increases in air and noise pollution, and some surface runoff (27 pages). (ELR Order No. 40513.)

Final

Madison Airport, Madison County, Kentucky, April 3: The project involves the construction of an airport centrally located between Richmond and Berea. Approximately 200 acres are to be used to build a runway, an aircraft apron, and a 5,000-square-yard automobile parking area and access road. There will be an increase in the noise level. There will also be short term adverse effects associated with construction (88 pages). Comments made by: DOI, EPA, DOT, State and local agencies, and concerned citizens. (ELR Order No. 40532.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

U.S. 95, Between Coeur d'Alene and Bellgrove, Idaho, April 4: The project involves the improvement of a section of U.S. 95 between Couer d'Alene and Bellgrove. The improvement would involve construction of approximately 12.5 miles of roadway. Adverse impacts include the loss of some forest land, wildlife habitat, and wetlands, the displacement of families and businesses, and temporary construction inconveniences. The exact number of displacements and of acreage lost can not be definitely stated until one option is chosen (125 pages). (ELR Order No. 40536.)

Freeway 520, Delaware and Dubuque Counties, Iowa, April 2: The project involves the proposed construction of approximately 35 miles of Freeway 520. It will consist of a four-lane divided roadway consistent with the freeway concept in design and access control. The project will begin in Delaware County and terminate in Dubuque County. Adverse impacts include the loss of agricultural and timber land, the rechannelization of Catfish Creek, and the displacement of families and businesses. The number of displacements vary by alternative. (ELR Order No. 40523.)

Southern Tier Expressway, New York, April 2: The statement refers to a section of highway construction that is part of the Southern Tier Expressway, which has been planned to extend from Orange County, north of New York City, to the vicinity of Erie, Pennsylvania. This section extends easterly from South Main Street through the southerly portion of the City of Salamania, proceeding parallel to the Allegany to a river crossing approximately one mile downstream from the Village of Allegany. Project length is 16.3 miles. There will be increased air and noise pollution, and some displacements caused by the project. (ELR Order No. 40521.)

State Highway 30, Stutsman County, North Dakota, April 1: The project consists of acquiring additional right-of-way and constructing a 2-lane hard surfaced roadway from I-94 southerly to S.H. 46. The proposed improvement will be on the same alignment as existing S.H. 30. The project will require the acquisition of 100 acres of agricultural land. Some of this additional land consists of slough areas that are under Bureau of Sport Fisheries and Wildlife wetlands easements. There will also be normal negative construction impacts (43 pages). (ELR Order No. 40508.)

County Road, Bottineau County North Dakota, April 1: The statement refers to an improvement of a county road in Bottineau County. The project runs from S.H. 14, four miles north of Carbury, easterly approximately 10 miles to a point near the south edge of Lake Metigoshe. The proposed route follows the existing road except for relocations that are necessary to provide curvature meeting present standards. Adverse impacts are increases in the levels of air and noise pollution, and negative effects normally associated with construction (26 pages). (ELR Order No. 40509.)

U.S. 75, Cherokee Expressway, Tulsa, Oklahoma, April 1: The project involves the construction of U.S. 75, a ground level, 4- to 6-lane expressway in the northern section of the city of Tulsa. The 2.5-mile facility is the final phase of construction of the Cherokee Freeway. Adverse impacts are displacements, and the removal of privately owned lands from the tax rolls. There will also be a slight increase in noise levels (39 pages). (ELR Order No. 40510.)

Washington Forest Highway 7, Snohomish County, Washington, April 1: The statement refers to the proposed construction of Washington Forest Highway 7, Mountain Loop Highway, beginning at Barlon Pass in Snohomish County, and extending northerly 23 miles connecting to SR 530 in Darrington. The purpose of the road is to provide good access between Granite Falls and Darrington, completing an 85-mile scenic loop highway. Adverse impacts are the loss, at least temporarily of 235 acres of land, increased possibility of landslides and sedimentation, increase air pollution, and the taking of 12 to 15 residences, depending upon the corridor selected (144 pages). (ELR Order No. 40506.)

Monroe Bypass, STH 11, Green County, Wisconsin, April 1: The project involves the completion of a northerly bypass of the city of Monroe in Green County. The project length is 4.8 miles. Adverse impacts include the use of 226 acres of land, temporary stream sedimentation, increased air pollution, and normal negative impacts associated with construction (34 pages). (ELR Order No. 40516.)

S.T.H. 85, Eau Claire and Dunn Counties, Wisconsin, April 3: The statement assesses the environmental impact of an improvement of STH 85 between the community of Rock Falls and STH 37 in Dunn and Eau Claire Counties. Five alternatives are considered in the statement with no single option recommended. Any road reconstruction or relocation will result in changing farmland, wetland or forest land to highway use. During construction there would be a temporary increase in noise and dust levels, and there would also be some disruption of stream bottoms along the corridor. (106 pages). (ELR Order No. 40531.)

Final

State Route 395, Inyo County, California, April 1: The proposed project is the construction of a 4-lane expressway on Route 395. Project length is 7.5 miles. The amount of land acquisition will depend upon the route chosen. The road will traverse Birmingham Canyon, causing water pollution and damage to the fish life in the water. Archeological sites will also be affected (132 pages). Comments made by: USDA, DOI, DOT, COE, HUD, State and local agencies, and concerned citizens. (ELR Order No. 40500.)

US 6 and Illinois Route 47, Grundy County, Illinois, April 1: The statement considers the reconstruction of 2.74 miles of the 2 highways; the project is located entirely with the City of Moins. Displacements will include 12 businesses and 54 families (86 pages.) Comments made by: USDA, HEW, DOI, DOT, FPC, EPA, State and local agencies. (ELR Order No. 40499.)

U.S. WATER RESOURCES COUNCIL

Contact: Mr. Don Maughan, Director, 2120 L Street NW., 8th Floor, Washington, D.C. 20037, (202) 254-6303.

Draft

Big Black River Basin, Mississippi, April 1. The statement refers to the Comprehensive Basin Study of the Big Black River, Mississippi. The study considers the problems and needs of the Basin, with particular regard to recreation opportunities and flood control measures. Proposals of the plan include land treatment measures, 186 floodwater retarding structures, 17 multiple-purpose structures, and 937 miles of channel modifications (43 pages). (ELR Order No. 40512.)

GARY WIDMAN,
General Counsel.

[FR Doc.74-8523 Filed 5-12-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN COLOMBIA

Entry or Withdrawal from Warehouse for Consumption

APRIL 10, 1974.

On June 27, 1973, there was published in the FEDERAL REGISTER (38 FR 16931) a letter dated June 13, 1973, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in Colombia and exported to the United States during the twelve-month period beginning on July 1, 1973. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraphs 5A and 9 of the Bilateral Cotton Textile Agreement of June 25, 1971, between the Governments of the United States and Colombia, which provide that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five percent; and for the limited carryover of shortfalls in certain categories to the next agreement year.

Accordingly, pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of April 10, 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 cotton textile products in Categories 5/6, 16, 22/23 and 26 (duck), produced or manufactured in Colombia and exported to the United States during the twelve-month period which began on July 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.

APRIL 10, 1974.

DEAR MR. COMMISSIONER: On June 13, 1973, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning July 1, 1973 of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Colombia in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1] This directive was previously amended by directives of October 19, 1973 and February 8, 1974.

Pursuant to paragraphs 5A and 9 of the Bilateral Cotton Textile Agreement of June 25, 1971 between the Governments of the United States and Colombia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed, effective as soon as possible, to increase by the amounts indicated the levels of restraint, as amended, established in the aforesaid directive of June 13, 1973, as amended, for the following categories:

Category		*Increase in the 12 month level of restraint*
5/6	square yards	219,051
16	do	112,131
22/23	do	418,950
26 (duck)[1]	do	62,295

[1] The T.S.U.S.A. Numbers for duck fabric are the following:

320--01 through 04, 06, 08
321--01 through 04, 06, 08
322--01 through 04, 06, 08
326--01 through 04, 06, 08
327--01 through 04, 06, 08
328--01 through 04, 06, 08

The actions taken with respect to the Government of Colombia and with respect to imports of cotton textiles and cotton textile products from Colombia 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 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.74-8552 Filed 4-12-74;8:45 am]

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Entry or Withdrawal from Warehouse for Consumption

APRIL 10, 1974.

On January 4, 1974, there was published in the FEDERAL REGISTER (39 FR 1101) a letter dated December 20, 1973, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs establishing specific limits on certain cotton textiles and cotton textile products produced or manufactured in the Socialist Federal Republic of Yugoslavia and exported to the United States during the twelve-month period which began on January 1, 1974.

In accordance with an amendment to the Bilateral Cotton Textile Agreement of December 31, 1970, between the Governments of the United States and the Socialist Federal Republic of Yugoslavia, effected by exchange of notes dated May 23, 1973, the level of restraint in the directive of December 20, 1973 for cotton textile products in Category 26 (other than duck fabric) should have been 2,140,683 square yards instead of 2,894,063 square yards. The level of restraint for Category 49 should have been 53,308 dozen instead of 32,066 dozen.

There is published below a letter of April 10, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the directive of December 20, 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.

APRIL 10, 1974.

DEAR MR. COMMISSIONER: This directive amends but does not cancel the directive issued to you on December 20, 1973 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton textiles and cotton textile products produced or manufactured in the Socialist Federal Republic of Yugoslavia.

The first paragraph of the directive of December 20, 1973 is hereby amended to show a level of restraint of 2,140,683 square yards for cotton textile products in Category 26 (other than duck fabric) and 53,308 dozen for Category 49 produced or manufactured in the Socialist Federal Republic of Yugoslavia. These amended levels of restraint have not been adjusted to reflect any entries made on or after January 1, 1974.

The actions taken with respect to the Government of the Socialist Federal Republic of Yugoslavia and with respect to imports of cotton textile products from the Socialist Federal Republic of Yugoslavia 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.74-8553 Filed 4-12-74;8:45 am]

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of June 25, 1971 between the Governments of the United States and Colombia which provide, in part, that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Special Assistant to Director of Defense Research and Engineering, Immediate Office, Office of the Director of Defense Research and Engineering, Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8600 Filed 4-12-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Associate Solicitor for Territories, Wildlife, and Claims, Office of the Solicitor.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8602 Filed 4-12-74;8:45 am]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Associate Commissioner, Management, Office of the Commissioner, Immigration and Naturalization Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8598 Filed 4-12-74;8:45 am]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Associate

Deputy Attorney General, Office of the Deputy Attorney General.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8599 Filed 4-12-74;8:45 am]

FARM CREDIT ADMINISTRATION

Notice of Grant of Authority To Make Noncareer Executive Assignment; Correction

In the FEDERAL REGISTER of March 4, 1974 (FR Doc. 74-4907) on page 8182 appeared a Notice of Grant of Authority to Make Noncareer Executive Assignment authorizing the Farm Credit Administration to fill by noncareer executive assignment the position of Assistant Director-Field Service, Credit Service. The title of the position should read "Assistant Director-Operations, Operations and Finance Service."

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8601 Filed 4-12-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/36]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street SW., Washington, D.C. 20460.

Any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must, on or before June 14, 1974, notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received on or before June 14, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 5590-RLU. Aerosol Techniques, Incorporated, Old Gate Lane, Milford, Connecticut 06460. *Spray Disinfectant and Air Deodorant.* Active Ingredients: Ethyl Alcohol 56.13%; Triisopropanolamine 2.75%; n-alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 0.50%; Essential oils 0.10%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA Reg. No. 239-1434. Chevron Chemical Company, Ortho Division, 940 Hensley Street, Richmond, California 94801. *Chevron Ortho Sevin 50 Wettable.* Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33585-E. Crop King Chemicals, Box 574, Yakima, Washington 98907. *Crop King Malathion 5-E.* Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 56.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 464-LNG. The Dow Chemical Company, P.O. Box 1706, Midland, Michigan 48640. *Dow Ronnel PCO Insecticide.* Active Ingredients: Ronnel [O,O-dimethyl O-(2,4,5-trichlorophenyl) phosphorothioate] 23.0%; Aromatic petroleum derivative solvent 49.2%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 31964-E. Gessco Sales Division, Gulf Engineering Co., Inc., 1000 S. Peters, New Orleans, Louisiana 70130. *Gesscocide 15.* Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene(dimethyliminio)ethylene dichloride] 15.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10692-A. Morehead Industries, Inc., 273 Hayden Rowe, Hopkinton, Massachusetts 01748. *Morehead 50 WE Concentrate for Use in Tobacco Warehouses Only.* Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 46.5%; Related Compounds 3.5%; 1,1,1-trichloroethane 30.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8047-GU. Poly Chem, Inc., P.O. Box 10026, New Orleans, Louisiana 70121. *Poly Pine Fragrance Germicidal Cleaner, Coefficient 6.* Active Ingredients: Isopropanol 4.75%; Pine Oil 3.95%; Alkyl (C14 58%, C16 28% C12 14%) dimethyl benzyl ammonium chloride 1.97%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8047-GR. Poly Chem, Inc., P.O. Box 10026, New Orleans, Louisiana 70121. *Poly Pine Fragrance Germicidal Cleaner, Coefficient 13.* Active Ingredients: Isopropanol 9.50%; Pine Oil 7.90%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 3.95%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8047-GR. Poly Chem, Inc. P.O. Box 10026, New Orleans, Louisiana 70121. *Poly Mint Fragrance Germicidal Cleaner, Coefficient 15.* Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 4.00%; Isopropanol 4.00%; Methyl salicylate 1.00% Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 33818-E. Prescott, Inc., 3305 West Griffith Street, P.O. Box 3957, Charlotte, North Carolina 28203. *Septan II Concentrated Detergent, Sanitizer, Fungicide, Disinfectant, Deodorizer.* Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 4.5%; Tetradosium ethylenediamine tetraacetate 2.0%; Sodium Carbonate 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.

REPUBLISHED ITEMS

The following items represent corrections and/or changes in the list of Applications Received previously published in the FEDERAL REGISTER of March 28, 1974 (FR 39 11459).

EPA File Symbol 12059-L. Jag Chemical Corporation, 1865 New Highway, Farmingdale, New York 11735. *Assassinate Residual Surface Spray with Pyrenone/Diazinon.* Correction: Originally published as 1965 Highway.

EPA File Symbol 1021-RGRG. McLaughlin Gormley King Company, 8810 Tenth Avenue, North, Minneapolis, Minnesota 55427. *Pyrocide Intermediate 7217.* Correction: Originally published as McCaughlin.

Dated: April 8, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-8312 Filed 4-12-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19919; FCC 74-334]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Voice Grade Private Line Service

Charges, regulations, classifications and Practices for voice grade private line service (high density-low density rate structure) filed with transmittal letter No. 11891.

1. In its Memorandum Opinion and Order (39 FR 2138) released January 25, 1974 (Order),[1] the Commission set forth new procedures to be followed in the conduct of the above-captioned proceeding. Rather than following the past practice of holding oral proceedings, these procedures provide for the receipt of all evidence in writing, with provision for oral hearings, if and to the extent necessary.

2. On Febuary 5, 1974, the Bell System Respondents (Bell) filed a petition requesting the Commission to clarify and modify several aspects of its January 25 Order. Responses to Bell's petition were received from the Trial Staff of the Common Carrier Bureau, jointly by MCI Telecommunications Corporation, Microwave Communications, Inc., MCI New York

West, Inc., and Interdata Communications, Inc. (MCI), jointly by the American Newspaper Publishers Association, The Associated Press, and Commodity News Services, Inc. (Press Services), and the Air Transport Association of American (ATA).

3. Bell first states that our procedures require submission of reply testimony prior to an opportunity to receive answers to interrogatories and that this "appears to be not only potentially prejudicial but counter-productive to expedition." On March 8, 1974, the Chief, Common Carrier Bureau, acting pursuant to delegated authority, modified the time table for the procedures herein to permit the filing of responsive testimony within ten days after the filing of answers to the first round of interrogatories. Further action on our part is therefore unnecessary with respect to this particular point.

4. Bell next points out that there is no procedure contemplated for the customary objection to the admissibility of material into the record. We had hoped, in adopting revised procedures for this case, that there would be no occasion for the parties to concern themselves with making formal objections to admissibility of material into the record other than at the time of the submission of proposed findings and conclusions. As in all rulemaking proceedings based upon written submission, we are able to determine at the time of decision whether and to what extent material in the record is or may be irrelevant, incompetent or immaterial and what weight shall be given thereto. We are therefore reluctant to provide extra procedures that can be used by the parties to contest admissibility questions and thereby delay unnecessarily the completion of the case. We are of the opinion that no party will be prejudiced by the inclusion of material in the record herein that might not otherwise be admitted in a trial type hearing. Our decision will be based solely on evidence that is probative, substantial and relevant to the issues. Moreover, at the time of the submission of proposed findings and conclusions, we shall expect the parties to rely only upon evidence in the record that is material, competent and relevant. Any contentions concerning the admissibility of evidence can be made at that time in supporting briefs. Similarly, reply findings and briefs (which we are allowing herein), can be used to voice any objection to the admissibility of evidence. Accordingly, we shall not provide for any procedures governing the submission of objections to admissibility of evidence except as indicated above.

5. Bell further points out that no provision is made for the filing of reply findings. We agree that this would be helpful to the Commission and we will add one further procedural step to allow reply findings to be filed within fifteen days of the filing of proposed findings of fact and conclusions of law.

6. Bell concludes by stating that no provision is made for oral argument and that the Trial Staff should be separated not only from the Commission itself but from other decision making personnel, including the Chief of the Common Carrier Bureau. We believe that it is premature for us to make any ruling, at this time, with respect to oral argument. After the filing of proposed findings and replies thereto, we will give consideration at that time as to whether or not oral argument shall be held. If and when a request for oral argument is filed with the Commission, we will rule on it at that time. With respect to the separation of the Trial Staff, the Commission has stated its clear intention that:

> * * * the separation of the Trial Staff * * * was not intended to separate that staff from other personnel or resources of the Common Carrier Bureau. The Trial Staff is free to consult with any other member of the Bureau. The separation of the Trial Staff * * * simply means that such staff: (1) will not make any oral presentations to the [Administrative Law Judge] or the Commission without the other parties being present, and (2) will not make any written presentations to the [Administrative Law Judge] or the Commission which are not served on the other parties. 32 FCC 2d 89, 90 (1971).

Thus, it is intended that the Trial Staff be separated only from the Commission and the Administrative Law Judge. However, we note that our January 25 Order inadvertently provided for separation only from the Commission. We will modify our Order to make it clear that the Trial Staff is separated from both the Commission and the Administrative Law Judge.

7. Finally, we would like to comment on certain other aspects of our January 25 Order. Paragraph 6.d of our Order requires an original and five copies of all matters submitted for the hearing record to be filed with the Commission. Questions have arisen as to whether this also applies to other documents. This provision is not applicable to other submissions, such as briefs, pleadings and proposed findings. The number of copies required for such other submissions is governed by the applicable provisions of Part I of the Commission's Rules. We are also modifying paragraphs 7.e and 7.f of our Order to allow any participant to serve interrogatories and requests for information on any other participant filing material in response to AT&T. This was an inadvertent omission from our Order.

8. In view of the foregoing, *It is ordered*, That our January 25, 1974 Order in this proceeding (FCC 74-81) is clarified as set forth above and is modified in the following respects:

(A) Paragraphs 7.e and 7.f are modified to read as follows:

7.e. Any participant may serve interrogatories on any other participants filing material in response to AT&T within fifteen days of the filing of such responses. Answers to such interrogatories shall be filed within twenty days of the recipt thereof.

7.f. If necessary, further interrogatories on other participants may be filed within ten days of the filing of such answers to the first interrogatories. Answers to such second interrogatories shall be filed within ten days of the receipt thereof.

(B) A new paragraph 7.i is added as follows:

7.i. Reply findings of fact and conclusions of law may be filed by any participant within fifteen days of the filing of proposed findings of fact and conclusions of law.

(C) Paragraph 10 is modified to read as follows:

10. *It is further ordered*, That a trial staff of the Common Carrier Bureau will participate in this proceeding and shall be separated from both the Commission and the Administrative Law Judge.

Adopted: April 3, 1974.

Released: April 9, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-8594 Filed 4-12-74;8:45 am]

[1] American Telephone and Telegraph Company (High Density-Low Density Rate Structure), —— FCC 2d ——, FCC 74-81, released January 25, 1974.

[1] Commissioners Robert E. Lee and Reid concurring.

CABLE TELEVISION TECHNICAL ADVISORY COMMITTEE, PANEL 7

Notice of Meeting

APRIL 9, 1974.

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the CTAC Panel 7 Committee on April 23, 1974, to be held in Chicago, Illinois—Conrad Hilton Hotel, Williford Room, Parlor B at 9:30 a.m.

The agenda is as follows:

(1) Chairman's Report
(2) Review of Minutes of February 20, 1974 Meeting
(3) Review of First Draft of Final Report
(4) Discussion of Other Areas
(5) Establish Milestones for Next Meeting
(6) New Business
(7) Establish Date, Time and Place for Next Meeting

Any member of the public may attend or may file a written statement with the Committee either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Committee prior to the meeting. Inquiries may be directed to Mr. Stephen R. Effros, FCC, 1919 M Street, NW, Washington, D.C. 20554—(202) 632-6468.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-8596 Filed 4-12-74;8:45 am]

[Docket Nos. 19991, 19992; File Nos. BRCT-71, BPCT-4527; FCC 74-328]

RKO GENERAL, INC., AND MULTI-STATE COMMUNICATIONS, INC.

License Renewal, Construction Permit

In re Applications of: RKO General, Inc. (WOR–TV) New York, New York, for renewal of broadcast license; Multi-State Communications, Inc., New York, New York, construction permit for new television broadcast station.

1. The Commission has before it for consideration: (a) the above-captioned applications, one requesting a renewal of license to operate on channel 9, New York, New York, and the other requesting a construction permit for a new television broadcast station to operate on channel 9, New York, New York; (b) a petition to dismiss the application of Multi-State Communications, Inc. (Multi-State), filed June 7, 1973, by RKO General, Inc. (RKO); (c) an opposition, filed June 20, 1973, by Multi-State; and (d) a reply, filed July 2, 1973, by RKO.

2. On June 7, 1973, RKO filed a petition to dismiss Multi-State's application for a construction permit on the grounds that the application is patently defective since the applicant does not have reasonable assurance that the transmitter site would be available to it. Multi-State's application specifies as its proposed transmitter site, the present transmitter site of station WOR–TV. RKO, which leases antenna space on the Empire State Building, asserts that Multi-State never contacted RKO about whether WOR–TV's site would be available for use by Multi-State in the event of a grant of its application. Moreover, RKO states that by letter dated February 20, 1973, it advised Multi-State and the Commission that it would not assign its antenna lease to Multi-State. Consequently, RKO contends that Multi-State's continued representations to the Commission concerning the availability of its proposed antenna site raise serious questions as to Multi-State's candor. Furthermore, RKO alleges that since Multi-State's application was not substantially complete when it was filed, in that the applicant did not have a transmitter site, Multi-State is now precluded, under the Commission's "cut-off rules," from correcting this defect in its application. In opposition, Multi-State alleges that it is reasonable for it to specify the Empire State Building as its transmitter site because of the uniqueness of the site.[1] Specifically, Multi-State indicates that the height of the Empire State Building provides the best location for television antennas in New York City and that receiving antennas in the area are oriented toward that site. Thus, Multi-State indicates that public interest considerations require it to specify a site on the Empire State Building since operation from that site will enable the applicant to provide the best possible television service to the public. Finally, Multi-State contends that RKO's refusal to sell or lease the facilities of WOR–TV raises a question concerning the character qualifications of RKO. In reply, RKO alleges that Multi-State has failed to demonstrate that a site on the Empire State Building other than WOR–TV's present site is not available for lease or that comparable sites on other buildings are not available.

3. We are of the view that Multi-State's selection of the transmitter site specified in its application did not render the application patently defective. Initially, we note that we have previously stated that it is reasonable for an applicant to assume that a renewal applicant would be receptive to an offer to purchase or lease its site if its license were denied by the Commission. United Television Co., Inc., 18 FCC 2d 363 (1969); Central Florida Enterprises, Inc., 22 FCC 2d 260 (1970). Therefore, at the time that Multi-State filed its application, it could reasonably have concluded that the site specified would in all probability be available in the event of a denial of WOR–TV's license. Moreover, even if RKO should not make its present site available to Multi-State, we believe that because of the unique tower situation in New York City, a transmitter site will be available to Multi-State either on the Empire State Building or the World Trade Center Building.[2] Accordingly, RKO's petition to dismiss Multi-State's application will be denied. Furthermore, we do not believe that the conduct of RKO or Multi-State with respect to the site question warrants the specification of character qualifications issues against either party.

4. The exact amount needed to construct and operate Multi-State's proposed station for three months without revenues[3] cannot be determined on the basis of the information contained in Multi-State's application. However, cash in the amount of at least $4,240,871 will be needed as follows: down payment on equipment (cost of antenna system not included)—$756,750; two months' principal payments on equipment—$94,594; 2 months' interest payments on equipment—$17,027; three months' interest payments on bank loan—$70,000; miscellaneous expenses (including grant fee of $45,000)—$585,000; and three months' cost of operation—$2,717,500. While Multi-State states that it will purchase for $100,000 the existing antenna system of the present licensee (RKO), it has failed to furnish the Commission with any information indicating that the equipment can be purchased at the price indicated. In addition, while Multi-State indicates that the station's main studio will be located at a site to be determined in the City of New York, the applicant has not furnished the Commission with any information as to the costs associated with the construction or lease of its main studio facilities.[4] Accordingly, appropriate financial issues have been specified.

5. To meet its cash-needed requirements, Multi-State relies upon paid-in capital of $155,000, stock subscription agreements of $147,000, and a $4,000,000 bank loan. The applicant has established the availability of $138,750 in stock subscription agreements. However, the applicant has failed to show how Mr. James C. Torres will obtain sufficient funds to meet his stock subscription commitment in the amount of $8,250. Moreover, the applicant has failed to establish that it has available $155,000 in existing capital. Specifically, while Multi-State submitted an amendment on March 9, 1973, which indicated in section III, paragraph 1(c), FCC Form 301, that it had $155,000 in existing capital, it has not submitted a current balance sheet which reflects the availability of those funds.[5] Furthermore, although Multi-State has established the availability of the $4,000,000 bank loan from the Chase Manhattan Bank, the loan does not specify the collateral or security, if any, and does not, therefore, fully meet the requirements of section III, paragraph 4(e), FCC Form 301. In addition, there is no indication as to whether the stockholders will provide the collateral or security which may be required by the bank. In the event that the applicant is able to satisfactorily demonstrate the availability of all the funds upon which it relies ($4,302,000) the applicant will still need additional funds applicant will still need additional

[1] In this connection, Multi-State cites the provisions of § 73.635 of the Commission's rules which provide as follows: "No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area and (a) the site is not available for use by other television licensees; and (b) no other comparable site is available in the area; and (c) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly restrict competition among television stations."

[2] All of the New York City television stations, including station WOR–TV, have filed applications to relocate their transmitting facilities to the World Trade Center Building.

[3] As in similar cases in the past, we will not apply the standard set forth in Ultravision Broadcasting Co., 1 FCC 2d 544 (1965). Rather we will apply our former standard which required an applicant to demonstrate that it has sufficient funds to construct and operate the proposed station for three months without revenues. Orange Nine, Inc., 7 FCC 2d 788 (1967). In this connection, it is noted that the Commission's TV Broadcast Financial Data Report for 1972 reveals that the New York City television broadcast stations generated revenues on an average in excess of the applicant's anticipated first-year operating costs ($10,870,000).

[4] The breakdown of first-year operating costs submitted by Multi-State contains a figure of $300,000 for the rental of land and building. However, it is assumed that the figure relates to the rental of the transmitter site and the transmitter building.

[5] While the application contains a balance sheet for Multi-State dated April 25, 1972, the balance sheet does not reflect the applicant's current position with respect to subscribed and issued stock.

funds.[6] We will, therefore, specify appropriate issues.

6. On December 11, 1969, we issued an Order (20 FCC 2d 846) which designated for comparative hearing the license renewal application of RKO for station WNAC–TV, channel 7, Boston, Massachusetts, and two competing applications for construction permits. The issues included, inter alia, an issue to determine whether, in view of the evidence concerning alleged anticompetitive practices by RKO or its parent corporation, General Tire and Rubber Company, RKO should be disqualified to remain a licensee, or if not so disqualified, whether a comparative demerit should be assessed against it in the Boston proceeding. The issue arose out of a civil anti-trust suit filed March 2, 1967, by the Department of Justice against General Tire and Rubber Company and three of its subsidiaries, including RKO, which alleged that they violated the Sherman Antitrust Act by conspiring to force their suppliers to purchase products and services from them.[7] The order also provided that since the allegations of anticompetitive practices were before the Commission in Docket No. 16679, in connection with the license renewal application of RKO for station KHJ–TV, Los Angeles, California, official notice might be taken of the record in the KHJ–TV proceeding and that only new or additional evidence not adduced in that proceeding might be adduced in the Boston proceeding. Subsequently, by Memorandum Opinion and Order (25 FCC 2d 633) released August 12, 1970, the Review Board added an issue to determine whether RKO violated the sponsorship identification provisions of the Communications Act and the Commission's rules with respect to the broadcast of the Della Reese Show and, if so, the effect thereof on the requisite and/or comparative qualifications of RKO to remain a licensee of the Commission. Thereafter, by Memorandum Opinion and Order (30 FCC 2d 138) released June 7, 1971, the Review Board added issues to determine whether in the course of the KHJ–TV proceeding, officers, employees and former employees of General Tire and RKO had misrepresented or concealed facts, or had been lacking in candor in their sworn testimony concerning reciprocal trade practices and, if so, whether RKO should be disqualified as a licensee in Boston, or assessed a comparative demerit. We believe that it is appropriate to specify, in the present proceeding, the three disqualification issues which have been specified against RKO in the Boston proceeding. However, in doing so, it is not our intention to have the parties to the present proceeding relitigate those issues. The record in the Boston proceeding is closed, and RKO is bound by that record. The resolution of the disqualification issues in the Boston proceeding will be res judicata as to RKO. Multi-State, which was not a party to the Boston proceeding, will be permitted to introduce only new or additional evidence not adduced in the Boston proceeding upon an appropriate showing that such evidence would be relevant and material to a resolution of those issues. In the event that Multi-State is permitted to adduce new or additional evidence, RKO shall have the right to offer rebuttal evidence, but only as to the new or additional evidence.

7. Except as indicated by the issues set forth below, RKO General, Inc., is qualified to own and operate television station WOR–TV, and, except as indicated by the issues set forth below, Multi-State Communications, Inc., is qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

8. Accordingly, *it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of RKO General, Inc., and Multi-State Communications, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order, upon the following issues:

(1) To determine with respect to the application of Multi-State Communications, Inc.:

a. Whether James C. Torres has available sufficient funds to meet his stock subscription commitment to the applicant.

b. The amount of paid-in capital available to the applicant.

c. The cost and terms of purchase under which the antenna system will be available to the applicant.

d. The cost of rental or construction of the applicant's main studio facilities.

e. In view of the evidence adduced under issues (c) and (d), the extent to which the applicant's cash requirement will be increased.

f. The collateral, if any, for the $4,000,000 bank loan from the Chase Manhattan Bank, and whether the applicant can comply with the collateral requirements.

g. Assuming that all of the funds upon which the applicant relies will be available to it, how the applicant will obtain sufficient additional funds to be used for the construction and first three months' operation of the station.

h. Whether, in view of the evidence adduced under the preceding issues, the applicant is financially qualified.

(2) To determine with respect to the application of RKO General, Inc., whether in view of the evidence concerning alleged anticompetitive practices by RKO General, Inc., or its parent corporation, General Tire and Rubber Company, RKO General, Inc., should be disqualified to remain a licensee of the Commission, or if not so disqualified, whether a comparative demerit should be assessed against it in this proceeding.

(3) To determine whether RKO General, Inc., violated the sponsorship identification provisions of section 317 of the Communications Act of 1934, as amended, and section 73.654 of the Commission's rules with respect to the broadcast of the Della Reese Show and, if so, the effect thereof on the requisite and/or comparative qualifications of RKO General, Inc., to remain a Commission licensee.

(4)(a). To determine whether in sworn testimony given in the KHJ–TV proceeding, Docket Nos. 16679–16680, officers, employees, and/or former employees of General Tire and Rubber Company, or of RKO General, Inc., misrepresented facts, concealed facts, or were lacking in candor with regard to the existence, nature, and extent of reciprocal trade practices engaged in by General Tire and Rubber Company and RKO General, Inc.

(4)(b). To determine in light of the evidence adduced pursuant to the aforementioned issue, whether RKO General, Inc., should be disqualified as licensee of WOR–TV, or, alternatively, assessed a comparative demerit.

(5) To determine which of the proposals would best serve the public interest.

(6) To determine, in light of the evidence adduced pursuant to the above issues, which, if either, of the applications should be granted.

9. *It is further ordered*, That, the petition to dismiss filed by RKO General, Inc., is denied.

10. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein pursuant to section 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

11. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication

[6] The exact amount of additional funds which will be required cannot be determined at this time since the present cash-needed figure of $4,240,871 will have to be increased by the cash required for the purchase of the antenna system and the construction or lease of the main studio facilities.

[7] United States v. The General Tire and Rubber Company, et al., Civil Action No. C–67–155, U.S. D.C., Northern District of Ohio. This action was terminated on October 22, 1970, by the issuance of a consent decree which precludes General Tire and Rubber Company and its subsidiaries from taking certain actions in the future without finding that they had previously engaged in such conduct.

of such notice as required by § 1.594(g) of the rules.

Adopted: April 2, 1974.

Released: April 10, 1974.

FEDERAL COMMUNICATIONS COMMISSION
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-8595 Filed 4-12-74;8:45 am]

FEDERAL ENERGY OFFICE

REGIONAL OFFICES

Guidelines for Issuing Assignment Orders

The following guidelines have been issued to FEO Regional Offices. The guidelines are instructional and are designed to meet the need for consistency, both among Regional Offices and between National FEO and the Regions generally.

Dated at Washington, D.C., this 11th day of April 1974.

WILLIAM N. WALKER,
General Counsel.

1. *General.* A. When the historical supplier is out of business or will be permanently unable to supply, FEO should issue an order for permanent assignment of the wholesale purchaser to another supplier.

B. When the historical supplier is out of the area and cannot work out an arrangement on its own with a substitute supplier, FEO should issue the permanent assignment order subject to a payback from historical supplier. (Note: This may not be permanent; i.e., the historical supplier may have to return to the marketing area or FEO may remove payback feature after historical supplier files application for reassignment under Section 211.14(d)).

C. When the historical supplier is unable to supply "sufficient" percentage of base period volume due to a temporary condition (i.e., if it is currently short of crude), FEO should issue an assignment order for two or three months subject to revocation and/or payback at a later date. "Sufficient" means enough to keep the purchaser in business, i.e., a fraction of at least 50% in most instances.

D. Procedures: Assignment orders should be issued only on the basis of full procedures specified in Subpart B of 10 CFR Part 205.

(i) A petition for assignment should be signed by purchaser;

(ii) The Order should contain a statement of reasons;

(iii) Also, to protect FEO against mistakes, FEO should notify potential supplier before issuing the Order and give a reasonable opportunity to comment (a few days is enough);

(iv) Finally, to the maximum extent practicable, assignment orders for a given month should be issued by the 15th of the preceding month so that a supplier can apply a consistent allocation fraction and not have to use inventories or divert product from a few customers to comply with the order.

2. *Interim orders.* A. Act only on signed petition for assignment, certifying need.

B. Give at least 24 hours notice to the prospective supplier before issuing the Order.

C. Issue only in genuine emergencies: When necessary to forestall hardship—to keep purchaser from going dry or out of business.

3. *Selection of supplier in assignments.* A. For both permanent and interim assignments FEO should consider the following:

(i) Goal of equalizing allocation fractions among suppliers;

(ii) Capability of supplier to supply new customers on short notice. (Logistical problems; available inventories in the purchaser's area.)

B. FEO should weigh the relative allocation fractions heavily in selection of a supplier for assignment orders. The two or three available suppliers with the highest fractions should receive the major share of the assignments in each region. Obviously, other suppliers may have to share if the volume is so great that logistical problems are raised by assigning to only two or three companies.

4. *Procedure to follow regarding supplier withdrawal if supplier was supplier of record in 1972.* A. First priority must be enforcing historical supplier/purchaser relationship:

(i) Using NOVP or Remedial Order, direct historical supplier to re-establish direct relationship or to provide the allocation through a substitute supplier.

(ii) If historical supplier is out of the area and cannot find a willing substitute supplier, FEO can order a new supplier to supply product and require the historical supplier to comply with its base period supply obligation by selling an equivalent amount to the new supplier in another area. (This involves an assignment order to the new supplier subject to a "payback" by the historical supplier.)

[FR Doc.74-8715 Filed 4-11-74;3:20 pm]

CONSUMER ADVISORY 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 Consumer Advisory Committee will hold a meeting on Monday, April 22, 1974, at 10:00 A.M. in Room 3000, Federal Energy Office, 12th & Pennsylvania Avenue NW., Washington, D.C. The committee was established to advise the Administrator, FEO, on consumer aspects of interests and problems related to the policy and implementation of programs to meet the current energy crisis. The agenda for the meeting is as follows:

1. Oil company operating profits for first quarter, 1974.
2. Equalization of prices of petroleum products derived from domestic and foreign crude oil.
3. Gasoline octane ratings.
4. FEO petroleum statistics.
5. Natural gas pricing policies.

The meeting is open to the public; however, space and facilities are limited. Further information concerning the meetings may be obtained from Lee Richardson, Federal Energy Office, Washington, D.C., Telephone 202/961-8576.

The Chairman of the committee is empowered to conduct the meetings in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Minutes of the meetings will be made available for public inspection at the Federal Energy Office, 12th & Pennsylvania Ave., Washington, D.C.

April 12, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-8751 Filed 4-12-74;11:11 am]

RETAIL DEALERS GROUP

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Retail Dealers Group, established under the authority of section 212(f) of Economic Stabilization Act, as amended; Executive Order 11748; section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 47 will meet on Thursday, April 18, 1974 at 9:00 A.M. in the Sheraton Dallas Hotel, Southland Center, North Ballroom, Dallas, Texas.

The Group was established to advise the Administrator, FEO, with direct and timely access to the technical knowledge possessed by a wide range of highly qualified independent businessmen engaged in the retail sale of gasoline and diesel fuel. The agenda for the meeting is as follows:

I. OLD BUSINESS

A. Pricing.
B. Allocations/Margins.
C. Rental/Lease Agreements.

II. NEW BUSINESS

A. Clarifications/Revisions to Part 211.
B. Exceptions Procedures.
C. Extension of Retail Dealers Group Charter.
D. Remarks from the Floor (10 Minute Rule).

The meeting is open to the public; however, space and facilities are limited.

The Chairman of the Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Further information concerning this meeting may be obtained from Dino G. Pappas, Office of Policy, Planning and Regulation, Federal Energy Office, Washington, D.C. 20461. Area Code 202/961-8324. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Issued in Washington, D.C. on April –, 1974.

Dated: April 12, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-8748 Filed 4-12-74;11:09 am]

GAS UTILITIES ADVISORY 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 Gas Utilities Advisory Committee will hold a meeting on Tuesday, April 23, 1974, at 5:00 p.m., in Room 3140-A, Federal Energy Office, 12th and Pennsylvania Avenue NW., Washington, D.C. The Committee was established to advise the Administrator FEO, on gas utility aspects of interests and problems related to the policy and implementation of programs to meet the current energy crisis. The agenda for the meeting is as follows:

I. Deregulation of natural gas.
II. Natural gas supply outlook for winter of 1974/75.
III. Apparent conflicts between Federal agencies with respect to priorities of service in natural gas use.
IV. Proposed FEO regulations on use of liquid hydro-carbons with reference to gasification feed stocks for SNG plants.
V. Alternate fuels capability for industrial use with respect to foreign and domestic LNG supplies.
VI. Implications of the impending fertilizer shortages.
VII. Discussion of charges by the Independent Petroleum Advisory Committee (Northeast Group) that public utilities are soliciting home heating conversions at the expense of industrial commitments.
VIII. Voluntary conservation program in natural gas.
IX. Congressional actions affecting natural gas.
X. Data collection within FEO.

The meeting is open to the public; however, space and facilities are limited. Further information concerning the meetings may be obtained from Richard Waller, Federal Energy Office, Washington, D.C., Telephone 202/961-6181.

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.

Minutes of the meeting will be made available for public inspection at the Federal Energy Office, 12th and Pennsylvania Avenue N.W., Washington, D.C.

Dated: April 12, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-8749 Filed 4-12-74;11:09 am]

WHOLESALE PETROLEUM ADVISORY GROUP

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Wholesale Petroleum Advisory Group, established under the authority of Section 212(f) of Economic Stabilization Act, as amended; Executive Order 11748; Section 4(a)(iv) of Executive Order 11695, and Cost of Living Order No. 47, will meet on Tuesday, April 30, 1974 at 2:00 P.M. in the Benjamin Franklin Postal Station, Room #3000, 12th. and Pennsylvania Avenue NW., Washington, D.C. 20461.

The Group was established to advise the Administrator, FEO, with direct and timely access to the technical knowledge possessed by a wide range of highly qualified independent businessmen engaged in the wholesale trade of selling heating oil, residual fuel and gasoline. The agenda for the meeting is as follows:

1. Introductions.
2. Opening Remarks.
3. FEO Staff Briefings.
   A. Rules/Regulations.
   B. Data Collection.
   C. Wholesale Petroleum Problem Areas.
4. Committee Participation.
5. Selection Date For Next Meeting.
6. Administrative Aspects.
7. Remarks From The Floor (10 Minute Rule).

The meeting is open to the public, however, space and facilities are limited.

The Chairman of the Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Further information concerning this meeting may be obtained from Dino G. Pappas, Office of Policy, Planning and Regulation, Federal Energy Office, Washington, D.C. 20461. Area Code 202/961-8324. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Dated: April 12, 1974.

Issued in Washington, D.C. on April 9, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc. 74-8750 Filed 4-12-74;11:09 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01011---	Aktieselskabet Det Ostasiatiske Kompagni: *Cedrella.*
01014---	Robert Bornhofen Reederei: *Elisabeth Bornhofen.*
01096---	Anglo Nordic Shipping Limited: *Nordic Talisman.*
01103---	Poseidon Schiffahrt G.M.B.H.: *Columbus Caribic, Tannhauser.*
01192---	Odd Bergs Tankrederi A/S: *Kollskegg.*
01221---	Skibsaktieselskapet Nordhav, Skibsaktieselskapet Sydhav Manager, Skibsaktieselskapet Osthav, Mr. Per Lodding: *Sydhav.*
01233---	Buries Markes Limited: *La Bahia, La Fulda.*
01242---	A. S. Jensens Rederi III: *Wangstar.*
01383---	Mariehamns Rederi AB: *Basto, Borgo, Freezer Finn.*
01425---	Johnston Warren Lines Ltd.: *Newfoundland.*
01641---	The Bank Line Limited: *Clydebank.*
01718---	Stockholms Rederiaktiebolag Svea: *Svea Marina.*
01861---	BP Tanker Company Limited: *British Patience, British Renown.*
01910---	Deutsche Dampfschiffahrts-Gesellschaft "Hansa": *Gutenfels.*
01935---	Partnership between Steamship Co., Svendborg Ltd. and Steamship Company of 1912 Ltd.: *Lars Maersk, Niels Maersk, Hans Maersk, Nelly Maersk, Svend Maersk, Jens Maersk, Helene Maersk, Hartvig Maersk, Brigit Maersk, Maersk Feeder, Hulda Maersk, Bella Maersk, Maersk Fighter, Maersk Handler, Maersk Server, Maersk Helper, Maersk Shipper, Maersk Supplier, Maersk Supporter, Maersk Tackler. Maersk Tender.*
01994---	Providence Shipping Company: *Nimba.*
02021---	Atlantska Plovidba: *Cvijeta Zuzoric.*
02027---	Atlas Towing Company: *Big Sandy III.*
02038---	Polskie Linie Oceaniczne: *Adolf Warski, Jan Matejko.*
02195---	Welsh Ore Carriers Limited: *Welsh Troubadour.*
02249---	Fisser & V. Doornum: *Suncapri.*
02302---	First Steamship Company Ltd.: *Ever Wealth.*
02328---	Saturn Shipping Co., Limited: *Star Kerry.*
02330---	Oriental Shipping Corporation: *Ogden Jordan.*
02468---	Czechoslovak Ocean Shipping: *Bratislava.*
02519---	S.A. Louis Dreyfus & Cie: *Jean L.D.*
02522---	Sugar Line Limited: *Sugar Carrier.*
02582---	Jugoslavenska Tankerska Plovidba-Oour Jugotanker: *Rade Koncar, Iz, Milos Matijevic, Posravina, Pomoravlje, Podunavlje, Slavisa Vajner, Jordan Nikolov, Olib, Idrija, Tjubija, Sisak, Zletovo, Vinjerac, Silba, Obrovac, Dugi Otok, Ravni Kotari.*
02583---	Pacific Inland Navigation Company, Inc.: *Barge 25.*
02610---	Peter Dohle Schiffahrts K.G.: *Andreas.*
02717---	Court Line Limited: *Halcyon Loch.*
02862---	Ocean Shipping & Enterprises Ltd.: *Ocean Endurance.*
03276---	Universe Tankships, Inc.: *Universe Explorer.*
03398---	Interessentskapet Norse Mountain: *Norse Duke.*
03447---	K.K. Kyokuyo: *Ryoun Maru No. 8.*
03452---	Kyoei Tanker Kabushiki Kaisha: *Taiei Maru.*
03454---	Kyowa Sangyo Kaiun K.K.: *Etsusui Maru.*
03484---	Sanko Kisen K.K.: *Eleftheroupolis, World Radiance.*
03492---	Sawayama Kisen K.K.: *Mikagesan Maru.*
03508---	Taiyo Gyogyo K.K: *Chigusa Maru.*
03516---	Toko Kaiun K.K.: *Toei Maru.*
03611---	Villain & Fassio E. Compagnia Internazionale Di Genova-Societa Riunite Di Navigazione S.P.A.: *Ernesto Fassio.*
03635---	Hines, Incorporated: *Hines 420.*
03727---	Continental Oil Company: 7026, 7027, 7033, 7041, 7042, 7043, 7044.
03730---	Brown & Root, Inc.: *Bar 331, Bar 345.*
04030---	First Delta Shipping, Inc.: *Tanjong.*
04126---	Jugoslavenska Linijska Plovidba, Rijeka: *Dunav, Sava.*
04160---	Marine Transport Co.: *AHB-604, BED-504.*
04212---	Nilo Barge Line, Inc.: *SBI 601, SBI 602, SBI 603, OMCC 651, OMCC 652.*
04404---	Lars Rej Johansen: *Joarctic.*
04420---	Navigazione Alta Italia, S.P.A.: *Portobello.*

Certificate No.	Owner/Operator and Vessels
04489---	Otoshiro Gyogyo Kabushiki Kaisha: *Otoshiromaru No. 10.*
04502---	Kotoshiro Gyogyo Kabushiki Kaisha: *Kotoshiro Maru No. 7, Kotoshiro Maru No. 28.*
04511---	Showa Gyogyo Kabushiki Kaisha: *Showamaru No. 12.*
04526---	Eifuku Gyogyo Kabushiki Kaisha: *Eifukumaru No. 58.*
04542---	Mr. Choei Okado: *Chokyumaru No. 11.*
04562---	Okada Kaiun Kabushiki Kaisha: *Valiant.*
04601---	American Tunaboat Association: *Dominator.*
04625---	American Commercial Lines, Inc.: *D. Ray Miller, Chem 306, Chem 500, Chem 403, Chem 404, Chem 405, Chem 307, Chem 501, Chem 406, Chem 407.*
04634---	T. Smith & Son, Inc.: *SCB 3.*
04803---	Brent Towing Company, Inc.: *Linda Anne.*
05096---	Esso Tankschiff Reederei GMBH: *Esso Europa.*
05098---	Esso Tankers Inc.: *Esso Mukaishima.*
05117---	Otter Shipping Company Ltd.: *Sister Clio.*
05118---	Dart Shipping Company Ltd.: *Sister Amalia.*
05155---	Bultema Dock & Dredge Co.: *Hilda.*
05165---	Sun Oil Company of Pennsylvania: *Jar 4.*
05192---	Reefer and General Shipping Co. Inc.: *Syros.*
05204---	Steuart Transportation Company: *STC 409, STC 410.*
05425---	Georgia Transporters, Inc.: *GT 220.*
05548---	Bravo Corporation: *Tank Barge Walker No. 23.*
05580---	Kamchatka Shipping Company: *Vitality Cruchina.*
05754---	A. E. Sorensen A/S: *A.E.S.*
05810---	John Hudson Fuel & Shipping Ltd.: *Bel Hudson, Hudson Light, Hudson Trader.*
05846---	"Nordsee" Deutsche Hochseefischerei G.M.B.H.: *Osterreich, Diesbaden.*
05936---	Transocean Shipping Company Ltd.: *Newport.*
06069---	Lousiana Bunkers, Inc.: *Sea Chief.*
06150---	Lineas Asmar S.A.: *Eulalia Del Mar.*
06204---	Continental Explosives Ltd.: *Klassen.*
06234---	Kokusai Gyogyo Kabushiki Kaisha: *Anyou Maru No. 21.*
06566---	Occidental Petroleum Corporation: *Hyak King.*
06746---	Fukada Salvage K.K.: *North Sea.*
06817---	Compania Palacio Del Mar S.A.: *Nagata.*
06821---	Anglo-Eastern Bulkships Ltd.: *Nordic Conquerer, Nordic Clipper, Nordic Crusader.*
06848---	Filia Compania Naviera S.A.: *Anangel Friendship.*
06996---	Akita Senpaku K.K.: *Akitsushima Maru, Akitaka Maru.*
07087---	Arion Shipping Corporation: *Atalanta, Moira.*
07126---	Ramses Shipping A/S: *Seaterr*
07216---	Kabushiki Kaisha Nagasaki Ken Gyogyo Kosha: *Ohzuru Maru No. 18.*
07287---	Charles Barge Corp.: *Gloria G, Apex 3401, Apex 1802, Apex 3504, Apex 3503.*
07290---	Hollywood Terminals, Inc.: *T 700, Guzzetta 100, Maycan 1.*
07348---	K/S-A/S Sea-Team & Co.: *London Team, Scandia Team.*
07362---	Primorsk Shipping Company: *Kapitan Shvetsov.*
07366---	Compagnie Maritime des chargeurs Reunis: *Frontenac, Joliette.*
07516---	Akitsu Gyogyo Kabushiki Kaisha: *Akitsu Maru.*
07621---	Mr. Heizaburo Matsuo: *Narihira Maru No. 18.*
07711---	Ab Vasa Shipping Oy: *Colonel Bill.*
07778---	Sea Drilling Corporation: *Seadrill 11, Seadrill 10, Seadrill 3, Seadrill 2, Seadrill 14.*
07801---	Judge Oil Transport, Inc.: *Peck Slip.*
07817---	Yick Fung Shipping Enterprises Company Ltd.: *Amundsen Sea, Crete Sea.*
07824---	Swiftsure, Inc.: *Western Pioneer.*
07876---	Sirikari Compania Naviera S.A.: *Kapetan Xilas.*
08018---	Protoklitos Compania Naviera S.A.: *Agios Fanourios.*
08071---	Anglo Nordic Bulkships Management Limited: *Nordic.*
08313---	Norness (Bulkcarriers) Limited: *Nordic Patriot.*
08381---	EF-Marine S.A.: *Freight's Queen.*
08474---	Knossos Shipping Inc.: *Argo Castor.*
08475---	Thessaly Shipping Inc.: *Argo Pollux.*
08575---	Sfaka Navigation Company Limited: *Cretan Beach.*
08576---	Cretanor Maritime Company Limited: *Cretan Harmony.*
08642---	Shinwa Steamship Co. (U.K.) Ltd.: *Asia Serenity.*
08652---	Scorpion Shipping Inc.: *Sea Fan.*
08677---	St. Charles Transportation Company Limited: *Atlantic.*
08741---	Zoe Shipping Co. Ltd.: *Galaxy.*
08769---	Litton Great Lakes Corp.: *Presque Isle.*
08799---	N.V. Caribbean Bulk Carriers: *Alban.*
08812---	N.V. Motorscheepvaartmij. Casablanca of Curacao: *Ana Isabel.*
08813---	N.V. Motorscheepvaartmij. Tom Van Der Heide of Curacao: *Aidan.*
08815---	George K. Compania Naviera Sa Panama: *Bessy K.*
08816---	Marukyu Gyogyo Kabushiki Kaisha: *Fukukyu Maru No. 12.*
08818---	Venus Carriers Corporation S.A.: *Azalea.*
08830---	Glyfsummer Shipping Ltd.: *Glyfada Summer.*
08831---	Irinikos Shipping Corporation: *Irinikos.*
08835---	Parnaso Compania Naviera S.A.: *Cosmonaftis.*
08838---	Air Products and Chemicals, Inc.: *CT 100.*
08840---	Bangladesh Shipping Corporation: *Banglar Doot, Banglar Asha, Banglar Upohar, Banglar Swapna, Banglar Sampad, Banglar Tarani, Banglar Rego, Banglar Progoti.*
08843---	Antilles Marine Co., Ltd.: *Ocean Chemist.*
08849---	Campeon Transmares Naviera, S.A.: *Kavo Grossos.*
08853---	Interessentskapet Saga Sierra: *Carbo Sierra.*
08859---	Elvira Shipping Company Limited: *Arosa.*
08861---	Pacific Tankers Panama S.A.: *Pacific Rainbow.*
08862---	"Nogrita" Compania Naviera S.A.: *Macedonia.*
08864---	New Zealand Line Limited: *Waitangi, Majestic.*
08865---	Kitheron Shipping Co. S.A.: *Astir.*
08866---	Constant Shipping Co.: *World Promise.*
08867---	Purple Planet Shipping Ltd.: *Wistaria Marble.*
08868---	Weathers Towing, Inc.: *Mary Weathers, George Weathers, Patricia Ann, Patrick Calhoun, Jr., IMS 2005, IMS 2006.*
08869---	Armadora Transpacifica S.A. Panama: *Messiniaki Armonia.*
08870---	Omnium Ranger Corporation: *Omnium Ranger.*
08871---	Nisshin Gyogyo Kabushiki Kaisha: *Shinko Maru.*
08872---	Dabinovic S.A.: *Ljuta.*
08873---	Krania Maritime Corporation: *Calypso.*
08874---	South Gulf Shipping Co. Ltd.: *Atlantic Empress.*
08875---	Ogino Gyogyo Seisan Kumiai: *Koryo Maru No. 6.*
08876---	Virginia Transport Corporation: *Virginia Star.*
08879---	Brotherhood Compania Naviera S.A. Panama: *Ioannis Angelicoussis.*
08880---	Fronisis Shipping Co., Inc. Liberia: *Anangel Prudence.*
08881---	Gellatly and Sons Marine Corporation: *Mary Gellatly.*
08882---	Caminos Transmares Navegacion S.A. (Panama): *Audacious.*
08884---	Arctic Shipping Singapore (Pte.) Ltd.: *Tatra.*
08885---	Hanseatic Shipping Company S.A.: *Onestar.*
08886---	Springfield Navigation S.A.: *Springfield.*
08887---	C.A. Naviera de Transporte y Turismo: *Andres Bello, Arturo Michelena.*
08888---	Itel Hercules, Inc.: *Itel Hercules.*
08889---	Companhia Portuguesa de Transportes Maritimos C.T.M. Sarl: *Acores, Mauricio de Oliveira, Rodrigues Cabrilho.*
08892---	Madona Shipping Co. Ltd.: *Lefteris.*
08896---	Liberian Lily Transports, Inc.: *Universal Lily.*
08897---	Regent Zinnia Shipping Inc.: *Zinnia.*
08898---	Damodar Bulk Carriers Ltd.: *Damodar General T.J. Park, Damodar Tanabe, Damodar Tasaka.*
08900---	Caribbean Shipping Ltd.: *Carib Express.*
08901---	Pan Antilles Shipping Company: *Pan Antilles.*
08904---	Susy de Navegacion S.A. Panama: *Jasmine.*
08905---	St. Michael Maritime Co. Ltd.: *St. Providence.*
08906---	Crown Navigation Company, Ltd.: *Princefield.*
08908---	Dong Seung Industrial Co., Ltd.: *Dong Seung 203.*
08913---	Prince Navigation Corp.: *Salute.*
08914---	Marutatsu Kaiun K.K.: *Marutatsu Maru No. 28.*
08915---	Verde Shipping Co. Ltd.: *Athanassia.*
08918---	Hydra Navigation Company Ltd.: *Amaryllis.*
08923---	Garland (Panama) S.A.: *Bela Mondo.*
08924---	Friendship Marine, Inc.: *Oilbird.*
08925---	Seagull Maritime Enterprises, Inc.: *Pennsylvania.*
08927---	Carib Lines, Limited: *Halcyon Sun.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-8620 Filed 4-12-74;8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311 (p) (1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	*Owner/Operator and Vessels*
01014---	Robert Bornhofen Reederei: *Citos.*
01069---	Oglebay Norton Company: *Crispin Oglebay.*
01089---	Union Industrielle et Maritime: *Jean Schneider.*
01145---	Det Bergenske Dampskibsselskab: *Deneb, Sirius.*
01205---	Skibs A/S Lundegaard: *Sunriver.*
01267---	Agdesidens Rederi A/S Morlands Red. A/S, M.S. Tankred A/S, Shin Co. A/S: *Vardaas.*
01269---	S. Ugelstads Rederi A/S: *Honnor.*
01305---	Royal Mail Lines Limited: *Britannic.*
01330---	Shell Tankers (U.K.) Ltd.: *Platidia.*
01365---	Pentelikon Shipping Company S.A.: *Amethyst.*
01425---	Johnston Warren Lines Limited: *Cufic.*
01532---	Olinares Compania Naviera S.A.: *Grecian Emblem.*
01557---	Knut Knutsen O.A.S.: *Tore Knudsen.*
01574---	Fearnley & Eger: *Fernbay, Fernleaf.*
01608---	D'Amico Societa di Navigazione: *Elena D'Amico.*
01641---	The Bank Line Limited: *Riverbank.*
01686---	Caliatis Shipping Company S.A.: *Eugenia K.*
01719---	Unterweser Reederei GmbH: *Berkersheim, Praunheim.*
01835---	John Hagemaes: Karitihd.
01896---	Wm. France Fenwick & Co., Ltd.: Chelwood, Dalewood, Sherwood.
01935---	Interessentskab Mellem Aktieselskabet Dampskibsselskabet Svendborg & Dampskibsselskabet AF 1912 Adtieselskab: Oluf Maersk.
02127---	Societe D'Armement et de Navigation: Louis Charles Schiaffino.
02131---	Houlder Line Limited: Royston Grange.
02163---	Rederiet "Ocean" A/S Copenhagen; Ritva Dan, Belgian Reeder, Helga Dan, Erika Dan.
02198---	Peninsular & Oriental Steam Navigation Company: Nyanza, Orama.
02249---	Fisser & V. Doornum: Bertha Fisser.
02264---	Dr. Erich Retzlaff: Ingrid Retzlaff, Henriette Retzlaff.
02352---	The Saerdna Shipping Corp.: *Agios Antonios.*
02506---	The Sheaf Steam Shipping Company Ltd.: *Sheaf Crest.*
02582---	Jugotanker-Turisthotel: *Iz, Posavina, Milos Matijevic, Podravina, Slavisa Vajner, Ljubija, Sisak, Zletovo, Vinjerac, Silba, Obrovac, Dugi Otok, Pomoravlje, Jordan Nikolov, Olib, Idrija, Rade Koncar, Podunavlje.*
02610---	Peter Dohle Schiffahrts Kg: *Isabella.*
02787---	Comet Shipping Co., S.A.: *Phaethon.*
02799---	League Shipping Co., S.A.: *Runner.*
02982---	The Shipping Corporation of India Ltd.: *Gotama.*
03139---	Offshore Marine Limited: *East Shore.*
03314---	Gulf Oil Corporation: *Regent.*
03420---	Dainichi Kaiun Kabushiki Kaisha: *Nisshu Maru.*
03841---	American Export Lines: *Constitution.*
03944---	Liberian Distance Transports Inc.: *Eastern Mary.*
03971---	Korea Shipping Corporation, Ltd.: *Masan.*
03988---	Partenreederei M.S. "Else Reith": *Else Reith.*
04063---	Minoan Shipping Incorporated: *Minoan Star.*
04087---	Merichem Company: *ETT 117, ETT 113.*
04213---	Container Marine Belgium S.A.: *Dart Europe.*
04289---	Dixie Carriers, Inc.: *Superior.*
04297---	Price Brothers Company: *Three Brothers.*
04325---	Santander Compania Naviera S.A.: *Andros Sea.*
04368---	Seaswift Maritime Company Ltd.: *Toula N.*
04454---	Satsumaru Kaiun K.K.: *Satsu Maru No. 38.*
04564---	Yamashita-Shinnihon Kisen Kaisha: *Energy Production.*
04601---	American Tunaboat Association: *Kitty Hawk, Alphecca.*
04709---	Ms. "Fulla" Tunnecke Schiffahrtsgesellschaft, Bremen: *Joulla.*
05014---	American Marine Corporation: *U 930.*
05204---	Steuart Transportation Company: *STC–109, STC–110.*
05411---	Tuna International Co., Ltd.: *Sea Sorceress.*
05717---	Columbiana Interacional de Vapores LTDA. "Colvapores": *Adriana.*
05743---	Reederei Barthold Richters: *Ana Cristina.*
05767---	Neptune Orient Lines Limited: *Neptune Tarurs.*
05792---	Korea Wonyang Fisheries Co., Ltd.: *Kwang Myong 73, Kwang Myong 71.*
05810---	John Hudson Fuel & Shipping Ltd.: *Hudson Trader.*
06507---	CIA Amigos de Navegacion S.A.: *Sumiyoshi.*
06513---	M/S Peter Wesch Reederei J. & B. Wesch KG: *Peter Wesch.*
06708---	CIA Fuji de Navegacion S.A.: *Tachibana.*
06855---	South Atlantic Transport Co. of Liberia Inc.: *Piso.*
06877---	Societe Francaise de Transports Maritimes Paris: *Artois.*
06899---	CIA Japonesa de Navegacion S.A.: *Suwa.*
06910---	Tai an Steamship Company, Limited: *Hsingan.*
06938---	Pro Trans Co., Inc.: *Ett 112, Ett 113.*
07287---	Charles Barge Corp.: *Apex 1802, Apex 3401, Apex 3504, Apex 3503, Gloria G.*
07550---	Erato Shipping Inc.: *Hollyhock, Universal Lily.*
07704---	K. S. Merc Scandia V: *Merc Enterprise.*
07803---	Cosmos Shipping & Trading S.A., PN: *St. Paul's.*
07850---	Aegnoussiotis Shipping Corporation: *Aegnoussiotis.*
07862---	Eastern Seaboard Pile Driving Corporation: *Beverly M.*
07912---	Seabear Navigation Company Limited: *Seabear.*
07929---	Capo Falcone: *Falcone.*
08071---	Anglo Nordic Bulkships (Management) Ltd.: *Anco Norness.*
08099---	El Greco Shipping Company Ltd.: *Elinoil.*
08327---	Kathy Marina S.A.: *Cynthlema.*
08630---	Luckenbach Steamship Company, Inc.: *Mission Buenaventura.*
08637---	Stamel Compania Naviera S.A.: *Melina Maria.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74–8619 Filed 4–12–74;8:45 am]

PUGET SOUND TUG & BARGE CO. AND ALASKA BARGE & TRANSPORT, INC.

Application for Exemption

Notice is hereby given that the following application for exemption has been filed with the Commission for approval pursuant to section 35 of the Shipping Act, 1916, as amended (80 Stat. 1358, U.S.C. 833a).

Interested parties may inspect and obtain a copy of this application at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, Room 11413; or may inspect a copy of the application at the Field Offices, New York, New York; New Orleans, Louisiana; San Francisco, California; and San Juan, Puerto Rico. Comments with reference to the application, including a request for hearing if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573 on or before May 6, 1974. A copy of any such statement shall also be forwarded to the party filing the application (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of applications filed by:

John Cunningham
Kominers, Fort, Schlefer & Boyer
1776 F Street, N.W.
Washington, D.C. 20006

In behalf of Puget Sound Tug & Barge Company; and

Alan F. Wohlstetter
Denning & Wohlstetter
1700 K Street, N.W.
Washington, D.C. 20006

In behalf of Alaska Barge & Transport, Inc.

Applications designated Exemption No. 15 and Exemption No. 16 by Puget Sound Tug & Barge Company and Alaska Barge & Transport, Inc., respectively, have been made pursuant to Section 35 of the Shipping Act, 1916, for exemption from the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, and regulations applicable thereunder, to (a) amend the currently effective exemption (46 CFR 531.26(c)), scheduled to expire December 31, 1974, for the carriage of general cargo between Seattle, Washington and Houston, Texas, on the one hand, and Prudhoe Bay, Alaska, on the other, to include the ports of Portland,

Oregon, Los Angeles, California, and San Francisco, California; (b) extend said exemption for a three-year period beginning January 1, 1975 and ending December 31, 1977; and (c) broaden said exemption to include such transportation between all ports and points on navigable waters in the Lower 48 States (excluding the Mississippi River system above Baton Rouge, Louisiana), on the one hand, and Prudhoe Bay, Alaska, on the other.

Applicants have been performing transportation from Seattle and Houston to the Alaska North Slope pursuant to exemptions granted June 9, 1970, and thereafter. Development of the North Slope oil potential was slowed as the result of litigation by environmentalists and others seeking to prevent construction of the Trans-Alaska Pipeline. With the enactment of the Trans-Alaska Pipeline Authorization Act, there has been a resurgence of North Slope development plans. This has resulted in an upsurge in the demand for applicants' transportation service, including requests for carriage not only from Seattle and Houston, but from various other ports in the Lower 48. Additional origins scheduled for 1974 are Portland, Los Angeles and San Francisco. The prospective origins for 1975 and later seasons will multiply although it is not feasible at this time to specifically indicate the ports from which the traffic will move.

The potential development of a second oil pipeline on the same right-of-way to Valdez, as well as two Trans-Alaska gas pipelines, and the urgency of developing the North Slope oil and gas reserves, clearly indicates that the need for applicants' sealift to the North Slope will continue far beyond 1974. Accordingly, the term of exemption should be extended for, at a minimum, another period of three years.

Applicants state that the Commission has, in granting the prior exemptions, recognized that the conditions under which these operations are conducted make rate and tariff regulation an unnecessary and undue burden. The facts leading to this conclusion still prevail and will continue to do so.

Because this is an unusual cargo movement, and in order to be more fully informed with respect to the exempted carriage, the Commission requires the submission each season of extensive information concerning the operations conducted, including the shippers served, the cargo carried, and the conditions and arrangements under which such carriage was performed. With that information, and such other information as the Commission may in the future require of applicants, the Commission assuredly will be in a position to closely monitor the situation and, if so advised, to terminate the exemption. Good administration strongly argues that the exemption herein requested should be granted, both in territorial scope and time of duration.

This exception from the tariff filing requirements and regulations of the Shipping Act, 1916 and the Intercoastal Shipping Act, 1933, will become effective upon approval of the Commission, pursuant to Section 35, Shipping Act, 1916.

Dated: April 10, 1974.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 74-8617 Filed 4-12-74;8:45 am]

SOUTH ATLANTIC NORTH EUROPE RATE AGREEMENT

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within on or before May 6, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the Commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Howard A Levy, Esq.
Suite 631
17 Battery Place
New York, New York 10004

Agreement No. 9984-2 deletes from the scope of the basic agreement cargo moving from or via ports in the range between Hamburg and the French/Spanish border.

Dated: April 10, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-8618 Filed 4-12-74;8:45 am]

[Docket No. 74-12]

PRUDENTIAL-GRACE LINES, INC., AND COMPANIA PERUANA DE VAPORES

Modification and Extension of Agreement; Order of Investigation of Hearing

Correction

In FR Doc. 74-7993 appearing on page 12787 of the issue of Monday, April 8, 1974, a docket number in brackets should be added to the headings to read as set forth above.

[Docket No. CI68-305, etc.]

FEDERAL POWER COMMISSION

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

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

APRIL 8, 1974.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 1, 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.

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

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

KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI68-305 (CI66-176) CF 2-11-74 [1]	Amoco Production Co. (successor to Skelly Oil Co.), Security Life Bldg., Denver, Colo. 80202.	Arkansas Louisiana Gas Co., Cameron Field, Le Flore County, Okla.	[2] 17.27	14.65
CI69-756 [3] C 3-25-74	Warren Petroleum Co., a Division of Gulf Oil Corp. (Operator), P.O. Box 1589, Tulsa, Okla. 74102.	Natural Gas Pipeline Co. of America, Vada Gas Processing Plant, Lea County, N. Mex.	[4] 35.0	14.65
CI74-522 (CI64-970) (CI64-971) 3-15-74	Eastman Dillon Oil & Gas Associates (successor to Greenwich Oil & Gas, Inc., and Chelsea Oil & Gas Division of Eastdil Corp., 507 Park Tower Bldg., 5200 South Yale, Tulsa, Okla. 74135.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Kansas-Hugoton Field, Finney, Haskell, and Kearny Counties, Kans.	[5] 13.2075	14.65
CI74-523 [6] (CI71-341) B 3-25-74	Warren Petroleum Co., a division of Gulf Oil Corp. (Operator).	Natural Gas Pipeline Co. of America, Bough Gas Processing Plant, Lea County, N. Mex.	Uneconomical	
CI74-525 (CS71-380) B 3-25-74	Everett J. Carlson, 1426 Alamo National Bldg., San Antonio, Tex. 78205.	Texas Eastern Transmission Corp., West Weesatche Field, Goliad County, Tex.	Uneconomical	
CI74-527 (CI62-458) F 3-27-74	Robert R. Price (successor to Cities Service Oil Co.), P.O. Box 45442, Tulsa, Okla. 74145.	Columbia Gas Transmission Corp., Cox "A" Lease, Sandy River District, McDowell County, W Va.	28.84	14.73
CI74-528 A 3-27-74	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Sand Hills Field, Crane County, Tex.	[7] [8] 36.5	14.65
CI74-529 A 3-27-74	Hassie Hunt Trust, 1401 Elm St., Dallas, Tex. 75202.	Michigan Wisconsin Pipe Line Co., Block 171, West Cameron Area, offshore Louisiana.	[8] 32.0	15.025
CI74-531 A 3-28-74	Hunt Oil Co	Michigan Wisconsin Pipe Line Co., Block 306, Eugene Island Area, offshore Louisiana.	[9] [10] 32.0	15.025
CI74-532 A 3-27-74	Hunt Petroleum Corp	Michigan Wisconsin Pipe Line Co., Block 171, West Cameron Area, offshore Louisiana.	[9] 32.0	15.025
CI74-533 A 3-28-74	do	Michigan Wisconsin Pipe Line Co., Block 306, Eugene Island Area, offshore Louisiana.	[9] [10] 32.0	15.025

[1] Being renoticed, because by amended contract summary filed Mar. 18, 1974, Applicant reflects a change in price.
[2] Subject to downward Btu adjustment and subject to a deduction for compression by buyer.
[3] Applicant proposes in Docket No. CI74-523 to abandon the sale of this gas from the Bough Gas Processing Plant.
[4] Subject to upward and downward Btu adjustment; estimated upward adjustment is 0.945 cents per M ft³.
[5] Subject to upward and downward Btu adjustment; estimated adjustment is 0.297 cents per M ft³.
[6] Applicant proposes in Docket No. CI69-756 to continue the sale of this gas at the Vada Gas Processing Plant.
[7] Subject to upward and downward Btu adjustment; estimated upward adjustment is 4.9 cents per M ft³.
[8] Applicant is willing to accept a certificate conditioned in accordance with Opinion No. 662.
[9] Subject to upward and downward Btu adjustment.
[10] Subject to a deduction for compression by buyer.

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[FR Doc.74-8401 Filed 4-12-74;8:45 am]

[Docket Nos. CP74-239, CP74-240]

ALASKAN ARCTIC GAS PIPELINE CO.

Notice of Application

APRIL 9, 1974.

Take notice that on March 21, 1974, Alaskan Arctic Gas Pipeline Company (Applicant), Suite 230, 1730 Pennsylvania Avenue, NW., Washington, D.C. 20006, filed in Docket Nos. CP74-239 and CP74-240 applications pursuant to section 7(c) of the Natural Gas Act and Executive Order No. 10485, respectively, for a certificate of public convenience and necessity authorizing the construction and operation of facilities to transport natural gas in interstate commerce from the Prudhoe Bay area on the North Slope of Alaska eastward to a point of interconnection at the Canadian border with the proposed facilities of the Canadian Arctic Gas Pipeline Limited (Canadian Arctic) for the account of various contract shippers and authorizing the construtcion, operation, maintenance and connection of facilities at the international boundary between Alaska and the Yukon Territory to effect the delivery of Prudhoe Bay natural gas into Canadian Arctic's system, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Applicant proposes in Docket No. CP74-240 to construct and operate on the international boundary between Alaska and the Yukon Territory a section of 48-inch O. D. pipe which will connect with the proposed pipeline of Canadian Arctic.

Applicant proposes in Docket No. CP74-239 to construct and operate a 48-inch O.D. pipeline of approximately 195 miles from the Prudhoe Bay area on the North Slope fo Alaska eastward to the international boundary where the pipeline will connect with Canadian Arctic's pipeline. Applicant states that construction of the proposed line is scheduled for the 1978-79 winter with operations scheduled to start in 1979. Applicant indicates that the pipeline will have a capacity of up to 2,250,000 Mcf per day without compression, except for that at the wellhead at Prudhoe Bay, and Applicant seeks authorization to transport up to said volume daily. Applicant alleges that the pipeline will ultimately have the capacity to transport up to 4,500,000 Mcf of gas per day with the addition of gas chillers and compressors at preselected sites along the pipeline. Applicant states that even though no compression is required to transport the proposed daily volumes and that no authorization for compression or chilling facilities is sought in the instant application, Applicant does seek authority to acquire future compression station sites in order that the Commission can review their suitability as to engineering, operating, and environmental questions. Applicant states the gas will be transported for various contract shippers at a pressure of 1,680 psi and chilled to the required temperature of below 30° F.

Applicant, pursuant to § 1.14 of the Commission's rules of practice and procedure (18 CFR 1.14), requests that the Commission waive the requirements to file Exhibits H, I, K, L, N, O, and P to the application in Docket No. CP74-239, upon Applicant's commitment and understanding to supply such exhibits in conformity with the rules at the earliest possible date.

Applicant states that the contract shippers of the Prudhoe gas through the proposed pipeline will file their own applications under section 3 of the Natural Gas Act to export natural gas.

Applicant states that this proposal is a part of a project which contemplates the transmission of gas through Applicant's pipeline to Canadian Arctic's system, which will in turn transport the Prudhoe Bay gas to another supply leg of the Canadian Arctic system extending from the Mackenzie River Delta area of the Northwest Territories. From the interconnection of the two supply legs, according to Applicant, Canadian Arctic will transport the Prudhoe Bay and Mackenzie River Delta gas south to Caroline, Alberta, where the pipeline system bifurcates with one leg turning to the midwest and east, and the other to the west. Applicant states that the gas destined for delivery to shippers serving midwestern and eastern markets of the United States and Canada will be transported to delivery points through one delivery leg of the Canadian Arctic system which ends at a point on the Saskatchewan-Montana border near Monchy, Saskatchewan, and gas destined for delivery to shippers serving western markets of the United States will be transported to delivery points through a second delivery leg which ends at a point on the British Columbia-Idaho border near Kingsgate, British Columbia.

Applicant states that with respect to deliveries for midwestern and eastern markets of the United States, the Canadian Arctic system will interconnect, at the Monchy delivery point, with proposed facilities of Northern Border Pipeline Company (Northern Border), extending from Monchy to a point near Delmont, Pennsylvania. Applicant states further that Northern Border will file an application for authorization to construct and operate such facilities and to transport the gas received from Canadian Arctic to various delivery points for markets in the midwestern and eastern United States. According to Applicant the western delivery leg of the Canadian Arctic system will transport and deliver natural gas to two delivery points: (1) an interconnection with Alberta Natural Gas Company Ltd. (Alberta Natural) on the

Alberta-British Columbia border, from which point Alberta Natural will transport the gas received from Canadian Arctic to a point on the international boundary near Kingsgate, where Alberta Natural will deliver such gas to Pacific Gas Transmission Company for transportation to markets in northern and central California;[1] and (2) an interconnection between Canadian Arctic and Interstate Transmission Associates (Interstate) at a point on the international boundary near Kingsgate, from which point Interstate will transport the gas received from Canadian Arctic to markets in the Pacific Northwest and Pacific Southwest, including southern California.

Applicant, an Alaskan corporation with its principal place of business in Alaska, states that the five individuals who are the five members of the board of directors of Applicant are also the security owners of the Study Company which prepared the application in CP74–239 and have executed nominee agreements between them and the 27 companies which are currently the Sponsor Companies[2] for the Study Company pipeline project to which the application in Docket No. CP74–239 relates. Applicant indicates that Sponsor Companies, by vote of an appropriate number and combination thereof, may direct said security holders to exercise their voting power in a directed manner. Applicant reveals that two of its present security holders also are two of the three security holders of Canadian Arctic.

According to Applicant each of the individuals as members of the board of directors of Applicant owns one share of the no par value common stock of Applicant with only those five shares outstanding and with no other classes of stock in existence; therefore, each share currently is 20 percent of the outstanding voting security of Applicant. Applicant states that it currently has no assets which are planned to be the basis of its proposed operations and plans to capitalize upon receipt of certificate authorization as well as other governmental approvals, for the instant project by, among other things, the issuance of additional shares of common stock.

Any person desiring to be heard or to make any protest with reference to the applications in Dockets Nos. CP74–239 and CP74–240 should on or before April 29, 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 the application in Docket No. CP74–239 if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8494 Filed 4–12–74;8:45 am]

[1] The Commission has received applications in Docket Nos. CP74–241 and CP74–242 from Pacific Gas Transmission Company requesting authorization for its portion of the overall project.

[2] Companies Incorporated in the United States:
- Atlantic Richfield Company
- Colorado Interstate Corporation
- The Columbia Gas Transmission Corporation
- Exxon Company, U.S.A.
- Michigan Wisconsin Pipe Line Company
- Natural Gas Pipeline Company of America
- Northern Natural Gas Company
- Pacific Lighting Gas Development Co.
- Panhandle Eastern Pipe Line Company
- The Standard Oil Company (Ohio)
- Texas Eastern Transmission Corporation

Companies Chartered in Canada:
- The Alberta Gas Trunk Line Company Limited
- Alberta Natural Gas Company Ltd.
- Canada Development Corporation
- Canadian National Railway Company
- Canadian Pacific Investments Limited
- Canadian Superior Oil Ltd.
- Canadian Utilities Ltd.
- The Consumers' Gas Company
- Gulf Oil Canada Limited
- Imperial Oil Limited
- Northern and Central Gas Corporation Limited
- Numac Oil & Gas Ltd.
- Pembina Pipe Line Ltd.
- Shell Canada Limited
- TransCanada Pipe Lines Limited
- Union Gas Limited

[Docket No. RP72–110]

ALGONQUIN GAS TRANSMISSION CO.

Order Rejecting Proposed PGA Rate Increases

APRIL 8, 1974.

On March 29, 1974, this Commission issued an Order Rejecting Proposed PGA Rate Increases And Denying In Part Permission To Amend Suspended Rates. This order pertained inter alia, to filings by several pipeline companies under which they would have recovered increased rates paid to producers based on increased Louisiana severance taxes in producer rates, pursuant to Order No. 500 and Order Denying Rehearing issued February 22, 1974, earlier than they would recover such increases by filing semi-annual rate changes pursuant to the provisions of their PGA clauses.

On February 26, 1974, Algonquin Gas Transmission Company (Algonquin) tendered for filing a proposed change in rates also purporting to be pursuant to the Purchased Gas Cost Adjustment Provision, section 22 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume Number One. This filing would, like those in the above mentioned order of March 29, 1974, permit earlier recovery of the increased Louisiana severance taxes than by filing semi-annual rate changes pursuant to its PGA clause. This filing is therefore improper and we shall reject it without prejudice to Algonquin's refiling tariff sheets which comport with the provisions of its approved PGA clause and are otherwise in compliance with the Commission's regulations and outstanding applicable orders.

The Commission finds:

(1) The proposed PGA rate increase filing does not conform to the Commission's regulations nor does it comport with the directives of Order No. 500 and the Order Denying Rehearing issued February 22, 1974, and should be rejected.

(2) Rejection of the proposed PGA rate increase filing should be without prejudice to Algonquin's refiling tariff sheets which comport with the provisions of its approved PGA clause and are otherwise in compliance with the Commission's regulations and outstanding applicable orders.

The Commission, acting pursuant to the authority of the Natural Gas Act, particularly section 4 thereof, orders:

(A) That the tendered PGA rate increase filing be rejected without prejudice to Algonquin's filing new tariff sheets reflecting purchased gas cost adjustments properly includable under the provisions of its presently approved PGA clause and which are otherwise in compliance with the Commission's regulations and outstanding applicable orders.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8495 Filed 4–12–74;8:45 am]

[Docket No. G–2894]

ATLANTIC RICHFIELD CO.

Notice of Application

APRIL 8, 1974.

Take notice that on March 27, 1974, Atlantic Richfield Company (Applicant),

P.O. Box 2819, Dallas, Texas 75221, filed in Docket No. G–2894 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon a sale of natural gas to El Paso Natural Gas Company (El Paso) from a well in Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon a sale of gas to El Paso from its S. J. Sarkey #4 well in Lea County, New Mexico. Applicant states that as gas from a gas well the production is dedicated to El Paso and as gas from an oil well the production is dedicated to Warren Petroleum Company (Warren) under a percentage-type contract. Applicant further states that the New Mexico Oil Conservation Commission recently reclassified the subject well from a "gas well" to an "oil well" and, therefore, Warren is contractually entitled to the gas therefrom. Applicant indicates that El Paso concurs in this abandonment. Applicant further indicates that it is presently selling this gas to El Paso under its FPC Gas Rate Schedule No. 337 at a rate of 17.5 cents per Mcf at 14.65 psia plus tax reimbursement.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8496 Filed 4–12–74;8:45 am]

Acting Secretary.

[Docket No. CP74–246]

BAY STATE GAS CO.

Application for Declaration of Exemption

APRIL 9, 1974.

Take notice that on March 22, 1974, Bay State Gas Company, 125 High Street, Room 801, Boston, Massachusetts 02110, filed in Docket No. CP74–246 an application pursuant to section 1(c) of the Natural Gas Act for an exemption from the provisions of the Natural Gas Act and the regulations of the Commission thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Tennessee Gas Pipeline Company, a Division of Tenneco Inc., is Applicant's sole supplier of natural gas which Applicant purchases at delivery points in Agawam, East Longmeadow, and Northampton, Massachusetts, and which is thereafter distributed by Applicant in Massachusetts. Applicant states that it plans to sell vaporous and/or liquefied natural gas to public utilities in Massachusetts for resale within Massachusetts and that all gas sold by Applicant will be consumed within the Commonwealth of Massachusetts. The application states further that the Massachusetts Department of Public Utilities exercises jurisdiction over the rates, service and facilities of Applicant. Accordingly, Applicant requests that the Common declare that Applicant and its operations and facilities are exempt from the provisions of the Natural Gas Act.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8497 Filed 4–12–74;8:45 am]

[Docket No. E–8706]

COMMONWEALTH EDISON

Notice of Change In Rate Schedule

APRIL 8, 1974.

Take notice that on March 29, 1974, Commonwealth Edison (Edison) tendered for filing a change in rate schedule. Edison states that the rate change is and provides for sales of capacity and energy to other companies for the purpose of conserving petroleum fuels. The rate provides for power to be generally available for weekly periods of seven consecutive days, each during the hours from 12 midnight and 6 a.m., Monday through Saturday, and all of Sunday except during the hours from 6 p.m. to 10 p.m.

Initially the Company expects to make 200 megawatts available on the weekly basis described, but the actual amount committed for any week may be greater or less than 200 megawatts, and in some weeks or parts thereof no power may be available. The rate provides that the demand charge for power committed for a week will be 13⅓¢ per kilowatt on the basis of 56 hours a week, increased or decreased pro rata if the power is available for periods greater or less than those provided in the rate.

Edison proposes an effective date of March 29, 1974 for said change.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 24, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8498 Filed 4–12–74;8:45 am]

[Docket No. CI74–526]

CONTINENTAL OIL CO.

Notice of Application and Request for Waiver of Regulations

APRIL 9, 1974.

Take notice that on March 29, 1974, Continental Oil Company (Applicant), P.O. Box 2197, Houston, Texas 77001 filed in Docket No. CI74–526 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee), from Grand Isle Block 45, offshore Louisiana and a request for waiver of § 154.105(c) of the Commission's regulations under the Natural Gas Act (18 CFR 154.105(c)) so as to permit Applicant to charge an initial rate for the proposed sale higher than the applicable area rate, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell approximately 32,000 Mcf of gas monthly to Tennessee from Grand Isle Block 45 at an initial rate of 47.0 cents per Mcf at 15.025 psia, subject to upward Btu adjustment from 1015 Btu per cubic foot

and downward Btu adjustment from 1,000 Btu cubic foot, pursuant to a contract dated March 15, 1974. In order to collect this rate which is above the applicable area rate Applicant requests waiver of § 154.105(c) of the Commission's regulations, which provides for a ceiling rate of 26.0 cents per Mcf. Applicant states that it has a twenty-five percent interest in the subject lease with estimated reserves of 12 million Mcf of gas over a projected 12-year period.

Applicant asserts that the requested rate is needed in order to justify its share of the cost of drilling a well on this dedicated lease. Applicant submits the following cost data on the drilling of one well in support of its request:

Gross well costs:	
Net leasehold investment as of Jan. 1, 1974	$3,556,249
Additional projected investment	2,332,800
Total investment	5,889,049
Projected gross operating expenses (excluding overhead)	585,416
Regulatory Expense—Mcf	0.20

Applicant states that the subject lease has not yet been developed and is due to expire on July 1, 1974; however, the successful completion of a well on this lease will continue it in force. Applicant further contends that without approval of the subject waiver and requested rate, it will have no alternate except to withdraw this application and allow the lease to expire.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8499 Filed 4-12-74;8:45 am]

[Docket No. CP74-238]

EL PASO NATURAL GAS CO.

Notice of Application

APRIL 9, 1974.

Take notice that on March 20, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP74-238 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain tap facilities and the sale and delivery of natural gas to Southern Union Gas Company (Southern) for resale to two right-of-way grantors on Applicant's interstate system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to install two taps in order to serve two right-of-way grantors who, as partial consideration for the granting of easements reserved the right to natural gas service. The application states that such service will be accomplished by the delivery and sale of gas by Applicant to Southern for resale and delivery to said right-of-way grantors for Priority 1 and 2 purposes at delivery points to be located on Applicant's interstate system in Lea and Grant Counties, New Mexico. Total estimated annual gas requirements will be 4,270 Mcf during the first year of service with total estimated peak day delivery estimated to be 33.4 Mcf. Applicant states that the rates contained in its FPC Gas Tariff, Original Volume No. 1, or applicable superseding tariff shall apply to the subject sales and deliveries. The total estimated cost of the proposed facilities is $3,340.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8500 Filed 4-12-74;8:45 am]

[Docket No. RP74-78]

FLORIDA GAS TRANSMISSSION CO.

Notice of Proposed Increase In Rates To Cover Costs of Advances for Gas Exploration, Development and Production

APRIL 8, 1974.

Take notice that Florida Gas Transmission Company (Florida Gas) on March 26, 1974, tendered for filing a proposed increase in rates applicable to the sales rendered under its FPC Gas Tariff, Original Volume No. 1.[1] The proposed change in rates is an increment of 0.2 cent per therm (2 cents per MMBtu) on sales under Rate Schedules G and I for the purpose of covering the costs of an advance payment program which Florida Gas proposes to initiate. The funds generated by the rate increment would be used to defray interest costs on debt obligations incurred for the purpose of making advance payments.

Florida Gas states that its proposal for funding advance payments permitted by Commission Order No. 499 reflects the atypical nature of its market in which a substantial volume of annual sales are made to direct industrial customers under contracts not subject to the Commission's rate authority. Florida Gas further states that it proposes to collect an equivalent rate increment or surcharge of 2 cents per MMBtu on sales to all customers, jurisdictional and non-jurisdictional, and that it has already negotiated contract amendments for payment of the surcharge with all its currently active direct customers.

Florida Gas states that the 2 cents per MMBtu increment proposed in its filing will generate approximately $1,529,000 annually from its resale customers, based on 1973 volumes. An equivalent increment on direct sales would produce $1,307,000, based on 1973 deliveries. The

[1] Fifth revised Sheet No. 3-A and Original Sheet Nos. 22-N and 22-O to Florida Gas' FPC Gas Tariff, Original Volume No. 1.

total fund thus generated from both resale and direct customers would amount to $2,836,000 which Florida Gas states would support an advance payment program of approximately $30,000,000.

Florida Gas further states that, if revenues collected through the rate increment in any year exceed the interest costs on debt obligations which have been incurred to make advance payments, refund of the excess revenues will be made to the customers. Florida Gas states that advance payments made under its proposal would comply with the limitations on such advances prescribed in Commission Order No. 499.

Florida Gas proposes to make the rate increment in this filing effective as to its resale customers the first day of the month following Commission approval of its program. The Company states that the contract amendments with the direct sale customers are conditional upon approval of the collection of the rate increment from the resale customers.

Florida Gas states that copies of the filing have been served upon all its resale customers and the Florida Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, or 1.10). All such petitions or protests should be filed on before April 26, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Florida Gas' filing is on file with the Commission and available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8501 Filed 4-12-74;8:45 am]

[Docket No. E-8679]

ILLINOIS POWER CO.

Change In Rate Schedule

APRIL 8, 1974.

Take notice that on March 21, 1974, Illinois Power Company (Illinois) tendered for filing a change in rate schedule No. 48. Illinois states that the change is from 4.0 mills per KWH to 4.5 mills per KWH.

Illinois proposes an effective date of June 1, 1974, for said change.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 19, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8504 Filed 4-12-74;8:45 am]

[Docket No. E-8685]

ILLINOIS POWER CO.

Notice of Filing Amendment to Agreement

APRIL 9, 1974.

Take notice that Illinois Power Company (Illinois) on March 21, 1974 tendered for filing amended Appendix "G" to its Facility Use Agreement, designated as Illinois' Rate Schedule FPC No. 11, between Illinois and Commonwealth Edison Company (Edison) and dated March 1, 1964. The said Appendix provides for a $74 increase in the monthly rental charge to Edison. According to Illinois, this charge is to reimburse Illinois for the lease of two Telephone lines used for telemetering interchange data from Troy Grove to Oglesby.

Illinois proposes an effective date of May 1, 1974 for said amended Appendix.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 17, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8505 Filed 4-12-74;8:45 am]

[Docket No. CP74-253]

ILLINOIS POWER CO. ET AL.

Notice of Application

APRIL 9, 1974.

Take notice that on March 28, 1974, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62525, Mississippi River Transmission Corporation (Mississippi), 9900 Clayton Road, St. Louis, Missouri 63124, and Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP74-253 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas for a limited term and the performance of such operations as are necessary to permit the injection of that gas into storage reservoirs in Montgomery County, Illinois, and for a disclaimer of jurisdiction for Illinois Power, all as more fully set forth in the application in this proceeding which is on file with the Commission and open to public inspection.

The application indicates that Mississippi and Natural have been required to impose curtailments on their customers, including Illinois Power, in recent years, and they project continued curtailments into the foreseeable future. Illinois Power states that in an effort to provide added flexibility to its system and to assure that domestic and commercial customers in its Supply Area A-C receive adequate supplies of gas during the coming years, it has developed an underground natural gas storage reservoir, the Hillsboro Storage Field, in Montgomery County, Illinois.

Under the proposed exchange arrangement, Applicants state that Natural will deliver up to 12,000 Mcf of gas per day to Illinois Power commencing on or about May 1, and continuing to not later than October 15, during 1974, and 1975, for the account of Mississippi, at Natural's existing point of delivery to Illinois Power at Centralia, Illinois. Further, Applicants state that Mississippi, in turn, simultaneously will reduce its takes from Natural by a like amount at the existing delivery point in Clinton County, Illinois. It is stated that the volumes to be received by Illinois Power hereunder shall be deducted from the volumes otherwise available to Illinois Power from Mississippi's East Line and shall not increase the aggregate volumes Illinois Power would be entitled to purchase from Mississippi on any day at all points of delivery absent this arrangement.

Illinois Power states that it will inject the amount of gas it thus will receive from Natural into the Hillsboro Storage Field and that storage withdrawals will be made during the winter heating season to augment Illinois Power's peak-period delivery potential to high priority users.

Illinois Power, in Docket No. G-13934 (19 FPC 211), has been exempt from the provisions of the Natural Gas Act and the rules and regulations of the Commission thereunder, and request that the Commission find that it and any functions it may perform in connection with the exchange as described are exempt from the Commission's jurisdiction.

Applicants state that no new or additional jurisdictional facilities are required in order to effect the proposed exchange.

Applicants request pre-granted abandonment authorization for the transaction proposed herein.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29,

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 Applicants to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8503 Filed 4-12-74;8:45 am]

[Docket No. RI74-193]

JACK R. HALL

Notice of Petition for Special Relief

APRIL 8, 1974.

Take notice that on March 21, 1974, Jack R. Hall (Petitioner), Suite 950, First National Bank Building, Lubbock, Texas 79401, filed a petition for special relief pursuant to Order No. 481. Petitioner seeks approval of a rate increase to 45 cents per Mcf for sales of natural gas to Texas Eastern Transmission Corporation from the W. B. Gardner State lease, Brooks County, Texas. The petition is based on the cost of compression and the cost of disposing of salt water. Petitioner indicates that he will be required to seek abandonment authorization if the proposed rate is not approved.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 29, 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 party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8502 Filed 4-12-74;8:45 am]

[Docket Nos. E-8389 and E-8465]

NEW YORK STATE ELECTRIC & GAS CORP.

Proposed Settlement Agreement

APRIL 8, 1974.

Take notice that on March 6, 1974, New York State Electric and Gas Corporation (NYSE&G) tendered for filing a proposed settlement in the above docket. The proposed settlement is meant to resolve all issues in these proceedings. NYSE&G states that it agrees to adjust charges in its Rate Schedules FPC No. 55 Supplement No. 3 and Rate Schedule FPC No. 57 so as to reflect an overall rate of return of 8 percent.

Copies of this filing are on file with the Commission and are available for public inspection. Any person desiring to comment upon the settlement offer should file such comments with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426 on or before April 16, 1974.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8506 Filed 4-12-74;8:45 am]

[Docket No. CP74-250]

NORTHERN INDIANA PUBLIC SERVICE CO.

Application for Declaration of Continued Exemption

APRIL 9, 1974.

Take notice that on March 25, 1974, Northern Indiana Public Service Company (Applicant), 5265 Hohman Avenue, Hammond, Indiana 46325, filed in Docket No. CP74-250 an application pursuant to section 1(c) of the Natural Gas Act for a continuing exemption from the provisions of the Natural Gas Act and the regulations of the Commission thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

By Commission order issued October 21, 1954, in Docket No. G-2536 (13 FPC 1461), Applicant was declared exempt from the provisions of the Natural Gas Act pursuant to section 1(c) of said Act since all of its operations were conducted solely within the state of Indiana and regulated by the state. By order issued July 12, 1972, in Docket No. CP72-146 (48 FPC 63), the Commission continued Applicant's exemption as requested by Applicant in light of transportation, storage and redelivery of gas arrangements between Applicant and Michigan Wisconsin Pipe Line Company (Mich Wisc) authorized by Commission order issued June 9, 1972, in Docket No. CP74-147 (47 FPC 1477).

Applicant states that Mich Wisc has filed in Docket No. CP74-213 an application for authorization to extend the term of these storage and transportation arrangements with Applicant through March 1, 1975, with no other changes in the existing terms and conditions. Accordingly, Applicant requests that upon issuance of an order approving the continuation of the transportation and exchange of gas as requested in Docket No. CP74-213, the Commission issue an order continuing Applicant's exempt status under section 1(c) of the Natural Gas Act in connection with the implementation of the subject gas storage and transportation agreements.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8507 Filed 4-12-74;8:45 am]

[Docket No. E-8710]

OHIO EDISON CO.

Filing of Tariff

APRIL 9, 1974.

Take notice that Ohio Edison Company (Edison) on March 29, 1974 tendered for filing its Emergency Oil Conservation Tariff as an initial rate schedule. The said Tariff, according to Edison provides for service during off-peak hours to any utility interconnected with Edison when, as a result of other transactions by an interconnected utility, one of the electric utilities comprising the New England Power Pool, the New York Power Pool, and the Pennsylvania-New Jersey-Maryland Interconnection will be able to conserve oil during the existence of a critical shortage of oil fuels available for use by said Pools.

Edison states that no estimates of transactions and revenues can be made at this time. The basis of the rate, according to Edison, is out-of-pocket cost with an add-on to cover investment in transmission facilities if Edison must purchase service in order to be in a position to provide service under the said Tariff and an add-on to cover both generation and transmission facilities if the

service is from Edison's generating stations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8512 Filed 4-12-74;8:45 am]

[Docket Nos. CP74-241 and CP74-242]

PACIFIC GAS TRANSMISSION CO.

Notice of Applications

APRIL 9, 1974.

Take notice that on March 21, 1974, Pacific Gas Transmission Company (Applicant), 245 Market Street, San Francisco, California 94105, filed in Docket No. CP74-241 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 618.1 miles of 42-inch pipeline, parallel to its existing 36-inch pipeline between Kingsgate, British Columbia, Canada, and Malin, Oregon, to transport and deliver natural gas produced in the arctic regions of Alaska and Canada as part of an overall Arctic Gas Project and certain additional volumes of gas produced in the Province of Alberta, Canada, to consumers in Canada and the lower 48 states. Concurrently, Applicant has filed in Docket No. CP74-242 an application requesting a permit pursuant to Executive Order No. 10485 authorizing the construction, operation, maintenance and connection of additional facilities at the international boundary between the United States and Canada, near Kingsgate, British Columbia, for the purpose of importing the subject natural gas from Canada into the United States. Applicant's proposals are more fully set forth in the applications which are on file with the Commission and open to public inspection.

Applicant states that the Arctic Gas Project is expected to commence November 1, 1979, and contemplates the transportation of natural gas from the North Slope of Alaska and the Mackenzie Delta region of Canada to consumers in Canada and the United States. Natural gas produced in the Prudhoe Bay area of the North Slope of Alaska will be transported through a 48-inch natural gas pipeline proposed to be constructed and operated by Alaskan Arctic Gas Pipeline Company (Alaskan Arctic). Alaskan Arctic's pipeline will interconnect at the Alaska-Canada border with facilities proposed to be constructed and operated by Canadian Arctic Gas Pipeline Limited (Canadian Arctic). Canadian Arctic will transport natural gas produced in Alaska to a point of interconnection with other of its pipeline facilities which will transport natural gas produced in the Mackenzie Delta region of Canada. The Alaskan gas and the Canadian gas will then be transported in a joint stream through Canadian Arctic's facilities to a point near Caroline, Alberta, where the facilities of Canadian Arctic will bifurcate.

Natural gas destined for delivery to pipeline companies and markets serving the midwestern and eastern portions of the United States will be transported through a delivery leg to a point on the international boundary between Canada and the United States near Monchy, Saskatchewan. Northern Border Pipeline Company proposes to construct and operate a natural gas pipeline extending from Monchy, Saskatchewan to Delmont, Pennsylvania.

Canadian Arctic proposes to construct a second delivery leg from Caroline to transport natural gas destined for delivery to western markets. The western leg will transport and deliver gas to two delivery points: (1) an interconnection between Canadian Arctic and Interstate Transmission Associates (ITA) at a point on the international boundary near Kingsgate from which point ITA will transport the gas to markets in the Pacific Northwest and Southern California; and, (2) an interconnection with the proposed expanded pipeline system of Alberta Natural Gas Company Ltd. (Alberta Natural) at a point near the Alberta-British Columbia border. Alberta Natural will transport natural gas from that point to Kingsgate where it will be delivered and sold to Applicant.

Applicant has filed in Docket No. CP 74-242 pursuant to Executive Order No. 10485 for permission to construct, operate, and maintain additional natural gas facilities to be constructed and connected at the international border between the United States and Canada necessary for the importation by Applicant of the subject volumes of natural gas. Applicant states that it has heretofore constructed, operated, maintained and connected facilities at the international boundary between the United States and Canada since 1961, pursuant to a permit issued by the Commission in Docket No. G-17352 on August 5, 1960 (24 FPC 134), for the importation of gas from Alberta. Applicant by this application seeks authorization for additional facilities necessary for the importation of the arctic gas and additional Alberta gas.

Applicant proposes in Docket No. CP 74-241 to construct and operate additional facilities for the transportation and delivery of natural gas to be imported from Canada. In this regard, Applicant requests authorization for the construction and operation of 618.1 miles of 42-inch pipeline parallel to its existing 36-inch pipeline between Kingsgate, British Columbia, and Malin, Oregon, and the installation and operation of an additional 12,500 compressor horsepower at each of four existing compressor stations (Kent, Pauline, Diamond Junction and Bonaza) and additional metering facilities at the Malin Meter Station. Applicant further requests in Docket No. CP 74-241 authorization to transport and deliver a total of 1,200,000 Mcf of gas per day through the proposed 42-inch pipeline from Kingsgate to a point on the California-Oregon border near Malin for sale to Pacific Gas and Electric Company (PG&E). PG&E proposes thereupon to transport the gas through a 42-inch intrastate pipeline to its market area in northern and central California.

Due to the magnitude of the Arctic Gas Project and certain complexities it confronts, the Arctic Gas Project is not expected to commence operation until November 1, 1979, or to operate at full capacity until late 1982. However, PG&E's affiliate, Alberta and Southern Gas Co., Ltd., presently has or can obtain, gas contracts with producers in the Province of Alberta for an additional 200,000 Mcf of natural gas per day. Applicant proposes, therefore, to construct its proposed 42-inch pipeline in stages as natural gas becomes available. The first stage will consist of 319.6 miles of 42-inch pipeline loops at 12 locations in Idaho, Washington, and Oregon. These loop sections will initially operate at 911 psig but are designed for future operation in the proposed 1440 psig/1250 psig 42-inch pipeline system.

Applicant states that this 319.6 miles of pipeline looping is an integral first step in the overall construction and will be used to deliver to PG&E an additional average daily volume of 200,000 Mcf of gas. Applicant estimates that deliveries will commence on November 1, 1975, or as soon thereafter as all regulatory approvals and construction can be completed. Applicant states that no additional compressor horsepower will be required to transport this additional 200,000 Mcf of gas per day, however, centrifugal compressor aerodynamic assembly changes are required on 13 existing compressor units.

Applicant states that the proposed construction and transportation of import volumes will enable PG&E to meet its increasing market requirements. In 1973, PG&E received approximately 23.6 percent of its gas supply from California producers and purchased approximately 38 percent of said supply from Applicant. PG&E is currently curtailing service to interruptible customers at an increasing rate and Applicant states that without new supplies of gas such curtailments will accelerate. The application states that additional supplies of natural gas from the Arctic Gas Project and from the Province of Alberta represent the only presently forseeable large quantities of natural gas likely to be available to PG&E's market area and Applicant alleges that inasmuch as its present facilities are operating at capacity, the need for additional transport facilities is evident.

Any person desiring to be heard or to make any protest with reference to said

applications should on or before April 30, 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 the application in Docket No. CP74-241 if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8508 Filed 4-12-74;8:45 am]

[Docket Nos. CP74-160, CP74-207]

PACIFIC INDONESIA LNG CO.

Order Consolidating Proceedings and Granting Interventions

APRIL 8, 1974.

On November 30, 1973, Pacific Indonesia LNG Company (Applicant) filed in Docket No. CP74-160 an application pursuant to section 3 of the Natural Gas Act (Act) requesting an order of the Commission authorizing the importation of liquefied natural gas (LNG) into the United States from the Republic of Indonesia. On February 15, 1974, the Applicant filed in Docket No. CP74-207 a companion application pursuant to section 7(c) of the Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate certain facilities to receive, unload, store, and vaporize imported quantities of LNG, subject of Docket No. CP74-160, and the sale and delivery of vaporous gas derived therefrom to Southern California Gas Company (SoCal).

Applicant seeks authorization in Docket No. CP74-160 to import from Indonesia for 20 years an average daily quantity of liquefied natural gas containing approximately 619.71 Btu, which is equivalent to approximately 546,000 Mcf per day of natural gas at 1,135 Btu per standard cubic foot. Applicant states that the LNG will be imported from Indonesia in accordance with an agreement between Applicant and Pacific Lighting International, S.A. (PLI), a Panama Corporation, dated February 4, 1974, in which said parties have agreed to the sale by PLI to Applicant of quantities of LNG dedicated to PLI under a Contract for the Sale and Purchase of Natural Gas known as the Pertamina Contract dated September 6, 1973. In the latter agreement PLI has contracted with Perusahaan Pertambangan Minyak Dan Gas Bumi Negara (Pertamina), the State Oil and Gas Enterprise of the Republic of Indonesia, to purchase LNG over the term of a 20-year contract, with a provision that prior to the first contract year lesser quantities of LNG than the daily 619.71 billion Btu will be sold and purchased during the startup period. The application states in addition that the contract term may be extendcd if the parties so agree at least five years prior to the end of the contract term.

Natural gas will be produced by Pertamina and Mobil Oil Indonesia Inc. (Mobil) to meet the requirements of said contract from an area known as Contract Area "B," located in the Province of Aceh in northwest Sumatra, Indonesia, which area includes the Arun Field. Mobil is entitled to a share of said production pursuant to Mobil's Production Sharing Contract with Pertamina but under the terms of a Supply Agreement between Mobil and Pertamina, Mobil's entire share of the LNG to be sold and delivered under the Pertamina Contract will be made available to Pertamina for sale to PLI.

After production and gathering, natural gas will be transported to a liquefaction facility to be built by Pertamina in northwest Sumatra, where the gas will be liquefied, stored and loaded onto ships, at which loading point PLI will take title. PLI will sell said LNG to Applicant pursuant to the LNG Purchase and Sales Agreement of February 4, 1974, which provides that Applicant will take title on the high seas.

The Applicant executed on February 4, 1974, an agreement with Pacific Lighting Marine Company (PL Marine) whereby PL Marine will provide two plus any of the additional ships of ten ships estimated in the contract to be required by the project. PL Marine has agreed to acquire the vessels by a fixed term lease, subject to the request by either party that the vessels be acquired by some other means. It is agreed that some of the vessels may be constructed and/or registered outside the United States. The Applicant has agreed to pay all costs and expenses plus a fair and reasonable return.

Applicant proposes in Docket No. CP74-207 to construct certain facilities including a marine terminal and vaporization facility near Port Hueneme, California, into which it will discharge this subject LNG. The facilities will include a berthing installation, to be built by the Oxnard Harbor District, for receiving and unloading LNG ships; an LNG transfer system comprised of two 30-inch cryogenic liquid lines and 12-inch vapor return line, to transfer the LNG 1.5 miles inland to the storage and vaporization site; two 550,000-barrel storage tanks and an adjoining vaporization facility with a nominal capacity of over 500,000 Mcf per day and a peak capacity of 1,000,000 Mcf per day. Assuming that governmental authorizations and financing are obtained without delay, construction will begin in September, 1975 and will be completed by July, 1978. Applicant estimates that the cost of the facilities, on the basis of 1978 costs, will be $140,494,000.

Natural gas derived from imported quantities of LNG will amount to approximately 190 million Mcf of natural gas per year for a term equivalent to that of the Pertamina contract. Applicant proposes to sell and SoCal to purchase these quantities on a cost-of-service basis in conformity with Applicant's Rate Schedule RI-1.

The estimated price of the LNG in the first year of full deliveries, expected to be 1981, will be $1.58 per million Mbtu delivered to Applicant's receiving terminal and vaporization facility in southern California, and $1.82 delivered as vaporous gas to SoCal.

SoCal has informed Applicant that it will file an application with the California Public Utilities Commission for a certificate of public convenience and necessity to construct and operate a 36-inch natural-gas pipeline, 12.2 miles in length, to connect its intrastate pipeline system to the outlet of Applicant's proposed vaporization facility.

Applicant alleges that SoCal has been forced to reduce the level of service normally provided to its industrial and wholesale customers because of curtailment in contracted-for deliveries of natural gas and that SoCal advises that by 1978 it may be necessary to curtail service to firm customers as well. Applicant states that the proposed import project will provide a new supply of natural gas to supplement declining domestic supplies and alleviate the severity of anticipated curtailments of service.

Applicant is a wholly-owned subsidiary of Pacific Lighting Corporation. PLI, from which Applicant will purchase LNG, is a wholly-owned subsidiary of Pacific Hydrogen Corporation, which is a wholly-owned subsidiary of Pacific Lighting Corporation. PL Marine, from which Applicant will obtain ships from transportation of the LNG from Indonesia to the United States is likewise a wholly-owned subsidiary of Pacific Lighting Corporation. SoCal, to which Applicant will sell natural gas derived from LNG, after importation and regasification, has all its outstanding common stock and approximately 92 percent of the voting stock held by Pacific Lighting Corporation.

Timely petitions to intervene were filed by the following parties in one or

both of these dockets: San Diego Gas and Electric Company, Southern California Edison Company, Public Service Electric and Gas Company, Perusahaan Pertambangan Minyak Dan Gas Bumi Negara, Pacific Gas and Electric Company, Mobil Oil Indonesia Incorporated, Natural Gas Company, Southern Energy Company, El Paso Natural Gas Compani, California Gas Producers Association, Distrigas Corporation, Distrigas of New York Corporation, Distrigas of Massachusetts Corporation, Southern California Gas Company, and Phillips Petroleum Company.

Timely notices of intervention were filed by The People of the State of California, and the Public Utilities Commission of California.

Having reviewed the petitions to intervene, we are convinced that the petitioners have all shown sufficient interest in their respective dockets to warrant intervention. The Commission further notes that there exists an interrelationship between the two above-described dockets, and concludes that their ultimate disposition can best be resolved in a consolidated proceeding. Accordingly, we shall consolidate these proceedings for purposes of final disposition, and grant intervention to all those who have so petitioned in either of the instant dockets.

The Commission finds:

(1) It is necessary and appropriate that the proceedings in Docket Nos. CP 74–160 and CP74–207 be consolidated.

(2) It is desirable and in the public interest to allow the aforementioned parties who have formally petitioned to intervene in the above-consolidated dockets to so intervene in order that they may establish the facts and the law from which the nature and validity of their alleged rights and interests may be determined.

The Commission orders:

(A) Docket Nos. CP74–160 and CP74–207 are consolidated.

(B) The above-named petitioners, who have petitioned to intervene in the proceedings consolidated by Ordering Paragraph (A) herein, are permitted to intervene in such consolidated proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8509 Filed 4–12–74;8:45 am]

[Docket Nos. CP74–160, CP74–207]

PACIFIC INDONESIA LNG CO.

Notice of Technical Conference

APRIL 8, 1974.

Applications to import liquefied natural gas (LNG) from Indonesia and to construct facilities for the receipt and storage of such gas and to resell vaporized gas, were filed in the above-entitled dockets on November 30, 1973 and February 15, 1974, respectively. Commission Staff review of the applications indicates that the material on file may be insufficient in certain essential aspects, as would permit further processing of the proposal. Specifically, definite information on such vital matters as the design of the terminal facilities, the nature of the transportation arrangement, and the number, cost, and design of the LNG tankers to be employed has not been filed, apparently because plans pertaining to these aspects of the project have not yet been finalized.

Proper Staff evaluation of the project requires that further information regarding the status of such plans must be obtained. Therefore, in order to assist Staff review and to expedite the processing of these applications, a technical conference shall be convened in these proceedings, in order for Staff to obtain further information concerning the above-referenced matters. Such conference shall be for the purpose of determining what information may still be necessary for Staff review, and when such information may be forthcoming by the Applicants.

Wherefore, Notice is hereby given to all parties to these proceedings, including those whose interventions were granted by Commission order of this date, that a technical conference to be presided over by the Commission Staff will be convened at 10 a.m. on April 25, 1974, in one of the Commission's hearing rooms.

By Direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8510 Filed 4–12–74;8:45 am]

[Docket No. E–8690]

PUBLIC SERVICE CO. OF NEW MEXICO

Notice of Agreement

APRIL 9, 1974.

Take notice that Public Service Corporation of New Mexico (PNM) on March 15, 1974, tendered for filing an agreement between PNM and Idaho Power Company (Idaho). PNM states that said agreement provides for the sale of surplus energy by PNM to Idaho for the period April 1, 1974 to October 31, 1974. According to PNM, such sales will only be of surplus energy as is determined to be excess or surplus above PNM's load or safety margin requirements. The said agreement provides that the cost to Idaho will be no less than 8 mills per KWH. PNM states such power will be wheeled, at the Four Corners Generating Plant, by Utah Power & Light Company to Idaho at their interconnection.

PNM proposes an effective date of April 1, 1974, for said Agreement.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 15, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8511 Filed 4–12–74;8:45 am]

[Docket No. CP74–247]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

APRIL 9, 1974.

Take notice that on March 25, 1974, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP74–247 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain pipeline and related metering and regulating facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks permission and approval to abandon the following facilities:

(1) Approximately 1,799 feet of 6-inch transmission purchase line and one metering and regulator station and related facilities known as the "Mosbacher-Melodia purchase facilities", Lafourche Parish, Louisiana.

(2) Approximately 6,048 feet of 6-inch transmission purchase line and one metering and regulator station and related facilities known as the "Texaco-Dog Lake purchase facilities", Terrebonne Parish, Louisiana.

(3) Approximately 4,848 feet of 4-inch Orcones Field gathering line and a portion of the metering and regulator station and related facilities known as the "Duerr-Wagner-Orcones purchase facilities", Duval County, Texas.

(4) Approximately 6,695 feet of 8-inch transmission purchase line known as the

"Cooke-West Stuart City transmission purchase facilities", LaSalle County, Texas.

(5) Approximately 60,483 feet of 8-inch Church Point transmission purchase line and approximately 295 feet of 4-inch Sunray Church Point transmission purchase line and one metering and regulator station and related facilities known as the "Sunray Church Point Gathering Facilities", Acadia Parish, Louisiana.

The application states that these facilities all originally served to take into Applicant's system natural gas purchased from various producers in the respective fields. Deliveries are no longer being made through such facilities because of exhaustion of reserves. With the exception of a portion of the Sunray Church Point line, the lines will be abandoned in place and the meter and regulator stations and appurtenant facilities will be salvaged for use at other company locations.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 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 a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8513 Filed 4-12-74;8:45 am]

[Docket No. CP74-244]

TRUNKLINE GAS CO.

Notice of Application

APRIL 9, 1974.

Take notice that on March 22, 1974, Trunkline Gas Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP74-244 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(b) of the regulations thereunder (18 CFR 157.7 (b)) for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing March 10, 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 that the purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system additional supplies of natural gas in areas generally co-extensive with said system.

The application states that the total cost of all facilities will not exceed $7,000,000, with no single onshore project to exceed a cost of $1,000,000 and no single offshore project to exceed a cost of $1,750,000. Applicant states such 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 April 29, 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.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8514 Filed 4-12-74;8:45 am]

[Docket No. E-8711]

WEST PENN POWER CO. AND DUQUESNE LIGHT CO.

Notice of Changes In Rates and Charges, Adding New Fuel Conservation Service

APRIL 9, 1974.

Allegheny Power Service Corporation on April 1, 1974, on behalf of West Penn Power Company (West Penn) and Duquesne Light Company (Duquesne), tendered for filing Amendment No. 3 to the Interchange Agreement between West Penn and Duquesne dated as of February 1, 1968. Amendment No. 3 adds Schedule E—Fuel Conservation Energy, proposed to become effective as of January 1, 1974, and to continue in effect for one year and thereafter subject to termination upon three months written notice.

Applicants state that Schedule E is similar in form and contains substantially the same terms and conditions as the fuel conservation schedules filed by Allegheny System Companies (one of which is West Penn) with Virginia Electric and Power Company and others. To the extent desirable, Applicants refer to information and statistics filed by West Penn and other Allegheny System Companies in Docket Nos. E-8589 and E-8567. Waiver of any requirements of Commission regulations under the Federal Power Act, §§ 35.12 and 35.13, not already complied with, is requested.

(No proposed notice for publication in the FEDERAL REGISTER is included in the filing pursuant to § 35.8(a) of the Commission's regulations as prescribed by Order No. 487 issued July 17, 1973, in Docket No. R-463).

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 16, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-8515 Filed 4-12-74;8:45 am]

[Docket No. E-8682]

WISCONSIN ELECTRIC POWER CO.

Notice of New Rate Schedule for Fuel Conservation

APRIL 9, 1974.

Wisconsin Electric Power Company (WEPCo) on March 25, 1974, tendered for filing a proposed new rate schedule consisting of a letter agreement dated March 14, 1974, between WEPCo and Commonwealth Edison Company (Edison). The new rate schedule provides for

sale by WEPCo of a new class of power, petroleum fuel conservation power, to Edison, for weekly periods between the hours of 11 p.m. and 7 a.m. six days a week and all day Sunday, as available in WEPCo's discretion.

The rates and charges are stated to be a demand charge of $0.20 per kilowatt reserved per week, (less 1/72 of said $0.20 per kilowatt for each hour that the amount of power reserved is reduced by WEPCo) and an energy charge equal to out-of-pocket cost (including fuel at estimated replacement cost) plus 10 percent. The new rate schedule is proposed to become effective upon filing with the Commission or on the earliest date thereafter authorized by the Commission and is to continue in effect until December 31, 1974, unless extended by mutual agreement.

In support of the proposed rate schedule, WEPCo states that it does not have sufficient information to estimate the quantities of energy which will be delivered to Edison. The proposed rates are the result of negotiations between the parties and agree closely with rates for identical or similar service in the northeast quarter of the United States. WEPCo requests waiver of the notice requirements of the Commission's regulations under the Federal Power Act.

WEPCo states that a copy of the agreement has been furnished to Edison. (No proposed notice for publication in the FEDERAL REGISTER, is included in the filing pursuant to § 35.8(a) of the Commission's regulations as prescribed by Order No. 487 on July 17, 1973 in Docket No. R–463).

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 16, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–8516 Filed 4–12–74;8:45 am]

[Docket No. RI74–188]

INDEPENDENT OIL & GAS ASSOCIATION OF WEST VIRGINIA

Petition for Special Relief

APRIL 11, 1974.

Take notice that on March 25, 1974, Independent Oil & Gas Association of West Virginia (IOGA) (Petitioner), 1730 M Street NW., Washington, D.C. 20036, on behalf of its small producer members in West Virginia filed a petition for special relief in Docket No. RI74–188 with respect to their existing life-of-lease gas purchase contracts under which these small producers currently receive an average of 31.96¢/Mcf. These small producers make jurisdictional gas sales to Consolidated Gas Supply, Columbia Gas Transmission, Carnegie Natural Gas and Equitable Gas. IOGA claims that the current cost of production for its small producer members is 98.51¢ per Mcf. IOGA requests that the Commission institute a section 5(a) investigation with respect to these contracts and find that the fixed prices contained therein, without escalation or renegotiation provisions, are unjust and contrary to public policy. IOGA requests that the term of both existing and future life of lease contracts of its members be limited to a maximum of three years, or, alternatively, that the Commission provide for periodic renegotiation of all such contracts, regardless of existing provisions to the contrary, every three years.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 30, 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 party 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.74–8741 Filed 4–12–74; 10:29 am]

FEDERAL RESERVE SYSTEM

HASTINGS CITY NATIONAL CO.

Order Approving Formation of Bank Holding Company

Hastings City National Co., Lincoln, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through the acquisition of 80 per cent or more of the voting shares of City National Bank of Hastings, Hastings, Nebraska ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank ($42.5 million in deposits). Bank is the second largest of eleven banks in the relevant banking market, controlling approximately 31 per cent of the total commercial bank deposits therein.[1] Upon acquisition of Bank, Applicant would become the twelfth largest banking organization in Nebraska and hold 0.9 per cent of total commercial bank deposits in the State.[2] Since the purpose of the proposed transaction is to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals with no change in Bank's management or operation, consummation of the proposal herein would eliminate neither existing nor potential competition.

The principals of Applicant are also shareholders, officers and/or directors of six other affiliated bank holding companies and banks in Nebraska, the closest of which is located in Grand Island, approximately 28 miles from Bank, and in a separate banking market. The Board is concerned with common ownership of multiple one-bank holding companies because of the possibilities for evasion of the purposes of the Act created by such ownership. However, these relationships are not prohibited by the Act and, in the absence of evidence of evasion or abuse, the Board will act favorably on such applications. In the instant case, it is the Board's judgment that competitive considerations are consistent with approval of this application.

The financial and managerial resources and future prospects of Applicant, dependent upon those of Bank, are regarded as generally satisfactory. As indicated above, the proposed acquisition represents a change in form of ownership of Bank, and there are no significant proposed changes in the operations or services of Bank. Therefore, considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that the acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above, provided that the transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[3] effective April 4, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74–8538 Filed 4–12–74;8:45 am]

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[1] The relevant banking market is approximated by Adams and Clay Counties.

[2] All banking data are as of June 30, 1973, and reflect bank holding company formations and acquisitions approved through February 28, 1974.

[3] Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governor Wallich.

MANCHESTER FINANCIAL CORP.

Order Approving Acquisition of Bank

Manchester Financial Corporation, St. Louis, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of The National Bank of Affton, Affton, Missouri ("Bank"), a proposed new bank.

Subject application was filed with the Federal Reserve Bank of St. Louis; and notice of the application, affording opportunity for interested persons to submit comments and views was duly given in accordance with section 3(b) of the Act (37 FR 9510). The Reserve Bank, acting in accordance with the Board's Rules Regarding Delegation of Authority (12 CFR 265.2(f)(24)), considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)). Based on the record before it, the Reserve Bank approved subject application. Thereafter, three banks located in Bank's proposed service area jointly filed a Petition for Review of the Reserve Bank's Order in the U.S. Court of Appeals for the Eighth Circuit (Gravois Bank, et al. v. Federal Reserve Bank of St. Louis—Board of Governors, No. 72–1423, 8th Cir).[1] Petitioners did not request a stay of the Reserve Bank's Order; and Applicant accordingly consummated the approved transaction.[2]

The Court has remanded the case to the Board "for further review consistent with the opinion of this Court this day filed herein." In its opinion, 478 F. 2d 546 (8th Cir. 1973), the Court declares that the Reserve Bank failed to "examine the facts to determine whether or not the Affton Bank would be operated as a de facto branch of the Manchester Bank"[3] and directs the Board to follow, on remand, the guidelines laid down by the Court in Commercial National Bank of Little Rock v. Board of Governors, 451 F. 2d 86, 89–90 (8th Cir. 1971).

In light of the Court's action, the Board directed that the record be supplemented with additional evidence on the branch banking question in order that further consideration might be given to the issue raised by petitioners. An examiner was dispatched to determine the mode of operation of Bank and to gather data relevant to the branching issue. In addition, Applicant and Petitioners were invited to submit views and factual materials on this question. The Board has considered the application and the facts of record, including all materials submitted by the parties to the Court of Appeals, to the Reserve Bank, and to the Board.

The facts of record reflect that Bank is a separate corporation with its own capital stock; that Bank is a national bank, whereas Manchester Bank is a State-chartered bank; that Bank and Manchester Bank must observe the separate borrowing and lending limits prescribed by State and Federal law (Rev. Stat. Mo. § 362.170; 12 U.S.C. 82, 84); that Bank is capitalized with funds raised by Applicant through a loan obtained from an unaffiliated bank, not with profits or other funds of Manchester Bank; that although Bank and Manchester Bank advertise together, they bear substantially different names, and persons in Bank's service area consider that the two banks operate separately; that no loan payments or deposits of Bank are accepted by Manchester Bank and no loan payments or deposits of Manchester Bank are accepted by Bank; that no officer of Bank is an officer of Manchester Bank, and no officer of Manchester Bank is an officer of Bank; that Manchester Bank is one of Bank's four correspondent banks; and that four of Bank's directors are also directors of Manchester Bank. In addition, it appears that Applicant was incorporated in 1968, acquired Manchester Bank in 1969, and submitted its application for prior approval to acquire Bank in 1972. The record supports the conclusion that Applicant is a "traditionally recognized bank holding company which, with its own capital, invests in or buys the stock of banks," Whitney National Bank v. Bank of New Orleans, 323 F. 2d 290 (D. C. Cir. 1963), rev'd on other grounds, 379 U.S. 411 (1965), and that a unitary operation does not exist between Bank and Manchester Bank. First National Bank in Billings v. First Bank Stock Corp., 306 F. 2d 937 (9th Cir. 1962).

Applicant, the sixteenth largest banking organization in Missouri, controls two banks, with aggregate deposits of $98.8 million,[4] representing .7 percent of total deposits in commercial banks in the State and 1.6 percent of all such deposits in the St. Louis banking market.[5] Bank (deposits of $2.54 million) is the smaller of Applicant's banks and controls only about .1 percent of total deposits in commercial banks in the St. Louis market. When the Reserve Bank issued its Order in this case, Bank was a proposed new bank; and the Reserve Bank correctly found that subject acquisition would neither eliminate competition nor increase concentration in any relevant area.[6] Indeed, the record indicates that subject acquisition enhances competition by creating an additional source of commerical banking services in South St. Louis County. Accordingly, the Board concludes that the acquisition of Bank by Applicant does not adversely affect existing or potential competition in any relevant area.

The financial and managerial resources and future prospects of Applicant and Bank are generally satisfactory and consistent with approval of the application. Considerations relating to the convenience and needs of the community are likewise consistent with approval. It is the Board's judgment that subject acquisition is in the public interest and the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction having been consummated, today's action empowers Applicant to retain its ownership and control of voting shares of Bank.

By Order of the Board of Governors,[7] effective April 4, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-8539 Filed 4-12-74;8:45 am]

SECURITY PACIFIC CORP.

Order Approving Acquisition of Midwestern Financial Corp.

Security Pacific Corporation, Los Angeles, California, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of the successor by merger to Midwestern Financial Corporation, Denver, Colorado ("Company"), a company that engages in the activity of mortgage banking. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1)). The company into which Company is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Company. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Company.

Notice of the application, affording opportunity for interested persons to submit comments and views on the public

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[1] Petitioners had opposed the application by protest to the Board and to the Reserve Bank within the time provided for public comment. Petitioners contended before the Reserve Bank that the proposed acquisition would offend Missouri's statutory prohibition of branch banking. In the Court of Appeals, Petitioners repeated this contention and urged, in addition, that the Reserve Bank had unlawfully failed to consider the branch banking issue.

[2] The Reserve Bank's Order directed that the acquisition of Bank be accomplished no sooner than thirty days and no later than three months following the date of said Order.

[3] The Manchester Bank of St. Louis (Manchester Bank) was, prior to subject acquisition, Applicant's only banking subsidiary. Missouri Law forbids branch banking, Rev. Stat. Mo. § 362.105(1); and the Board must disapprove any proposed transaction consummation of which would violate State branch banking law. Whitney National Bank v. Bank of New Orleans, 323 F. 2d 290 (D.C. Cir. 1953), rev'd on other grounds. 379 U.S. 411 (1965).

[4] Data as of June 30, 1973.

[5] Approximated by the City of St. Louis, St. Louis County, portions of St. Charles and Jefferson Counties in Missouri, and portions of Madison and St. Clair Counties in Illinois.

[6] The record before the Reserve Bank indicated that Applicant was the fourteenth largest banking organization in Missouri, controlling .85 percent of total deposits in commercial banks in the State, as of June 30, 1971.

[7] Voting for this action: Vice Chairman Mitchell and Governors Brimmer, Sheehan, Bucher, Holland and Wallich. Absent and not voting: Chairman Burns.

interest factors, has been duly published (38 FR 21319). The time for filing comments and views has expired, and none has been timely received.

Applicant controls one bank, Security Pacific National Bank ("Bank") with deposits of $9 billion, representing approximately 16 percent of the deposits in commercial banks in the State of California. Although Bank operates 471 offices throughout California, approximately 90 percent of its IPS deposits are derived from Los Angeles County and the neighboring counties of Ventura and Orange, placing it second among all commercial banks that compete in that area. Bank commenced servicing mortgage loans for others in 1970, and by year-end 1972 held a servicing portfolio of $155 million for its institutional investors. Bank's mortgage loan originations in 1972 totalled $320 million in the three-county Los Angeles market, placing Bank eighth among all mortgage lenders in that market and representing about 2.8 percent of all mortgages recorded in that area.

As of December 31, 1972, Company was a one-bank holding company controlling, among other subsidiaries, Kassler & Company ("Kassler"), a mortgage banking company. Today, Kassler is Company's only subsidiary and Company's sole activity is confined to mortgage banking. Incorporated in Colorado in 1924, Kassler was acquired by Company in 1962. By 1969, Kassler had offices in Colorado, Arizona, Kansas, Washington and Texas. In 1970, it acquired John R. Delfino, Inc., a small mortgage banking firm in southern California, and in 1972, acquired a loan servicing portfolio of $23 million from Crawshaw Mortgage and Investment Company, Encino, California. In addition, Kassler acquired certain assets, including the servicing portfolio, of Sparkman & McLean Corporation, a mortgage banking firm with offices in Washington, Alaska and Hawaii. By 1973, Kassler operated 32 offices in 11 States and, based on a servicing portfolio of approximately $956 million, ranked as the fifteenth largest mortgage banking firm in the country.

Ten of Kassler's offices are in the State of California, and seven of these are located in the Los Angeles area. Insofar as its California operations are concerned, Kassler's mortgage loan originations are principally confined to loans on 1–4 family residences. While precise market data is not available, it appears that Kassler's originations of approximately $53 million in the three-county Los Angeles area in 1972 represent an estimated market share of 1 percent of all mortgages recorded on 1–4 family residences in that area. Based on its 1972 originations, Kassler is not ranked among the 25 largest mortgage lenders serving this market. Combined with Bank's estimated share of 2.8 per cent for all such loans in the Los Angeles market, Board approval of the proposed acquisition would give Applicant an approximate share of 3.8 percent if the 1–4 family residential mortgage loan market within the Los Angeles-Ventura-Orange County area.

Bank and Kassler are also active in the origination of mortgage loans in the San Francisco Bay area. However, in this market their 1972 originations of $63 million and $32 million, respectively, represent a combined share of only 1.6 percent of all mortgages recorded on 1–4 family residences. Thus, the direct competition in which Bank and Kassler are engaged in both the Los Angeles and San Francisco markets cannot be viewed as substantial, considering the size of those markets and the number of competitors in each market.[1]

Both institutions engage in mortgage servicing. Kassler has a servicing portfolio of $956 million and Bank has a portfolio for outside investors which totals $155 million. However, only $169 million in loans from Kassler's 1972 servicing portfolio were on mortgages originated in California. Thus, in the State of California each institution holds an estimated 0.7 percent of the total mortgage servicing business. In view of the low market shares held by Kassler and Bank, the Board concludes, that consummation of the proposed acquisition would not eliminate significant competition in California's mortgage servicing market.

Kassler's potential to diversify its service lines and expend the present scope of its mortgage banking operations appears to have been severely restricted by the losses incurred by the company during the last 15 months. Moreover, based on a tangible net worth of 3.5 million as of June 30, 1973, its capitalization is somewhat lower than similar mortgage banking firms, for supporting a loan warehousing volume of $122 million. Consequently, Kassler has restricted its loan production volume and is now attempting to sell off those unprofitable loans in warehouse. While Kassler apparently remains a viable firm, it could not be expected to continue to offer the same aggressive degree of competition to Bank in California or to its other competitors outside the State. Accordingly, it is the Board's judgment that consummation of the instant proposal will not substantially lessen whatever potential competition that Kassler might have been expected to offer Applicant.

Bank, on the other hand, is and will remain a viable competitive force in mortgage banking in the State of California. Its capability to expand into other mortgage banking markets in the State is enhanced by its available resources and proximity to those markets. However, based on past performance,[2] Bank's future rate of expansion will probably be somewhat tempered by a lack of specialized personnel to support new loan production offices. For these reasons such expansion as will occur is likely to be confined within the State of California and probably would not take place in banking markets more distantly removed from Bank's headquarters. Thus, Bank is not now nor likely to become in the foreseeable future a viable competitive force to Kassler in those markets outside the State where the preponderance of Kassler's mortgage originations are made. Viewing the instant proposal in the context of all of the geographical markets in which Bank and Kassler operate, consummation of the proposed acquisition would not, in the Board's judgment, tend to substantially lessen potential competition. As respects local California markets, however, the proposed acquisition would have slightly adverse competitive effects, as it would eliminate a small amount of existing competition between the two institutions in the Los Angeles and San Francisco markets and foreclose a minimal amount of potential competition in other California markets.

The Board also closely examined the present proposal with respect to the possible adverse effect which might arise from an unlue concentration of resources. In the Board's judgment, any concern over an undue concentration of resources resulting from consummation of the proposed acquisition herein is unwarranted, considering not only the size but the total resources available to each institution. Kassler's resources, in particular, do not appear sufficient to permit it to continue a viable program of expansion or retain its competitive effectiveness without the financial assistance Applicant can offer.

Denial of the present application because of the slightly adverse effects that consummation of the acquisition would have in California does not appear to be justified in view of the substantial benefits that would flow to the public outside the State where the greatest volume of Kassler's business takes place. Applicant proposes to inject $3 million in new capital funds into Kassler immediately upon consummation of the proposal to permit the expansion of its mortgage banking activities to other localities in the Far West, Midwest, and Southeastern sections of the country. In addition, Applicant can be expected to provide the short-term financial support necessary for Kassler to diversify its product line into such areas as construction lending and the financing of income-producing properties. It is anticipated that Kassler's present inability to position loans in its own portfolio will be considerably alleviated by Applicant's own warehousing capacity. With only 19 percent of Kassler's loan servicing portfolio in the State of California, the majority of the benefits cited herein will accrue principally in the Far West, Midwest, and Southeastern sections of the country. In the Board's judgment these public benefits are more

[1] Over 200 organizations currently compete for mortgage loans in both the Los Angeles and San Francisco markets.

[2] Historically, Security Pacific's lack of aggressiveness is demonstrated by its late entry into the field of mortgage banking as well as the fact it was one of the last of the country's financial institutions of similar size to form a bank holding company.

than sufficient to outweigh the slightly adverse competitive effects the application presents in local mortgage banking markets in California.

There is no evidence in the record [3] to indicate that the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interest, or unsound banking practices. Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco.

By order of the Board of Governors,[4] effective April 2, 1974.[5]

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-8540 Filed 4-12-74;8:45 am]

SOUTH CAROLINA NATIONAL CORP.

Proposed Acquisition of Acceptance Premium Co.

South Carolina National Corporation, Columbia, South Carolina, has applied, pursuant to section 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 Acceptance Premium Company, Atlanta, Georgia. Notice of the application was published on March 1, 1974, in the Atlanta Journal, a newspaper circulated in Atlanta, Georgia.

Applicant states that the proposed subsidiary would engage in the activity of financing of insurance premiums. 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 of Richmond.

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 May 3, 1974.

Board of Governors of the Federal Reserve System, April 5, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8537 Filed 4-12-74;8:45 am]

WEST MICHIGAN FINANCIAL CORP.

Order Approving Acquisition of Bank

West Michigan Financial Corporation, Cadillac, Michigan, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent (less directors' qualifying shares) of the voting shares of the successor by merger to The First National Bank of Evart, Evart, 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 section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act.

Applicant controls one bank, The Cadillac State Bank, whose deposits of $80.3 million represent less than one-half of 1 per cent of total deposits in commercial banks in Michigan.[1] Acquisition of Bank (deposits of $6.2 million) would not significantly increase the concentration of banking resources in the State.

Bank is the smallest of four banking organizations in the relevant banking market and controls approximately 18.5 per cent of the total deposits in commercial banks therein.[2] A branch office of Applicant's banking subsidiary is located outside of the relevant banking market about twenty miles from Bank. Applicant's bank controls a relatively small share of deposits drawn from the relevant market. Moreover, a large part of the deposits it does obtain are represented by long-term certificates of deposit which are not offered by Bank. There is no significant existing competition between Applicant's banking subsidiary and Bank. Under Michigan branching law, Applicant's banking subsidiary may establish a branch within the relevant market. However, due to the sparse population and lack of recent growth in the market as well as the home office protection provisions of Michigan branching law, this does not appear a reasonable probability. For the same reasons, Applicant is not a likely entrant into the market through the establishment of a de novo bank. Accordingly, the acquisition of Bank can reasonably be regarded as a foothold entry into an adjacent market; the character of that market and the holding company strength supporting the second and third largest banks in Applicant's home market appear such that the acquisition of Bank would not appreciably enhance the market power of the Applicant. The Board, therefore, concludes that competitive considerations relating to the application are consistent with approval.

The financial and managerial resources and future prospects of Applicant, its subsidiary bank, and Bank are considered to be generally satisfactory and consistent with approval of the application. Considerations relating to the convenience and needs of the community to be served provide support for approval of this application since Applicant plans to have Bank introduce free checking service for people in selected age groups, provide limited trust services and offer 4-year certificates of deposit. Applicant also intends to assist Bank in the areas of consumer and mortgage lending. The Board concludes that consummation of the transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be executed (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

[3] Dissenting Statement of Chairman Burns and Governors Brimmer and Holland 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 San Francisco.

[4] Voting for this action: Governors Mitchell, Daane, Sheehan, and Bucher. Voting against this action: Chairman Burns and Governors Brimmer and Holland.

[5] Board action was taken while Governor Daane was a Board member.

[1] All banking data are as of June 30, 1973.

[2] The relevant banking market is approximated by the southern half of Osceola County plus sections of Lake, Mecosta, and Claire Counties.

By order of the Board of Governors,[3] effective April 4, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-8541 Filed 4-12-74;8:45 am]

ZIONS UTAH BANCORPORATION

Proposed Acquisition of Mauss Finance Co.

Zions Utah Bancorporation, Salt Lake City, Utah, has applied, pursuant to section 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 Mauss Finance Company, Twin Falls, Idaho. Notice of the application was published on February 21, 1974, in the Times-News, a newspaper circulated in Twin Falls, Idaho.

Applicant states that the proposed subsidiary would engage in the activities of making of consumer installment loans, purchasing consumer installment sales finance contracts, making of loans to small businesses and the sale of credit insurance related to such extensions of credit. 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 of San Francisco.

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 May 1, 1974.

Board of Governors of the Federal Reserve System, April 4, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-8542 Filed 4-12-74;8:45 am]

[3] Voting for this action: Vice Chairman Mitchell and Governors Brimmer, Sheehan, Bucher, Holland, and Wallich. Absent and not voting: Chairman Burns.

NATIONAL ENDOWMENT FOR THE HUMANITIES

RESEARCH GRANTS PANEL ADVISORY COMMITTEE

Notice of Meeting

MARCH 22, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Research Grants Panel will meet at Washington, D.C. on April 25-26, 1974.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer Mr. John W. Jordan, 806 15th Street NW., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.74-8622 Filed 4-12-74;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[Docket No. SA-443]

AIR EAST, INC.

Notice of Third Change of Hearing Date

In the Matter of Investigation of Accident Involving an Air East, Inc., Beechcraft 99A of United States Registry N125AE, at Johnstown, Pennsylvania, January 6, 1974.

Notice is hereby given that the date of the Accident Investigation Hearing on the above matter is changed from April 23, 1974, to May 21, 1974. The hearing will commence on the latter date at 9 a.m., e.d.t., in the Heritage Room of the Holiday Inn, 1540 Scalp Avenue, Johnstown, Pennsylvania.

Dated this 9th day of April 1974.

LESLIE D. KAMPSCHROR,
Hearing Officer.

[FR Doc.74-8611 Filed 4-12-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 10, 1974 (44 USC 3509). The purpose of publishing this list in the Federal Register is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

NEW FORM

DEPARTMENT OF COMMERCE

Economic Development Administration—Industrial Location Determinants Follow-up Survey, Form ---, Single time, Lowry; Manufacturing firms trade associations.

ENVIRONMENTAL PROTECTION AGENCY

Survey of Solid Waste Removal Systems for Residents of Operation Breakthrough Sites—Form ---, Single time, HRD/NRD/Foster/Sunderhauf; Households of operation breakthrough sites.

NATIONAL SCIENCE FOUNDATION

Survey of College Educated Men and Women—Form ---, Annual, Planchon/Wann; Individuals.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration—Application for Pilot School Certificate, Form FAA 8420-8, Occasional, Lowry; Civilian pilot training schools.

Federal Highway Administration—Understanding Traffic Signals, Form ---, Single time, Foster; Drivers at traffic signals.

REVISIONS

FEDERAL MEDIATION AND CONCILIATION SERVICE

Arbitrator's Report and Fee Statement—Form FMCS R-19, Occasional, Lowry; Labor arbitrators.

EXTENSIONS

NATIONAL SCIENCE FOUNDATION

Education Grant Budget and Fiscal Report—Form 135, Occasional, Evinger (x).

Student Participant Information Sheet—Form 42, Annual, Evinger (x).

DEPARTMENT OF TRANSPORTATION

National Highway Transportation Safety Administration—Parts Return Program, Form ----, Occasional, Evinger (x).

Departmental—Pipeline Carrier Accident Report, Form DOT 7000-1, Occasional, Ellett.

VETERANS ADMINISTRATION

Affidavit of Loyalty—Form 21-4133, Occasional, Evinger; Claimants.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-8655 Filed 4-12-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

PATTERSON CORP.

Notice of Suspension of Trading

APRIL 9, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Patterson Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from April 10, 1974 through April 19, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-8613 Filed 4-12-74;8:45 am]

[812-3605]

ST. PAUL LIFE INSURANCE CO. ET AL.

Notice of Application

APRIL 9, 1974.

In the matter of St. Paul Life Insurance Company, St. Paul Variable Annuity Fund A, St. Paul Variable Annuity Fund B, and Imperial Financial Services, Inc., 385 Washington Street, St. Paul, Minnesota 55102.

Notice is hereby given that St. Paul Life Insurance Company ("St. Paul Life"), St. Paul Variable Annuity Fund A, St. Paul Variable Annuity Fund B ("Separate Accounts"), unit investment trusts registered under the Investment Company Act of 1940 ("Act") and Imperial Financial Services, Inc. ("Imperial") (hereinafter collectively "Applicants"), have filed an application pursuant to section 6(c) of the Act for an order exempting Applicants, to the extent noted below, from the provisions of sections 22(d), 26(a) and 27(c)(2) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

St. Paul Life, a wholly-owned subsidiary of St. Paul Fire and Marine Insurance Company ("Marine"), is a stock life insurance company incorporated under Minnesota law. Marine is a wholly-owned subsidiary of The St. Paul Companies, Inc. ("The St. Paul"), a general business corporation organized under Minnesota law engaged in the acquisition, development and management of enterprises providing insurance, financial, and other business services. The Separate Accounts were established by St. Paul Life for use in connection with the issuance of group and individual variable annuity contracts ("Contracts"). Assets of the Separate Accounts will be invested in St. Paul Life Fund, Inc. ("Life Fund"), an open-end diversified management investment company registered under the Act. Imperial, a wholly-owned subsidiary of The St. Paul, and a registered broker-dealer, is the principal underwriter for the Contracts and is the underwriter for Life Fund. Imperial Investment Management Company ("Management Company"), also a wholly-owned subsidiary of The St. Paul, is the investment adviser for Life Fund.

Section 22(d). Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security to the public except at a current offering price described in the prospectus. St. Paul Life will offer annuity contracts under which purchase payments may be accumulated on either a fixed or a variable basis or a combination of both. If applied to a fixed annuity, the net purchase payment is placed in the general account of St. Paul Life; if applied to a variable annuity, such amount is placed in the appropriate Separate Account for such Contract. Deductions for sales and administrative expenses are made from each payment as described in the prospectus. Applicants request exemption from section 22(d) of the Act to permit (a) transfers to a Separate Account of accumulated amounts in the general account with no additional sales or administrative charges and (b) sales of Contracts with reduced sales and administrative charges when monies which have been accumulated under, or are being paid as benefits or settlements under any policy or other contract issued by an insurance company within The St. Paul corporate family are applied to the purchase of such Contract.

(a) Applicants state that the sales and administrative charges imposed upon payments accumulated on a fixed or variable basis are identical and that the deduction of additional sales and administrative charges from monies previously paid into the fixed dollar account upon transfer of these funds into the variable account would result in the imposition of an unreasonable charge upon Contract purchasers.

Applicants state, in addition, that no sales effort, and only minimal administrative services, are required in the case of such transfer and that imposition of additional charges would make the transfer privilege impracticable to the investor. Applicants represent that the transfer privileges may be exercised only once each year.

(b) Applicants assert that the sale of Contracts with reduced sales and administrative charges for the transfer or application of accumulated values or amounts payable under existing insurance policies or contracts is justified by the cost savings in the sales effort and administrative work involved.

Applicants state that the sales and administrative expense connected with the sale of Contracts pursuant to the transfer of values from other policies or contracts is less than expenses applicable to contracts under normal situations, and that, in every instance, a sales and administrative fee will have been received by a company in The St. Paul corporate family in the form of premiums. Applicants assert that such reduction in sales and administrative charges will not result in disruptive distribution patterns for the Contracts.

Sections 26(a) and 27(c)(2). Sections 26(a) and 27(c)(2), as here pertinent, provide in substance that a registered unit investment trust, and any depositor and principal underwriter for the trust are prohibited from selling periodic payment plan certificates unless the proceeds of all payments other than sales load are deposited with a qualified bank as trustee or custodian and held under an indenture or agreement containing specified provisions. Such indenture or agreement must provide (1) that the trustee or custodian be a bank of a designated size, (2) that the assets be held in trust and prescribe the charges which may and may not be charged against such assets, (3) that the trustee or custodian may only resign in a specified fashion and (4) that certain records be kept of and certain notices be given to security holders.

Applicants request an exemption from sections 26(a) and 27(c)(2) to permit the Applicants to sell Contracts without need of an independent trustee or custodian. In support of such request, Applicants state that under the provisions of the Minnesota insurance laws, St. Paul Life is not permitted to hold itself out as a trustee of the property of the Separate Accounts and cannot place such property in trust in the hands of another. In addition, Applicants state that the net purchase payments under the Contracts will be invested in the shares of Life Fund and that ownership of such shares by the Separate Accounts will be held in an open account so that such ownership will only be indicated on the books of Life Fund and the Separate Accounts and will not be evidenced by transferable stock certificates. St. Paul Life is subject to extensive supervision and control by the Minnesota Insurance Commissioner.

Applicants contend that such control and supervision provide assurance against misfeasance and afford the essential protection of trusteeship. The assets of the Separate Accounts will be held physically segregated by St. Paul Life and will be disposable only for the purposes set forth in the Contracts and in the prospectuses of the Separate Accounts. Obligations arising under the Contracts, as general obligations of St. Paul Life, cannot be abrogated without violating Minnesota law. Therefore, Applicants assert, the dangers against which sections 26(a) and 27(c)(2) are directed are not present in this situation.

Applicants have consented that the requested exemption from section 26(a) and 27(c)(2) be subject to the following conditions: (1) that the deductions for

administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, the Commission reserving jurisdiction for such purpose, and (2) that the payment of sums and charges out of the assets of the Separate Accounts shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that Applicant's consent to this condition shall not be deemed to be concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission, or any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

Section 6(c) of the Act authorizes the Commission, upon application, to exempt any person from any provision or provisions of the Act conditionally or unconditionally if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 29, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following April 29, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–8614 Filed 4–12–74;8:45 am]

[File No. 500–1]

WESTGATE CALIFORNIA CORP.

Notice of Suspension of Trading

APRIL 9, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (classes A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from April 10, 1974 through April 19, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–8615 Filed 4–12–74;8:45 am]

SMALL BUSINESS ADMINISTRATION

NATIONAL ADVISORY COUNCIL

Notice of Meeting

The Small Business Administration National Advisory Council will meet at 8:30 a.m. (Mountain Daylight time), Tuesday and Wednesday, May 28 and 29 at the Broadmoor Hotel in Colorado Springs, Colorado, to discuss resolutions adopted by District Advisory Councils and adopt national advisory resolutions and discuss other matters which may be proposed by members.

JOHN JAMESON,
Director, Office of Advisory Councils, Small Business Administration.

APRIL 9, 1974.

[FR Doc.74–8549 Filed 4–12–74;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 the Economic Stabilization Act, as amended, section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 14, will meet on Wednesday, April 17, and Thursday, April 18, 1974.

The meetings will be open to the public on a first-come, first-served basis. The meetings will begin at 1 p.m. on Wednesday and 10 a.m. on Thursday, in Conference Room 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.

Issue in Washington, D.C. on April 12, 1974.

HENRY H. PERRITT, Jr.,
Executive Secretary.

[FR Doc.74–8769 Filed 4–12–74;11:59 am]

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PART II

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

■

PUBLIC LANDS

Use of Off-Road Vehicles

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—LAND RESOURCE MANAGEMENT

SUBCHAPTER F—OUTDOOR RECREATION AND WILDLIFE MANAGEMENT

[Circular No. 2360]

PUBLIC LANDS

Use of Off-Road Vehicles

On pages 4403–4405 of the FEDERAL REGISTER of February 14, 1973, there was published a notice and text of proposed rulemaking to amend Parts 2070 and 6250 and to add a new Part 6290 to Group 6200 of Title 43, Code of Federal Regulations. The purpose of the amendment is to provide regulations to implement Executive Order 11644 (37 FR 2877), concerning use of off-road vehicles on public lands. The proposed rules would provide procedures to control and direct the use of off-road vehicles so as to protect the resources of those lands, promote the safety of all users of those lands, and minimize conflicts among the various uses of those lands. The proposal also would prescribe operating regulations and vehicle standards for the use of off-road vehicles. Areas and trails would be designated as open, closed, or restricted, with regard to such use.

Interested persons were given until April 16, 1973, to submit comments, suggestions, or objections. More than 2500 letters or cards were received in response to the proposed amendment. The majority recognized need for the regulations and expressed support in general terms for the amendment.

Numerous suggestions were made for change or improvement. The responses revealed essentially unanimous agreement with the classes of designation proposed for public land areas and trails, i.e., open use, restricted or closed. Accordingly, these classes of designation are retained.

Nearly half of all comments received made reference to the specific designation of public lands as open use areas and trails in the second sentence of § 6292.2(a). About 56 percent of these favored the open use designation, whereas about 44 percent suggested basically a reversal of this approach so that all public lands would be designated upon promulgation of these regulations as closed. The suggestion to close all public lands to off-road vehicle use cannot be accepted as a purpose of these regulations since this would create a significant conflict with principles of mutliple use. The suggestion for total closure is not adopted. The Bureau of Land Management could provide only minimal enforcement of such complete closure on the widely scattered public lands it administers, totalling more than 450 million acres, some one-fifth the total land area of the United States. Many of the comments recommending total closure appear based on an assumption that an open use designation would abandon all existing controls on use of the lands. This of course was not intended. To clarify this matter § 6292.2 is revised to indicate some of the available control authorities in common usage and to make clear that existing restrictions remain in effect after the open use designation. The open use designation continues the general status of ORV use on public lands as it was prior to the issuance of Executive Order 11644.

Numerous comments were received on the exception provided by § 6291.1(c) for operations pursuant to the U.S. Mining Laws and for oil and gas geophysical exploration on those areas and trails designated as closed to off-road vehicle use. About 85 percent of the comments were opposed to the exception. A few of the remaining 15 percent endorsed or would expand the exception while the rest suggested additional exceptions for a variety of other types of use. Upon further consideration of the exception provided for oil and gas geophysical exploration in closed areas, it is concluded that this exception is not necessary. Entry upon public lands for oil and gas exploration operations is either under an oil and gas lease, in which event the vehicle would not be considered an off-road vehicle under these regulations, or under a permit issued by the local authorized officer on a form approved by the Director. The exploration operations in closed areas thus would be undertaken only with knowledge of the closure and could not be considered merely casual use. Accordingly, the exception for oil and gas geophysical exploration is deleted. The exception provided to explore or develop public lands pursuant to the U.S. Mining Laws on closed areas also is deleted. Most public lands are specifically designated by this CFR amendment as open use areas. Public participation requirements of the "Planning System" (defined in 43 CFR 6290.0–5(g)) provide an adequate forum to consider possible exceptions that should be provided in specific areas being considered for closure. Suggestions for exceptions for other users are not adopted for the same reasons that the exception to mining exploration was deleted.

About two percent of the comments mentioned some aspect of the definitions. Some revisions and additions have been incorporated to provide for a clearer interpretation. Several of the comments asked for a definition of "excessive." No definition of excessive is included. There is a wide variation of potential circumstances that could be involved, in terms of both the type of vehicle and the situation on the ground at a given locale. No adequate definition of what exceeds a proper or reasonable limit evolved from review of the comments that could provide a meaningful guideline applicable to all varieties of uses. This complexity was recognized in changes in other sections of the proposal that provide for special regulations and special rules and standards.

Numerous comments related to specific situations that would need special consideration. These generally indicate the needs of a specific geographic area or the impact of a specific type of off-road vehicle that would require special rules to accomplish the purpose of these regulations of the proposal that provide for a new Subpart 6296 is reserved to accommodate special regulations which may be prescribed for the use of off-road vehicles for specific areas. Subpart 6295 is adjusted to provide a procedure so that special operating rules and vehicle standards may be established by the authorized officer.

Several comments indicated need for a clearer statement of criteria in § 6292.2 for the designation of restricted and closed areas and trails. In consideration of these comments three additional criteria are added.

Numerous comments were concerned with the extent of public participation that will be involved in the designation of areas in accordance with the "Planning System" of the Bureau of Land Management. In the last sentence of § 6292.4(a) the phrase "as he deems appropriate" also caused concern. Some recognized that strict adherence to the "Planning System" would be impossible in emergency situations. Since public participation is a key element of the planning system that will be involved in the usual designation procedure, the paragraph is revised to clarify that element and to indicate that the authorized officer may take appropriate actions on the scene to carry out the objectives of these regulations in emergency situations.

Numerous comments refer to permit requirements and appear based upon the belief that a permit would be required on open use areas for small family groups while participating in informal recreational activities. This was not the intent of the proposal, and a definition of "organized event" is included for added clarity. A special land use permit is required for sports events, races, and rallies in Subpart 2924 and the detailed requirements are not repeated in this regulation. Upon consideration of the total permit requirement that would evolve, § 2924.4 is added to include special terms and conditions for permits for off-road vehicle events.

Many responses favored local control of the use of off-road vehicles and recommended that State laws apply. It is not the intent of these regulations to preempt the role of the State governments in formulating laws and regulations pertaining to the use, registration, operation and inspection of off-road vehicles. Accordingly, § 6295.1 has been added to clarify that off-road vehicles, their operators and their operation on public lands are subject to State laws and regulations in addition to the requirements of these regulations.

Several comments were received concerning operating conditions and vehicle standards. In consideration of these, revisions are included to recognize that "an adult" is more appropriate than "a person 21 years of age or older"; to provide a meaningful interpretation of

darkness; and to clarify the requirement for a spark arrestor in a manner that can accommodate a variety of vehicles and situations. More detailed spark arrestor information may be obtained in local BLM offices.

Several other minor editorial changes and technical corrections have been made in the original proposal in an effort to provide greater clarity and to establish an adequate framework for the development of future regulations and special rules and standards.

A notice of the availability of a final environmental statement on the proposed regulations for the management of off-road vehicles on public lands administered by agencies of the Department of the Interior was published on page 2118 of the FEDERAL REGISTER of January 17, 1974.

Consideration has been given to all relevant matters presented by interested parties. Accordingly, the proposed amendment is hereby adopted, as revised, and is set forth below in its entirety. This amendment shall become effective May 15, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior.

APRIL 3, 1974.

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

PART 2070—DESIGNATION OF AREAS AND SITES

1. A new paragraph (c) is added to § 2071.1 to read as follows:

§ 2071.1 Areas or sites that may be designated.

* * * * *

(c) The provisions of this part do not apply to designation of areas and trails made pursuant to Part 6290 of this chapter.

PART 2920—SPECIAL LAND USE PERMITS

2. A new § 2924.3–1 is added to Part 2920 to read as follows:

§ 2924.3–1 Off-road vehicle events.

(a) In addition to other requirements of this part, the application shall be for a specific time and period of use.

(b) The authorized officer may require the applicant to submit supplemental information in sufficient detail to evaluate the impact of the proposed event upon the environment, including measures the applicant would take to assure minimum practicable disturbance to the environment consistent with other uses of the area.

(c) As a condition of permit issuance, the authorized officer shall require the permittee to furnish bond, surety or other guarantee in such amounts as may be required to cover cost of restoration and rehabilitation of the trails and areas used, and such other special costs attributable to the events.

PART 6250—RECREATION ACCESS

§ 6250.1–2 [Amended]

3. Paragraph (c) of § 6250.1–2 of Part 6250 is deleted.

Subpart 6251 [Deleted]

4. Subpart 6251 of Part 6250 is deleted.

PART 6290—OFF-ROAD VEHICLES

5. A new Part 6290 is added to Group 6200 to read as follows:

AUTHORITY: 43 U.S.C. 1201; the National Environmental Policy Act of 1969, 42 U.S.C. 4321; 43 U.S.C. 2, 1201; and Executive Order 11644 (37 FR 2877).

Subpart 6290—General

§ 6290.0–1 Purpose.

The purpose of the regulations in this part is to implement Executive Order No. 11644, of February 8, 1972 (37 FR 2877).

§ 6290.0–2 Objectives.

The objective of these regulations is to provide procedures to control and direct the use of off-road vehicles on public lands so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

§ 6290.0–3 Authority.

The provisions of this part are issued under 43 U.S.C. 1201; the National Environmental Policy Act of 1969, 42 U.S.C. 4321; 43 U.S.C. 2, 1201; and Executive Order 11644 (37 FR 2877).

§ 6290.0–5 Definitions.

As used in this part:

(a) Except as excluded hereinafter, "Off-Road Vehicle" means any vehicle designed for, or capable of, travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain, including, but not limited to: Automobiles, trucks, four-wheel drive or low-pressure-tire vehicles, tracked vehicles, motorcycles and related two-wheel vehicles, snowmobiles, amphibious machines, ground-effect or air-cushion vehicles, recreation campers, and any other means of transportation deriving motive power from any source other than muscle. The term "Off-Road Vehicle" excludes: (1) Any nonamphibious registered motorboat; (2) any fire, emergency, or law enforcement vehicle while being used for official or emergency purposes; (3) any vehicle whose use is expressly authorized by a permit, lease, license, agreement, or contract issued by the authorized officer.

(b) "Public Lands" means any lands administered by the Bureau of Land Management.

(c) "Bureau" means the Bureau of Land Management.

(d) "Authorized Officer" means an employee of the Bureau of Land Management to whom has been delegated the authority to take actions under the regulations of this chapter.

(e) "Organized Event" means a structured, or consolidated, or scheduled meeting involving 25 or more vehicles for the purpose of recreational use of the public lands involving the use of off-road vehicles. The term does not include family groups participating in informal recreational activities.

(f) "Official use" means use by an employee, agent, or designated representative of the Federal Government or one of its contractors in the course of his/her employment, agency, or representation.

(g) "Planning system" means the approach provided in Bureau of Land Management directives and manuals to formulate multiple use plans for the public lands. This approach provides for public participation within the system.

§ 6290–0–8 Applicability.

(a) The regulations in this part apply to all public lands except those Federal, State, county, or municipal highways and roads administered by an agency other than the Bureau of Land Management.

(b) The regulations contained in subpart 6296 are special regulations prescribed for the use of off-road vehicles for specific areas, and such regulations may amend, modify, relax, or make more stringent the regulations contained in §§ 6295.2 and 6295.3 of this chapter.

Subpart 6291—Use of Off-Road Vehicles

§ 6291.1 Use of Off-Road Vehicles.

(a) Off-road vehicles operated on the public lands must conform to the vehicle standards set forth in Subpart 6295 of this part.

(b) Any person who operates an off-road vehicle on public lands must comply with the operating regulations set forth in Subpart 6295 of this part at all

times and subpart 6296 as applicable while operating such vehicle on public lands.

(c) The operation of off-road vehicles is prohibited on those areas and trails designated as closed to off-road vehicle use except that the authorized officer may allow official use or use pursuant to Part 2920 of this chapter. Such authorization will be for a specific area, conditions of use and period of time and shall be revocable at the discretion of the authorized officer.

(d) Operators of off-road vehicles on those areas and trails designated as restricted must conform to all terms and conditions of the applicable designation order or orders.

(e) The operation of off-road vehicles is permitted on those areas and trails designated as open to off-road vehicle use.

(f) Off-road vehicles are prohibited on trails limited to hiking and horseback riding.

Subpart 6292—Designation of Public Lands

§ 6292.1 Classes of designation.

Public lands will be designated as follows with regard to off-road vehicle use:

(a) *Open use areas and trails.* These are areas and trails where off-road vehicles may be operated subject to the operating regulations and vehicle standards set forth at Subpart 6295 of this part.

(b) *Restricted areas and trails.* These are areas and trails where the use of off-road vehicles is subject to restrictions deemed appropriate by the authorized officer. Restrictions may limit the numbers or types of vehicles allowed, times of use, and similar matters. Restricted areas and trails may be designated for special or intensive use, including, but not limited to, organized events.

(c) *Closed areas and trails.* These are areas and trails where the use of off-road vehicles is permanently or temporarily prohibited.

§ 6292.2 Designation.

(a) The authorized officer may designate any public lands as restricted or closed to off-road vehicle use. Public lands not so designated shall remain open to off-road vehicle use and are hereby designated as open use areas and trails except that restrictions and closures regarding the use of public lands that result from authority other than part 6290 shall not be affected by the open use designation of this paragraph.

(b) The authorized officer may redesignate any public lands, including those designated as open to off-road vehicle use, at any time hereafter if he/she determines that redesignation is appropriate.

(c) The authorized officer may temporarily close or restrict public use and travel in accordance with the provisions of § 6010.4 of this chapter, even though public lands have been designated or redesignated in accordance with this subpart.

(d) The authorized officer may apply for the withdrawal, reservation or restriction of public lands in accordance with the withdrawal procedures in Part 2350 of this chapter, even though public lands have been designated or redesignated in accordance with this Subpart.

§ 6292.3 Designation criteria.

Designations of restricted and closed areas and trails will be based on the following:

(a) The ability of the land and its resources to withstand and sustain off-road vehicle use impacts.

(b) Consideration of the scenic qualities of the land, and its cultural, ecological, and environmental values.

(c) The need for public use areas for recreation use.

(d) Consideration of off-road vehicle use impacts on other lands, use, and resources.

(e) The potential hazards to public health and safety, other than the normal risks involved in off-road vehicle use.

(f) The existing or potential quality and quantity of recreational experiences available.

(g) Consideration of the need to minimize harassment of wildlife or significant disruption of wildlife habitat.

(h) The furtherance of the purposes and policy of the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

§ 6292.4 Procedures for designation.

(a) *Public participation.* The authorized officer shall to the extent practicable, designate and redesignate areas and trails in conformance with the Bureau of Land Management planning system for the formulation of multiple use management plans. In making designations, he/she will consult with interested user groups, Federal, State, county, and local agencies, local landowners, and other parties in a manner that provides an opportunity for the public to express itself and have those views taken into account. The authorized officer may act independently of the planning system if he/she deems emergency action to close or restrict areas and trails is essential to attain the objectives of the regulations of this part.

(b) *Identification of designated areas and trails.* The authorized officer shall take appropriate measures to identify areas and trails designated as restricted or closed so that the public will be aware of their locations and restrictions applicable thereto. Public notice of such designations shall be given through publication in local newspapers, and copies of such notices shall be available to the public in local Bureau offices. Areas and trails so designated shall be posted appropriately. The authorized officer will make available to the public such other informational material as may be appropriate.

Subpart 6293—Organized Off-Road Vehicle Events

§ 6293.1 Events requiring permits.

No person or association of persons may conduct any race, rally, meet, contest, or other type of organized event involving the use of off-road vehicles, on public lands without first obtaining a permit to do so from the authorized officer pursuant to Subpart 2924 of Part 2920 of this chapter.

Subpart 6294—Management of Off-Road Vehicle Use

§ 6294.1 Effects of use; changes in designations or restrictions.

The authorized officer shall monitor effects of the use of off-road vehicles. On the basis of information so obtained, and whenever he/she deems it necessary to carry out the objectives of this part, he may amend, revise, or revoke any designations made or other actions taken pursuant to the regulations in this part.

Subpart 6295—Operation of Off-Road Vehicles; Vehicle Standards

§ 6295.1 State law applicable; special rules and standards.

(a) Applicable State laws and regulations relating to the use, registration, operation and inspection of off-road vehicles shall apply on public lands.

(b) The authorized officer may establish special rules for the operation of off-road vehicles and special vehicle standards for use on a regional, geographic or operating level applicable to all or any type of off-road vehicle. Notice of such special rules and standards shall be published in the FEDERAL REGISTER, and the public shall be provided the opportunity to comment before adoption.

(c) To the extent that State laws and regulations are lacking or less stringent than the regulations established by this Subpart 6295, the regulations in Subpart 6295 are minimum standards and are controlling.

§ 6295.2 Operating regulations.

No person may operate an off-road vehicle on public lands without a valid operator's license or learner's permit unless accompanied by an adult who has a valid operator's license and who is responsible for the acts of that individual. No person shall operate an off-road vehicle on public lands:

(a) In a reckless, careless, or negligent manner;

(b) In excess of established speed limits;

(c) While under the influence of alcohol or drugs;

(d) In a manner likely to cause excessive damage to or disturbance of the land, wildlife, wildlife habitat, or vegetative resources; or

(e) From a half-hour after sunset to a half-hour before sunrise without lighted headlights and taillights.

§ 6295.3 Vehicle standards.

(a) No off-road vehicle may be operated on public lands unless equipped with proper brakes and muffler in good working condition.

(b) No off-road vehicle equipped with a muffler cutout, bypass, or similar device, or producing excessive noise, may be operated on public lands.

(c) The authorized officer may, by posting appropriate signs or by marking a map which shall be available for public inspection at local Bureau of Land Management offices, indicate those public lands upon which no off-road vehicle may be operated unless equipped with a properly installed spark arrestor that meets and is qualified to either the U.S. Department of Agriculture—Forest Service Standard 5100–1a, or the 80 per cent efficiency level when determined by the appropriate Society of Automotive Engineers (SAE) Recommended Practices J335 or J350, which standards include the requirement that such spark arrestor shall have an efficiency to retain or destroy at least 80 per cent of carbon particles, for all flow rates, and which includes a requirement that such spark arrestor has been warranted by its manufacturer as meeting the above-stated efficiency requirement for at least 1,000 hours subject to normal use, with maintenance and mounting in accordance with the manufacturer's recommendation.

Subpart 6296—Special Regulations [Reserved]

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