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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

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

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

presidential documents

Title 3—The President

PROCLAMATION 4304

Termination, In Part, of the Suspension of Benefits of Trade Agreement Concessions and Adjustment of Duty on Certain Brandy

By the President of the United States of America

A Proclamation

1. WHEREAS, pursuant to the authority vested in him by the Constitution and the statutes of the United States of America, including sections 252(c) of the Trade Expansion Act of 1962 (19 U.S.C. 1882(c)) and section 350(a)(6) of the Tariff Act of 1930, as amended (19 U.S.C. 1351(a)(6)), the President, in response to certain unreasonable import restrictions on poultry from the United States maintained by the European Economic Community (the EEC), suspended, by Proclamation No. 3564 of December 4, 1963, the application of the benefits of certain trade agreement concessions;

2. WHEREAS, the President has determined that it is in the interest of the United States to restore, in part, the application of the benefits of trade agreement concessions suspended by Proclamation No. 3564 in order to encourage the resolution of outstanding trade disputes between the United States and the EEC, including the removal of unreasonable import restrictions on poultry from the United States maintained by the EEC;

3. WHEREAS, section 255(b) of the Trade Expansion Act of 1962 and section 350(a)(6) of the Tariff Act of 1930, as amended, authorize the termination, in whole or in part, of a proclamation issued pursuant to title II of the Trade Expansion Act of 1962 and section 350 of the Tariff Act of 1930, as amended, respectively.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States of America, including section 255(b) of the Trade Expansion Act of 1962 and section 350 of the Tariff Act of 1930, as amended, in order to restore the application of the benefits of trade agreement concessions on certain brandy valued

over $9 per gallon, suspended by Proclamation 3564 of December 4, 1963, do hereby proclaim—

"(1) the termintaion of such part of Proclamation 3564 of December 4, 1963 as proclaims a rate of duty inconsistent with that provided for in the amendment made by paragraph (2) of this proclamation; and

"(2) the amendment of subpart B of part 2 of the Appendix to the Tariff Schedules of the United States to read as follows:

Item	Article	Rates of Duty	
		1	2
945.16	Brandy valued over $17.00 per gallon provided for in items 168.20 and 168.22	$5 per gal	No change.

The rates provided for in the amendment made by paragraph (2) of this proclamation shall be effective as to all articles entered, or withdrawn from warehouse, for consumption on and after July 1, 1974.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of July, in the year of our Lord nineteen hundred seventy-four, and of the Independence of the United States of America the one hundred ninety-ninth.

Richard Nixon

[FR Doc.74-16664 Filed 7-17-74;11:33 am]

rules and regulations

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

ENVIRONMENTAL PROTECTION

Licensing and Regulatory Policy and Procedures

On November 1, 1973, the Atomic Energy Commission published in the FEDERAL REGISTER (38 FR 30203) proposed amendments to 10 CFR Parts 2, 30, 40, 50, and 70 of its regulations, and a proposed new Part 51 to be entitled "Licensing and Regulatory Policy and Procedures for Environmental Protection."

The proposed regulations were intended to implement the revised Guidelines of the Council on Environmental Quality published in the FEDERAL REGISTER on August 1, 1973, pertaining to preparation of environmental impact statements pursuant to the National Environmental Policy Act of 1969 (NEPA), 83 Stat. 852. The proposed regulations would place all of the Commission's policy and procedures implementing the Act with respect to the Commission's licensing and regulatory program, previously set forth in Appendix D of 10 CFR Part 50, into a new Part 51, which would apply to rule making as well as licensing of production and utilization facilities and nuclear materials.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments by December 17, 1973. After consideration of the comments received and other factors involved, the Commission has adopted the proposed amendments with certain modifications. The more significant ones are described below.

(1) Issuance of facility manufacturing licenses for nuclear power reactors and construction permits or operating licenses for isotopic enrichment plants have been added to the categories of actions for which an environmental impact statement will be prepared by the Commission in § 51.5(a). The category of "full-power, full-term operating licenses" for which an impact statement is required has been changed to "full-power or design capacity". Appropriate additions to other sections to reflect the above additions have been made.

(2) In the category of amendments of materials licenses in § 51.5(b)(4) for which an environmental impact statement may be prepared, the criterion of "a significant increase in the amount of materials authorized to be used" has been changed to "a significant increase in the potential for accidental releases".

(3) The category of substantive and significant amendments to specified AEC regulations in § 51.5(b)(6) for which an environmental impact statement may be prepared has been qualified to refer to substantive and significant amendments from the standpoint of environmental impact. Amendments to 10 CFR Parts 30 and 40 concerning exemption of products containing byproduct material or source material have been added to the categories of actions for which an environmental impact statement will be prepared in § 51.5(a).

(4) Appropriate references to the Council on Environmental Quality's Guidelines on Preparation of Environmental Impact Statements, 40 CFR Part 1500, have been added with regard to preparation of AEC environmental impact statements.

(5) Provision has been made for routine distribution of draft environmental impact statements to appropriate environmental organizations and to all parties to the proceeding if the draft statement is prepared for a licensing action.

Part 51 also incorporates the recently published changes to Appendix D of Part 50 dealing with the environmental effects of the uranium fuel cycle (39 FR 14188), and appropriate conforming amendments have been made in 10 CFR Parts 2 and 50 relating to the issuance of limited work authorizations (39 FR 14506).

Part 51 does not affect the status of the proposed Annex to Appendix D to Part 50 regarding the discussion of accidents in environmental reports published by the Commission for comment on December 1, 1971. The proposed Annex is still under consideration by the Commission.

Pursuant to the Atomic Energy Act of 1954, as amended, the National Environmental Policy Act of 1969, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10 of the Code of Federal Regulations, Chapter 1, are published as a document subject to codification.

PART 2—RULES OF PRACTICE

1. The references to "Appendix D of Part 50" or "section A.11 of Appendix D of Part 50" in §§ 2.104(c), 2.104(c), 2.743(g), 2.501(b)(1), (2) and (3) and 2.761a and sections I(c), V(f), VI(c), and VIII(b) of Appendix A, of 10 CFR Part 2, are amended to refer to "Part 51".

2. The references to "section 102(2)(C) and (D) of the National Environmental Policy Act" in §§ 2.104(b)(3)(i), 2.501(b)(3)(i) and sections VI(c)(3) and VIII(b)(7) of Appendix A of 10 CFR Part 2 are amended to refer to "section 102(2)(A), (C) and (D) of the National Environmental Policy Act".

3. The references to "Paragraph A of Appendix D of Part 50" in §§ 2.101(a) and 2.761a are amended to refer to "§ 51.5(a)".

PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL

4. The references to "Appendix D of Part 50" in §§ 30.11(a), note 2, 30.32(f), and 30.33(a) of 10 CFR Part 30 are amended to refer to "Part 51".

PART 40—LICENSING OF SOURCE MATERIAL

5. The references to "Appendix D of Part 50" in §§ 40.14(a), note 1, 40.31(f), and 40.32(e) of 10 CFR Part 40 are amended to refer to "Part 51".

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

6. The references to "Paragraph A of Appendix D of Part 50" in § 50.10 (c) and (e) of 10 CFR Part 50 are amended to refer to "§ 51.5(a) of this chapter."

7. The references to "Appendix D of Part 50" in §§ 50.11(e)(1), 50.12(b), 50.30(f), and 50.40(d) of 10 CFR Part 50 are amended to refer to "Part 51".

8. The reference to "Paragraph A 11 of Appendix D of Part 50" in § 50.10(e)(2) is amended to refer to "§ 51.52 (b) and (c) of this chapter."

9. The references to "Appendix D" in paragraphs 3, 5(g) and 11 of Appendix M of 10 CFR Part 50 are amended to refer to "Part 51".

10. Appendix D of 10 CFR Part 50 is revoked.

PART 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

11. A new Part 51 is added to read as follows:

Sec.

AUTHORITY: The provisions of this Part 51 issued under sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332), sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201).

§ 51.1 Purpose and scope.

(a) The National Environmental Policy Act of 1969 (83 Stat. 852), implemented by Executive Order 11514 and the Council on Environmental Quality's Guidelines of August 1, 1973 (38 FR 20550), requires that all agencies of the Federal Government prepare detailed environmental statements on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment. The principal objective of the National Environmental Policy Act of 1969 is to build into the agency decision making process an appropriate and careful consideration of environmental aspects of proposed actions.

(b) This part sets forth the Atomic Energy Commission policy and procedures for the preparation and processing of environmental impact statements and related documents pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 in connection with the Commission's licensing and regulatory activities.

(c) This part does not address any limitations on the Commission's authority and responsibility pursuant to the National Environmental Policy Act of 1969 imposed by the Federal Water Pollution Control Act (86 Stat. 916). This matter is addressed in an Interim Policy Statement published in the FEDERAL REGISTER on January 29, 1973 (38 FR 2679).

§ 51.2 Definitions.

(a) "Commission" means the Atomic Energy Commission or its authorized representatives.

(b) "NEPA" means the National Environmental Policy Act of 1969.

(c) "Environmental report" means a document submitted to the Commission by applicants for permits, licenses, and orders, and amendments thereto and renewals thereof, or by petitioners for rulemaking, in order to aid the Commission in complying with section 102(2)(C) of NEPA.

(d) "Notice of intent" means a notice that an environmental impact statement will be prepared and processed.

(e) "Environmental impact statement" means the detailed statement prepared by the Commission pursuant to section 102(2)(C) of NEPA.

(f) "Negative declaration" means a statement that the Commission has determined not to prepare an environmental impact statement for a particular action.

(g) "Environmental impact appraisal" means a document which provides the basis for a negative declaration.

§ 51.3 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meeting of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

§ 51.4 Specific exemptions.

The Commission may, upon application of any interested person or upon its own initiative, grant such exemptions from the regulations of this part as it determines are authorized by law and are otherwise in the public interest.

Subpart A—General Requirements for Environmental Impact Statements, Negative Declarations, and Impact Appraisals

§ 51.5 Actions requiring preparation of environmental impact statements, negative declarations, environmental impact appraisals; actions excluded.

(a) An environmental impact statement will be prepared and circulated prior to taking any of the following types of actions:

(1) Issuance of a permit to construct a nuclear power reactor, testing facility, or fuel reprocessing plant pursuant to Part 50 of this chapter;

(2) Issuance of a full power or design capacity license to operate a nuclear power reactor, testing facility, or fuel reprocessing plant pursuant to Part 50 of this chapter;

(3) Issuance of a permit to construct or a design capacity license to operate an isotopic enrichment plant pursuant to § 50.22 of this chapter;

(4) Issuance of a license to possess and use special nuclear material for processing and fuel fabrication, scrap recovery, or conversion of uranium hexafluoride pursuant to Part 70 of this chapter;

(5) Issuance of a license to possess and use source material for uranium milling or production of uranium hexafluoride pursuant to Part 40 of this chapter;

(6) Issuance of a license authorizing commercial radioactive waste disposal by land burial pursuant to Parts 30, 40, and/or 70 of this chapter;

(7) Conversion of a provisional operating license for a nuclear power reactor, testing facility or fuel reprocessing plant to a full power or design capacity license pursuant to Part 50 of this chapter where no final environmental impact statement has been previously prepared;

(8) Issuance of a license to manufacture pursuant to Appendix M of Part 50 of this chapter.

(9) Amendments of Parts 30 and 40 of this chapter concerning the exemption from licensing and regulatory requirements of any equipment, device, commodity or other product containing byproduct material or source material.

(10) Any other action which the Commission determines is a major Commission action significantly affecting the quality of the human environment.

(b) Many licensing and regulatory actions of the Commission other than those listed in paragraph (a) may or may not require preparation of an environmental impact statement, depending upon the circumstances. In determining whether an environmental impact statement should or should not be prepared for such action, the Commission shall be guided by the Council on Environmental Quality Guidelines, 40 CFR 1500.6. Such other actions include:

(1) Issuance of a permit to construct, or a full power or design capacity license to operate, a production or utilization facility other than a nuclear power reactor, testing facility, fuel reprocessing plant, or isotopic enrichment plant of the type specified in paragraph (a) of this section.

(2) Issuance of an amendment to a construction permit or full power or design capacity operating license for a nuclear power reactor, testing facility, fuel reprocessing plant, isotopic enrichment plant licensed pursuant to § 50.22 of this chapter or to a license to manufacture that would authorize a significant change in the types or a significant increase in the amounts of effluents or a significant increase in the authorized power level;

(3) Issuance of a license to operate a power reactor, testing facility, fuel reprocessing plant or isotopic enrichment plant at less than full power or at less than the design capacity;

(4) Issuance of an amendment which would authorize a significant change in the types or significant increase in the amounts of effluents or a significant increase in the potential for accidental releases of a license for:

(i) The possession and use of special nuclear material for processing and fuel fabrication, scrap recovery, or conversion of uranium hexafluoride, pursuant to Part 70 of this chapter;

(ii) The possession and use of source material for uranium milling or production of uranium hexafluoride pursuant to Part 40 of this chapter;

(iii) Authorizing commercial radioactive waste disposal by land burial pursuant to Parts 30, 40, and/or 70 of this chapter.

(5) Renewal of licenses to conduct activities listed in paragraph (b)(4)(i)–(iii) of this section;

(6) Substantive and significant amendments (from the standpoint of environmental impact) of Parts 20, 30, 40, 50, 70, 71, 73, or 100 of this chapter;

(7) License amendments or orders authorizing the dismantling or decommissioning of nuclear power reactors, testing facilities, fuel reprocessing plants and isotopic enrichment plants;

(8) Termination of a license for the possession and use of source material for uranium milling at the request of the licensee.

(c) (1) The environmental impact of proposed licensing and regulatory actions listed in paragraph (b) will be evaluated, and if it is determined that an environmental impact statement should be prepared, a notice of intent will be published and distributed in accordance with § 51.50(b) and draft and final environmental impact statements will be prepared. If it is determined that an environmental impact statement need not be prepared for an action listed in paragraph (b), a negative declaration and environmental impact appraisal will, unless otherwise determined by the Commission, be prepared in accordance with §§ 51.7 and 51.50(d).

(2) If, subsequent to the publication of a notice of intent concerning an action, it is determined that an environmental impact statement need not be prepared in connection with that action, or if it is determined that an environmental impact statement need not be prepared in connection with any action with respect to which the Council on Environmental Quality has requested that an environmental impact statement be prepared, a negative declaration and an environmental impact appraisal will be prepared in accordance with §§ 51.7 and 51.50(d).

(3) The Commission may require applicants for permits, licenses, and orders, and amendments thereto, and renewals thereof, and petitioners for rule making covered by paragraph (b) of this section to submit such information to the Commission as may be useful in aiding the Commission in the preparation of an environmental impact appraisal.

(d) Unless otherwise determined by the Commission, an environmental impact statement, negative declaration, or environmental impact appraisal need not be prepared in connection with the following types of actions:

(1) Issuance of notices and orders pursuant to Subpart B or Part 2 of this chapter;

(2) Amendments to Parts 2, 19, 51, 55, 140, 150, and 170 of this chapter;

(3) Non-substantive and insignificant amendments (from the standpoint of environmental impact) of Parts 20, 30, 40, 50, 70, 71, 73, or 100 of this chapter;

(4) Issuance of a materials license or amendment to or renewal of a materials or facility license or permit or order other than those covered by paragraphs (a) and (b) of this section.

§ 51.6 Notice of intent.

Whenever the Commission determines that an environmntal impact statement will be prepared in connection with an action, a notice of intent will be published and distributed in accordance with § 51.50(b).

§ 51.7 Negative declarations; environmental impact appraisals.

(a) Negative declarations. The negative declaration required by § 51.5(c) will be prepared prior to the taking of the associated action and will state that the Commission has decided not to prepare an environmental impact statement for the particular action and that an environmental impact appraisal setting forth the basis for that determination is available for public inspection. Negative declarations will be published and made publicly available in accordance with §§ 51.50(d) and 51.55. Lists of negative declarations will be maintained and made publicly available in accordance with § 51.54(b).

(b) Environmental impact appraisals. An environmental impact appraisal will be prepared in support of all negative declarations. The appraisal will include:

(1) A description of the proposed action;

(2) A summary description of the probable impacts of the proposed action on the environment; and

(3) The basis for the conclusion that no environmental impact statement need be prepared.

Lists of environmental impact appraisals will be maintained and made publicly available in accordance with § 51.54(b). Impact appraisals will be made available to the public upon request in accordance with § 51.55.

Subpart B—Facilities

§ 51.20 Applicant's Environmental Report—Construction Permit Stage.

(a) Environmental considerations. Each applicant [1] for a permit to construct a production or utilization facility covered by § 51.5(a) shall submit with its application a separate document, entitled "Applicant's Environmental Report—Construction Permit Stage," which contains a description of the proposed action, a statement of its purposes, and a description of the environment affected, and which discusses the following considerations:

(1) The probable impact of the proposed action on the environment;

(2) Any probable adverse environmental effects which cannot be avoided should the proposal be implemented;

(3) Alternatives to the proposed action;

(4) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. The discussion of alternatives to the proposed action required by paragraph (a)(3) shall be sufficiently complete to aid the Commission in developing and exploring, pursuant to section 102(2)(D) of NEPA, "appropriate alternatives * * * in any proposal which involves unresolved conflicts concerning alternative uses of available resources."

(b) Cost-benefit analysis. The Environmental Report required by paragraph (a) shall include a cost-benefit analysis which considers and balances the environmental effects of the facility and the alternatives available for reducing or avoiding adverse environmental effects, as well as the environmental, economic, technical and other benefits of the facility. The cost-benefit analysis shall, to the fullest extent practicable, quantify the various factors considered. To the extent that such factors cannot be quantified, they shall be discussed in qualitative terms. The Environmental Report should contain sufficient data to aid the Commission in its development of an independent cost-benefit analysis.

(c) Status of compliance. The Environmental Report required by paragraph (a) shall include a discussion of the status of compliance of the facility with applicable environmental quality standards and requirements (including, but not limited to, applicable zoning and land-use regulations and thermal and other water pollution limitations or requirements promulgated or imposed pursuant to the Federal Water Pollution Control Act) which have been imposed by Federal, State, regional, and local agencies having responsibility for environmental protection. The discussion of alternatives in the Report shall include a discussion whether the alternatives will comply with such applicable environmental quality standards and requirements. The environmental impact of the facility and alternatives shall be fully discussed with respect to matters covered by such standards and requirements irrespective of whether a certification or license from the appropriate authority has been obtained (including, but not limited to, any certification obtained pursuant to section 401 of the Federal Water Pollution Control Act [2]). Such discussion shall be reflected in the

[1] Where the "applicant", as used in this part, is a Federal agency, different arrangements for implementing NEPA may be made, pursuant to the Guidelines established by the Council on Environmental Quality.

[2] No permit or license will, of course, be issued with respect to an activity for which a certification required by section 401 of the Federal Water Pollution Control Act has not been obtained.

cost-benefit analysis prescribed in paragraph (b). While satisfaction of Commission standards and criteria pertaining to radiological effects will be necessary to meet the licensing requirements of the Atomic Energy Act, the cost-benefit analysis prescribed in paragraph (b) shall, for the purposes of NEPA, consider the radiological effects, together with the other effects, of the facility and alternatives.

(d) The information submitted pursuant to paragraphs (a)–(c) of this section should not be confined to data supporting the proposed action but should include adverse data as well.

(e) In the Environmental Report required by paragraph (a) for light-water-cooled nuclear power reactors, the contribution of the environmental effects of uranium mining and milling, the production of uranium hexafluoride, isotopic enrichment, fuel fabrication, reprocessing of irradiated fuel, transportation of radioactive materials and management of low level wastes and high level wastes related to uranium fuel cycle activities to the environmental costs of licensing the nuclear power reactor, shall be as set forth in the following table. No further discussion of such environmental effects shall be required.

TABLE S-3.—*Summary of environmental considerations for uranium fuel cycle*

[Normalized to model LWR annual fuel requirement]

Natural resource use	Total	Maximum effect per annual fuel requirement of model 1000 MWe LWR
Land (acres):		
Temporarily committed	63	
Undisturbed area	45	
Disturbed area	18	Equivalent to 90 MWe coal-fired powerplant.
Permanently committed	4.6	
Overburden moved (millions of MT)	2.7	Equivalent to 90 MWe coal-fired powerplant.
Water (millions of gallons):		
Discharged to air	156	~2 percent model 1000 MWe LWR with cooling tower.
Discharged to water bodies	11,040	
Discharged to ground	123	
Total	11,319	<4 percent of model 1000 MWe LWR with once-through cooling.
Fossil fuel:		
Electrical energy (thousands of MW-hour).	317	<5 percent of model 1000 MWe LWR output.
Equivalent coal (thousands of MT).	115	Equivalent to the consumption of a 45 MWe coal-fired powerplant.
Natural gas (millions of scf)	92	<0.2 percent of model 1000 MWe energy output.
Effluents—chemical (MT):		
Gases (including entrainment): [1]		
SO_x	4,400	
NO_x [2]	1,177	Equivalent to emissions from 45 MWe coal-fired plant for a year.
Hydrocarbons	13.5	
CO	28.7	
Particulates	1,156	
Other gases:		
F^-	.72	Principally from UF_6 production enrichment and reprocessing. Concentration within range of state standards—below level that has effects on human health.
Liquids:		
$SO_4^=$	10.3	From enrichment, fuel fabrication, and reprocessing steps. Component that constitute a potential for adverse environmental effect are present in dilute concentrations and receive additional dilution by receiving bodies of water to levels below permissible standards. The constituents that require dilution and the flow of dilution water are NH_3—600 cfs NO_3—20 cfs fluoride—70 cfs
NO_3^-	26.7	
Fluoride	12.9	
Ca^+	5.4	
Cl^-	8.6	
Na^+	16.9	
NH_3	11.5	
Fe	.4	
Tailings solutions (thousands of MT).	240	From mills only—no significant effluents to environment.
Solids	91,000	Principally from mills—no significant effluents to environment.
Effluents—radiological (curies):		
Gases (including entrainment):		
Rn-222	75	Principally from mills—maximum annual dose rate <4 percent of average natural background within 5 mi of mill. Results in 0.06 man-rem per annual fuel requirement.
Ra-226	.02	
Th-230	.02	
Uranium	.032	
Tritium (thousands)	16.7	Principally from fuel reprocessing plants—whole body dose is 4.4 man-rem per annual fuel requirements for population within 50-mi radius. This is <0.005 percent of average natural background dose to this population. Release from Federal waste repository of 0.005 Cf/yr has been included in fission products and transuranics total.
Xr-85 (thousands)	350	
I-129	.0024	
I-131	.024	
Fission products and transuranics.	1.01	
Liquids:		
Uranium and daughters	2.1	Principally from milling—included in tailings liquor and returned to ground—no effluents; therefore, no effect on environment.
Ra-226	.0034	From UF_6 production-concentration 5 percent of 10 CFR 20 for total processing of 27.5 *b* model LWR annual fuel requirements.
Th-230	.0015	

See footnotes end of table.

Natural resource use	Total	Maximum effect per annual fuel requirement of model 1000 MWe LWR
Th-234	.01	From fuel fabrication plants—concentration 10 percent of 10 CFR 20 for total processing 26 annual fuel requirements for model LWR.
Ru-106	[1].15	From reprocessing plants—maximum concentration 4 percent of 10 CFR 20 for total reprocessing of 26 annual fuel requirements for model LWR.
Tritium (thousands)	2.5	
Solids (buried): Other than high level	601	All except 1 Ci comes from mills—included in tailings returned to ground—no significant effluent to the environment, 1 Ci from conversion and fuel fabrication is buried.
Thermal (billions)	3,360	<7 percent of model 1000 MWe LWR.
Transportation (man-rem): Exposure of workers and general public.	.334	

[1] Estimated affluents based upon combustion of equivalent coal for power generation.
[2] 1.2 percent from natural gas use and process.
[3] Cs-137 (0.075 Ci/AFR) and Sr-90 (0.004 Ci/AFR) are also omitted.

This paragraph does not apply to any applicants environmental report submitted prior to June 6, 1974.

(f) Number of copies. Each applicant for a permit to construct a production or utilization facility covered by § 51.5(a) shall submit two hundred (200) copies of the Environmental Report required by paragraph (a).

§ 51.21 Applicant's Environmental Report—Operating License Stage.

Each applicant for a license to operate a production or utilization facility covered by § 51.5(a) shall submit with its application two hundred (200) copies of a separate document, to be entitled "Applicant's Environmental Report—Operating License Stage," which discusses the same matters described in § 51.20 but only to the extent that they differ from those discussed or reflect new information in addition to that discussed in the final environmental impact statement prepared by the Commission in connection with the construction permit. The "Applicant's Environmental Report—Operating License Stage" may incorporate by reference any information contained in the Applicant's Environmental Report or final environmental impact statement previously prepared in connection with the construction permit. With respect to the operation of nuclear reactors, the applicant, unless otherwise required by the Commission, shall submit the "Applicant's Environmental Report—Operating License Stage" only in connection with the first licensing action that would authorize full power operation of the facility.

Draft Environmental Impact Statements

§ 51.22 General.

The Director of Regulation or his designee will prepare a draft environmental impact statement for facility licensing actions covered by §§ 51.20 and 51.21 as soon as practicable after receipt of the Applicant's Environmental Report and publication of the notice of intent and availability of the report required by § 51.50.

§ 51.23 Contents of draft environmental statements.

(a) The draft environmental impact statement will include the matters specified in § 51.20 (a) and (e) and § 51.21, as appropriate.

(b) The draft environmental impact statement will contain an analysis of any problems and objections raised by other Federal, State, and local agencies and by interested persons in the review process.

(c) The draft environmental impact statement will include a preliminary cost-benefit analysis which considers and balances the environmental and other effects of the facility and the alternatives available for reducing or avoiding adverse environmental and other effects, as well as the environmental, economic, technical and other benefits of the facility. The cost-benefit analysis will, to the fullest extent practicable, quantify the various factors considered. To the extent that such factors cannot be quantified, they will be discussed in qualitative terms. The cost-benefit analysis will indicate what other interests and consideration of Federal policy are thought to offset any adverse environmental effects of the proposed action identified pursuant to paragraph (a). Due consideration will be given to compliance of the facility construction or operation and alternative construction and operation with environmental quality standards and requirements which have been imposed by Federal, State, regional, and local agencies having responsibility for environmental protection, including applicable zoning and land-use regulations and water pollution limitations or requirements promulgated or imposed pursuant to the Federal Water Pollution Control Act. The environmental impact of the facility will be considered in the cost-benefit analysis with respect to matters covered by such standards and requirements irrespective of whether a certification or license from the appropriate authority has been obtained, including any certification obtained pursuant to section 401 of the Federal Water Pollution Control Act. While satisfaction of Commission standards and criteria pertaining to radiological effects will be necessary to meet the licensing requirements of the Atomic Energy Act, the cost-benefit analysis will, for the purposes of NEPA, consider the radiological effects of the facility and alternatives.

(d) In determining the contents of an environmental impact statement, the Commission shall be guided by the Council on Environmental Quality Guidelines on Preparation of Environmental Impact Statements, 40 CFR 1500.8.

(e) Other considerations. A draft environmental impact statement prepared in connection with the issuance of an operating license will cover only matters which differ from, or which reflect new information in addition to, those matters discussed in the final environmental impact statement prepared in connection with the issuance of the construction permit. The draft statement may incorporate by reference any information contained in that final environmental statement. With respect to the operation of nuclear reactors, unless otherwise determined by the Commission, the draft statement will be prepared only in connection with the first licensing action that authorizes full power operation of the facility.

(f) The draft environmental impact statement normally will include a preliminary conclusion by the Director of Regulation or his designee, on the basis of the information and analysis described in paragraphs (a)–(e), as to whether, after weighing the costs and benefits of the proposed action and considering available alternatives, the action called for is issuance of the proposed permit or license with or without conditions, or denial of the permit or license. In appropriate circumstances the Director of Regulation or his designee may, in lieu of such preliminary conclusion, indicate in the draft statement that two or more alternatives are under consideration.

(g) The draft environmental impact statement will also contain a summary sheet prepared in accordance with Appendix I, 40 CFR Part 1500.

§ 51.24 Distribution of draft environmental impact statement; news releases.

Draft environmental impact statements will be distributed as follows:

(a) Ten (10) copies of the draft environmental impact statement, the Applicant's Environmental Report, and any comments received on the statement or report will be provided to the Council on Environmental Quality.

(b) One (1) copy of the draft environmental impact statement will be provided to the license or permit applicant;

(c) Copies of the draft statement and the applicant's environmental report will be provided to:

(1) Those Federal agencies that have special expertise or jurisdiction by law with respect to any environmental impacts involved and which are authorized to develop and enforce relevant environmental standards;

(2) The Environmental Protection Agency;

(3) The appropriate State and local agencies authorized to develop and enforce relevant environmental standards and the appropriate State, regional, and metropolitan clearinghouses. A reasonable effort will be made to distribute draft environmental statements prepared for licensing actions to all States that may be affected; and to appropriate national and local environmental organizations;

(4) All parties to the licensing proceeding, if the draft statement is for a licensing action.

(d) One (1) copy of the draft statement will be provided to those persons on the Commission's list to receive environmental impact statements in accordance with § 51.54(c) and other persons upon request to the extent available.

(e) News releases will be provided to the local newspapers and other appropriate media that state the availability for comment and place for obtaining or inspecting a draft statement and the applicant's environmental report.

(f) A notice will be published in the FEDERAL REGISTER in accordance with § 51.50(c).

§ 51.25 Requests for comments on draft environmental impact statements.

Draft environmental impact statements distributed in accordance with §§ 51.24(c) and 51.24(d) and news releases provided pursuant to § 51.24(e) will be accompanied by or include a request for comments on the proposed action and on the draft environmental impact statement within forty-five (45) days from the date of publication of a FEDERAL REGISTER notice by the Council on Environmental Quality announcing the availability of the draft statement, or within such longer period as the Commission may specify. If no comments are provided within the time specified, it will be presumed, unless the agency or person requests an extension of time, that the agency or person has no comment to make. The Commission will endeavor to comply with requests for extensions of time up to fifteen (15) days.

FINAL ENVIRONMENTAL IMPACT STATEMENTS

§ 51.26 Final environmental impact statements.

(a) After receipt of the comments requested pursuant to §§ 51.25 and 51.50(c) the Director of Regulation or his designee will prepare a final environmental impact statement in accordance with the requirements in § 51.23 for draft environmental impact statements. The final environmental statement will include a final cost-benefit analysis and a final conclusion as to the action called for.

(b) The final environmental impact statement will make a meaningful reference to the existence of any responcussed in the draft environmental statement, indicating the response to the issues raised. All substantive comments received on the draft (or summaries thereof where the response has been exceptionally voluminous) will be attached to the final statement, whether or not each such comment is individually discussed in the text of the statement.

(c) The final environmental impact statement will be distributed in the same manner as specified for draft environmental impact statements in § 51.24, except that in the case of Federal, State, and local agencies, other than the Environmental Protection Agency, and interested persons, only those who submitted comments on the draft environmental impact statement or environmental report or requested final statements will be sent a copy of the final statement. Where the number of comments on a draft environmental impact statement is such that distribution of the final statement to all commentators is impracticable, the Council on Environmental Quality will be consulted concerning alternative arrangements for distribution of the statement.

(d) The draft and final environmental impact statements and any comments received pursuant to this part will accompany the application through, and shall be considered in, the Commission's review processes.

Subpart C—Materials Licensing and Other Actions

§ 51.40 Environmental reports.

Applicants for permits, licenses, and orders, and amendments thereto and renewals thereof, covered by § 51.5(a) shall submit two hundred (200) copies of an environmental report which discusses the matters described in § 51.20. Petitioners for rule making covered by § 51.5(a) shall submit eighty (80) copies of an environmental report which discusses the matters described in § 51.20.

§ 51.41 Administrative procedures.

Except as the context may otherwise require, procedures and measures similar to those described in §§ 51.22–51.26 will be followed in proceedings for the issuance of materials licenses and other actions covered by § 51.5(a) but not covered by §§ 51.20 or 51.2. The procedures followed with respect to materials licenses will reflect the fact that, unlike the licensing of production and utilization facilities, the licensing of materials does not require separate authorizations for construction and operation.

Subpart D—Administrative Action and Authorization; Public Hearings and Comment

§ 51.50 "Federal Register" notices; distribution of reports; public announcements; public comment.

(a) Notice of availability of environmental report. After receipt of any applicant's environmental report, submitted in connection with a docketed application, a summary notice of availability of the report will be published in the FEDERAL REGISTER. The report will be placed in the Commission's Public Document Room at 1717 H Street, NW, Washington, D.C., and in any public document room established by the Commission in the vicinity of the site of the proposed facility or licensed activity where a file of documents pertaining to such proposed facility or activity is maintained. The report will also be placed in State, regional, and metropolitan clearinghouses in the vicinity of the site of the proposed facility or licensed activity. In addition, a public announcement of the availability of the report will be made. Any comments by interested persons on the report will be considered by the Commission's regulatory staff, and there will be further opportunity for public comment on the draft environmental impact statement in accordance with §§ 51.25 and 51.41.

(b) Notices of intent. The Director of Regulation or his designee will cause to be published in the FEDERAL REGISTER a notice of intent that an environmental impact statement will be prepared in accordance with §§ 51.5(c) and 51.6. The notice will briefly describe the nature of the proposed agency action and state that an environmental impact statement will be prepared. The notice may be consolidated with the summary notice of the availability of the environmental report or with the list of environmental impact statements in preparation required by § 51.54(a). The publication requirement of this paragraph may be satisfied by forwarding the notice of intent to the Council on Environmental Quality for publication in the FEDERAL REGISTER. Copies will be forwarded to the appropriate Federal, State, and local agencies, the appropriate State, regional, and metropolitan clearinghouses and to interested persons upon request. A public announcement of the notice of intent will also be made.

(c) Environmental impact statements; notice of availability. (1) The Director of Regulation or his designee will forward copies of draft and final environmental impact statements to the Council on Environmental Quality in accordance with §§ 51.24, 51.26 and 51.41. The Council will publish weekly in the FEDERAL REGISTER lists of environmental impact statements received during the preceding week that are available for public comment. The date of publication of such lists shall be the date from which the minimum period for comment on and advance availability of statements shall be calculated.

(2) Upon preparation of a draft environmental impact statement, the Director of Regulation or his designee will cause to be published in the FEDERAL REGISTER a summary notice of the availability of the statement. The summary notice will request, within forty-five (45) days from the date of publication of a FEDERAL REGISTER notice by the Council on Environmental Quality announcing the availability of the draft statement, or within such longer period as the Director of Regulation or his designee may specify, comment from interested persons on the proposed action and on the draft statement. The summary notice shall also contain a statement to the effect that the comments of Federal, State, and local agencies and interested persons thereon will be available when received.

(3) Upon preparation of a final environmental impact statement the Director of Regulation or his designee will cause to be published in the FEDERAL REGISTER a notice of availability of the statement.

(d) The Director of Regulation or his designee will cause to be published in the FEDERAL REGISTER negative declarations

required by § 51.5(c). The negative declaration will describe the proposed action and state that the Commission has determined not to prepare an environmental impact statement for the proposed action. It will also state that an environmental impact appraisal setting forth the basis for the determination is available for public inspection and will list the location or locations where the environmental impact appraisals may be inspected.

§ 51.51 Administrative action.

To the maximum extent practicable, no permit, license, or order, or renewal of or amendment to a permit, license, or order, or effective regulation, for which an environmental impact statement is required will be issued until ninety (90) days after a draft environmental statement has been circulated for comment, furnished to the Council on Environmental Quality, and made available to the public. Neither will such licenses, permits, orders, renewals, amendments, or regulations be issued until thirty (30) days after the final environmental impact statement (together with comments) has been furnished to the Council and commenting agencies, and made available to the public. If a final environmental impact statement is furnished and made available within ninety (90) days after a draft statement has been circulated for comment, furnished to the Council, and made available to the public, the minimum thirty (30) day period and the ninety (90) day period may run concurrently to the extent they overlap.

§ 51.52 Public hearings.

(a) In any proceeding in which a draft environmental impact statement is prepared pursuant to this part, the draft environmental impact statement will be made available to the public at least fifteen (15) days prior to the time of any relevant hearing. At any such hearing, the position of the Commission's regulatory staff on matters covered by this part will not be presented until the final environmental impact statement is furnished to the Council on Environmental Quality and commenting agencies and made available to the public. Any other party to the proceeding may present its case on NEPA matters as well as on radiological health and safety matters prior to the end of the fifteen (15) day period.

(b) (1) In a proceeding in which a hearing is held for the issuance of a permit, license, or order, or amendment to or renewal of a permit, license, or order, covered by § 51.5(a), and matters covered by this part are in issue, the regulatory staff will offer the final environmental impact statement in evidence. Any party to the proceeding may take a position and offer evidence on the aspects of the proposed action covered by NEPA and this part in accordance with the provisions of Subpart G of Part 2 of this chapter.

(2) In such a proceeding the presiding officer will decide those matters in controversy among the parties within the scope of NEPA and this part.

(3) In such a proceeding, an initial decision of the presiding officer may include findings and conclusions which affirm or modify the content of the final environmental impact statement prepared by the regulatory staff. To the extent that findings and conclusions different from those in the final environmental statement prepared by the regulatory staff are reached, the statement will be deemed modified to that extent and the initial decision will be distributed as provided in § 51.26(c). If the Commission or the Atomic Safety and Licensing Appeal Board in a final decision reaches conclusions different from the presiding officer with respect to such matters, the final environmental impact statement will be deemed modified to that extent and the decision will be similarly distributed.

(c) In addition to complying with applicable requirements of paragraphs (a) and (b) of this section, in a proceeding for the issuance of a construction permit for a nuclear power reactor, testing facility, fuel reprocessing plant or isotopic enrichment plant, or for the issuance of a license to manufacture, the presiding officer will:

(1) determine whether the requirements of section 102(2) (A), (C), and (D) of NEPA and this part have been complied with in the proceeding;

(2) independently consider the final balance among conflicting factors contained in the record of the proceeding for the permit with a view to determining the appropriate action to be taken; and

(3) determine after weighing the environmental, economic, technical, and other benefits against environmental and other costs, and considering available alternatives whether the construction permit or license to manufacture should be issued, denied, or appropriately conditioned to protect environmental values.

(4) determine, in an uncontested proceeding, whether the NEPA review conducted by the Commission's regulatory staff has been adequate.

(5) determine, in a contested proceeding, whether in accordance with this part, the construction permit or license to manufacture should be issued as proposed.

(d) In any proceeding in which a hearing is held for the issuance of a permit, license, or order, or amendment thereto or renewal thereof, where the Director of Regulation or his designee has determined that no environmental impact statement need be prepared for the particular action in question, any party to the proceeding may take a position and offer evidence on the aspects of the proposed action covered by NEPA and this part in accordance with the provisions of Subpart G of Part 2 of this chapter. In such proceedings, the presiding officer will decide any such matters in controversy among the parties.

§ 51.53 Hearings—Operating licenses.

(a) The presiding officer, during the course of a hearing on an application for an operating license covered by § 51.5(a), may authorize, pursuant to § 50.57(c) of this chapter, the loading of nuclear fuel in the reactor core and limited operation within the scope of § 50.57 (c) of this chapter, upon compliance with the procedures described therein. In any such hearing, where any party opposes such authorization on the basis of matters covered by this part, the provisions of §§ 51.52 (b), (c), or (d) will apply, as appropriate.

§ 51.54 Required lists.

(a) Environmental impact statements in preparation. The Director of Regulation or his designee will maintain a list of actions for which environmental impact statements are being prepared and make the list available for public inspection on request. The list will be revised and brought up to date every three (3) months. The list will be forwarded immediately after each revision to the Council on Environmental Quality for publication in the FEDERAL REGISTER.

(b) Negative declarations and environmental impact appraisals. The Director of Regulation or his designee will maintain a list of negative declarations and environmental impact appraisals and make the list available for public inspection. The list will be revised and brought up to date every three (3) months. The list will be forwarded immediately after each revision to the Council on Environmental Quality for publication in the FEDERAL REGISTER.

(c) Interested groups. The Director of Regulation or his designee will maintain a list of groups, including relevant conservation commissions, known to be interested in the Commission's licensing and regulatory activities and will notify such groups of the availability of a draft environmental impact statement as soon as it is prepared.

§ 51.55 Costs of materials distributed to public.

Applicant's Environmental Reports, draft and final environmental impact statements, negative declarations, and environmental impact appraisals will be made available to the public upon request without charge to the extent practicable notwithstanding the provisions of Part 9 of this chapter, or at a fee not exceeding the actual reproduction cost.

§ 51.56 Application of part to proceedings.

The provisions of this part are applicable to all draft and final environmental impact statements filed with the Council on Environmental Quality after August 19, 1974. Facility licensing proceedings in which notice of hearing was published in the FEDERAL REGISTER on or before August 19, 1974, shall be subject to the provisions of Appendix D of Part 50 of this chapter applicable to the proceeding in effect on August 19, 1974.

PART 70—SPECIAL NUCLEAR MATERIAL

8. The references to "Appendix D of Part 50" in §§ 7014(a), note 1, 70.21(f), and 70.23(a) of 10 CFR Part 70 are amended to refer to "Part 51."

Effective date: The foregoing amendments become effective on August 19, 1974.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948; sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 2201, 4332))

Dated at Germantown, Maryland, this 10th day of July 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-16341 Filed 7-17-74;8:45 am]

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Pricing of Unleaded Gasoline

Correction

FR Doc. 74-15475 was inadvertently published in the Proposed Rules Section at page 24923 in the issue of Monday, July 8, 1974. The document should have been published in the Rules and Regulations Section with the headings reading as set forth above.

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Pricing of Unleaded Gasoline; Effective Date

Correction

FR Doc. 74-15999 was inadvertently published in the Proposed Rules Section on page 25359 in the issue of Wednesday, July 10, 1974. The document should have been published in the Rules and Regulations Section with the headings reading as set forth above.

Title 12—Banks and Banking

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 74-683]

PART 545—OPERATIONS

Remote Service Units; Correction

JULY 15, 1974.

The Federal Home Loan Bank Board hereby corrects Board Resolution No. 74-573, which was dated June 26, 1974, and published in the FEDERAL REGISTER on June 28, 1974 (39 FR 23991; FEDERAL REGISTER Document No. 74-15010). Said Resolution No. 74-573, which amended §§ 545.4-2 and 545.14-5 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.4-2 and 545.14-5), is corrected by making the following changes:

1. Section 545.4-2 is amended by revising paragraphs (b)(3) and (j)(1) and amending (g)(3) by revising the last sentence as follows:

§ 545.4-2 Remote service units (temporary provision).

* * * * *

(b) * * *

(3) Receiving payments related to loans invested in or being serviced by such association: *Provided*, That in no case may applications for loans or approvals of loans be made at a remote service unit; and

* * * * *

(g) * * *

(3) * * * Any contract, agreement or understanding, whether written or oral, between or among a Federal association and any other financial institution or other business organization relating to the participation in or the establishment, maintenance or use of a remote service unit by such Federal association shall be subject to any rules and regulations which the Board may hereafter prescribe or any resolution which the Board may adopt including a requirement that any such contract, agreement or understanding be terminated.

* * * * *

(j) * * *

(1) The term "remote service unit" means an information processing device, including associated equipment, structures and systems, by means of which information relating to financial services rendered to the public is stored and transmitted, whether instantaneously or otherwise, to a financial institution and which, for activation and account or deposit access, is dependent upon the use of a machine-readable instrument in the possession and control of the holder of such account or deposit. The term "remote service unit" includes, without limitation, both "on-line" computer terminals and "off-line" cash dispensing machines, but does not include terminals or teller machines using passbooks regardless of whether the passbooks are machine-readable. A remote service unit is not a branch office, satellite office or other type of office, facility or agency of a Federal association within the meaning of §§ 545.14, 545.14-1, 545.14-2, 545.14-3, 545.14-4, 545.14-5 or 545.15.

* * * * *

Dated: July 15, 1974.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.74-16456 Filed 7-17-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-NW-09]

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

Alteration of Transition Area; Correction

On June 27, 1974, FR Doc. 74-14705 was published in the FEDERAL REGISTER (39 FR 23252). This document alters the description of the Boise, Idaho, transition area. A review of the description revealed that the radial of the McCall VORTAC, defining the northwest boundary of the 1200' transition area northwest of Boise, was not identified correctly. Accordingly, action is taken herein to correct this.

Since the radial was depicted correctly in the notice of proposed rulemaking, this change is editorial in nature and imposes no additional burden on any person; notice and public procedure hereon is unnecessary.

In view of the foregoing, FR Doc. 74-14705 (39 FR 23252) is amended effective immediately by deleting the phrase "* * * that airspace northwest of Boise bounded on the northwest by the McCall VORTAC 295° radial, * * *" and inserting therefor "* * * that airspace northwest of Boise bounded on the northwest by the McCall VORTAC 223° radial * * *"

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

Issued in Seattle, Wash., on July 10, 1974.

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

[FR Doc.74-16386 Filed 7-17-74;8:45 am]

[Airspace Docket No. 74-CE-11]

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

Designation of Transition Area

On page 18664 of the FEDERAL REGISTER dated May 29, 1974, the Federal Aviation Administration published a notice of proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Pittsburg, Kansas.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., September 12, 1974.

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

Issued in Kansas City, Missouri, on July 8, 1974.

A. L. COULTER,
Director, Central Region.

In § 71.181 (39 FR 440), the following transition area is added:

PITTSBURG, KANSAS

That airspace extending upward from 700' above the surface within a 6.5 statute mile radius of Atkinson Municipal Airport (latitude 37°26'48" N., longitude 94°43'50" W.); and within three statute miles each side of the 358 true bearing from Pittsburg, Kansas RBN (latitude 37°26'35" N., longitude 94° 43'-52" W.); extending from the 6.5 statute mile radius area to eight statute miles NNW of the Pittsburg, Kansas RBN; and that airspace extending upward from 1200' above the surface within 9.5 statute miles west and 4.5 statute miles east and parallel to the 358° bearing from the Pittsburg RBN, extending from the Pittsburg RBN to a distance of 18.5 statute miles NNW of the Pittsburg RBN, but excluding that controlled airspace with a base altitude of 1200' above the ground which is presently established and published.

[FR Doc.74-16387 Filed 7-17-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

PLASTICIZERS IN POLYMERIC SUBSTANCES

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 3B2824) filed by Continental Oil Co., High Ridge Park, Stamford, CT 06904, and other relevant material concludes that the food additive regulations should be amended as set forth below to provide for safe use of di-*n*-alkyl adipate produced from synthetic fatty alcohols as a plasticizer in polymeric substances intended to contact food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended in § 121.2511 (b) by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2511 Plasticizers in polymeric substances.

* * * * *

(b) List of substances:

* * *

Di-*n*-alkyl adipate made from C_6-C_8-C_{10} (predominately C_8 and C_{10}) or C_8-C_{10} synthetic fatty alcohols complying with § 121.1238.	*Limitations*
* * *	* * *
	For use only:
	1. At levels not exceeding 24 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact with nonfatty foods. The average thickness of such polymers in the form in which they contact food shall not exceed 0.005 in.
	2. At levels not exceeding 24 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact, under conditions of use F and G described in table 2 of § 121.2526(c), with fatty foods having a fat and oil content not exceeding a total of 40 percent by weight. The average thickness of such polymers in the form in which they contact food shall not exceed 0.005 in.
	3. At levels not exceeding 35 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact with nonfatty foods. The average thickness of such polymers in the form in which they contact food shall not exceed 0.002 in.
	4. At levels not exceeding 35 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact, under conditions of use F and G described in table 2 of § 121.2526(c), with fatty foods having a fat and oil content not exceeding a total of 40 percent by weights. The average thickness of such polymers in which they contact food shall not exceed 0.002 in.
	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before August 19, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective July 18, 1974.

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

Dated: July 11, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-16408 Filed 7-17-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

Lead and Phosphorus Test Procedures

Correction

In FR Doc. 74-15449 appearing at page 24890 in the issue of Monday, July 8, 1974, and corrected on page 25653 in the issue of Friday, July 12, 1974, paragraph 3. of the correction should read as follows:

3. In the second column on page 24893, the word "and" in the fifth line of paragraph 4.11 should be deleted and the word "add" should be substituted.

SUBCHAPTER E—PESTICIDE PROGRAMS

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

4-Aminopyridine

A petition (PP 4F1498) was filed by Avitrol Corp., P.O. Box 45141, Tulsa, OK 74145, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of a tolerance for residues of the bird repellent 4-aminopyridine in or on the raw agricultural commodity sunflower seeds at 0.1 part per million.

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

1. The bird repellent is useful for the purpose for which the tolerance is being established.

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

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

4. This tolerance and the existing tolerance for 4-aminopyridine represent negligible residues.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805), § 180.312 is revised as follows:

§ 180.312 4-Aminopyridine; tolerances for residues.

A tolerance of 0.1 part per million is established for negligible residues of the bird repellent 4-aminopyridine in or on the raw agricultural commodities corn grain, corn fodder and forage, and sunflower seeds.

Any person who will be adversely affected by the foregoing order may at any time on or before August 19, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on July 18, 1974.

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

Dated: July 15, 1974.

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

[FR Doc.74-16482 Filed 7-17-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 5C—PROPERTY MANAGEMENT AND DISPOSAL SERVICE, GENERAL SERVICES ADMINISTRATION

CANCELLATION OF CHAPTER 5C

This change to the General Services Administration Procurement Regulations (GSPR) cancels Chapter 5C, GSPR.

Chapter 5C is deleted in its entirety.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective on the date shown below.

Dated: July 3, 1974.

M. J. TIMBERS,
Commissioner, Federal Supply Service.

[FR Doc.74-16437 Filed 7-17-74;8:45 am]

CHAPTER 114—DEPARTMENT OF THE INTERIOR

PART 114-51—PROVISION AND ASSIGNMENT OF QUARTERS AND FURNISHINGS

Design Standards

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 and Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), Chapter 114, Title 41 of the Code of Federal Regulations, is amended as set forth below.

As this amendment relates solely to matters of internal Departmental policy, it is determined that the public rulemaking procedure is unnecessary and this amendment shall become effective on July 18, 1974.

JAMES T. CLARKE,
Assistant Secretary of the Interior.

JULY 11, 1974.

Subpart 114-51.1—Provision of Quarters

Section 114-51.103 is amended to read as follows:

§ 114-51.103 Design standards.

Employee housing units constructed by Bureaus and Offices of the Department of the Interior shall:

(a) Not exceed the following standards:

(1) Standard materials, millwork, equipment, and fixtures that are readily available at local supply centers will be used in all dwelling construction.

(2) Design will be simple with no features that increase building costs, such as irregularities in roof framing.

(3) Not to exceed one and a half baths.

(4) One stall garage in areas subject to deep snow or prolonged periods of below freezing temperatures, carports in warmer climates.

(5) Sun porches, enclosed patios, or similar features will not be provided.

(6) Floor area shall not exceed—two-bedroom dwellings, 1,250 square feet; three-bedroom dwellings, 1,300 square feet; exclusive of basement and garage space (or service and storage space in lieu of basement).

(7) No four-bedroom dwellings shall be permitted.

(8) Fireplaces will not be permitted except where essential for adequate heating.

(b) Be designed taking energy conservation into consideration as a prime design goal.

[FR Doc.74-16424 Filed 7-17-74;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1191]

PART 1033—CAR SERVICE

Storage Charges on Assigned Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 12th day of July 1974.

It appearing, that existing tariffs governing rules and regulations with respect to storage charges for assigned cars are creating instability in the number of cars assigned to shippers; that pending revision of such traiffs is now being considered by carriers; that in the interim the Commission is of the opinion that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1191 Service Order No. 1191.

(a) *Storage charges on assigned cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Application.* (i) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(ii) This order shall apply to all empty cars assigned to the exclusive use of a specified shipper or receiver.

(iii) Exception: To alleviate hardships or inequities, exceptions to this order may be authorized to the carrier by the Railroad Service Board, Interstate Commerce Commission, Washington, D.C. Requests for such exceptions may be made only by carriers and shall be sent to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for recording and submission to the Railroad Service Board, Interstate Commerce Commission, for consideration.

(2) *Placing of cars.* (i) Empty cars described in subparagraph (1)(ii) of this section which are assigned to the exclusive use of a specified shipper shall be subject to a storage charge of $5.00 per car per day or fraction thereof until ordered placed for loading or appropriated for loading, without free time allowance and without allowance for Saturdays, Sundays, and holidays. Holidays shall be those listed in Item 25 of Agent B. B. Maurer's Tariff 4-J, I.C.C. H-59 naming Car Demurrage Rules and Charges, supplements thereto, or successive issues thereof. (See exception, subparagraph (2)(ii) of this paragraph.)

(a) In computing storage charges on cars subject to this part, such charges shall begin at the second 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following the sending or giving of notice that the cars are being held awaiting orders for actual placement or appropriation for loading.

(b) When empty assigned cars are held at point of assignment awaiting orders from assignee for placement for loading or awaiting appropriation by assignee for loading, a written notice of arrival (see note) shall be sent or given assignee within 24 hours of arrival of the empty car at the point where held, exclusive of Saturdays, Sundays, and holidays. Such notice shall contain the initials and numbers of each car held and shall state that each car is being held subject to a storage charge of $5.00 per car per day or fraction of a day, until ordered placed for loading or ordered released, in writing, from assignment.

NOTE.—When the assignee notifies the railroad, in writing, that it will accept verbal or telephone notice of the arrival of empty assigned cars, verbal or telephone notice may be substituted for written notice of arrival. The carriers will maintain a written record of all such verbal or telephone notices, such records to show car initials and numbers, date and hour of notice, name of assignee, name of railroad employee giving the notice, and name of employee of assignee receiving the notice.

Empty cars released from storage status by order or appropriation for loading shall be subject to all demurrage or detention rules and charges published in tariffs applicable to cars held for loading, from time released from storage charges.

(ii) *Exception to subparagraph (2)(i) of this paragraph.* When it is impossible to load or to receive for loading empty cars assigned to the exclusive use of a shipper because of cessation of operations for a period of five days or more resulting from a strike, work stoppage, flood, high water, or other inteference at the plant of the assignee for which empty assigned cars are held, the charges provided in subparagraph (2)(iii) of this paragraph shall be suspended for the period of such interference with operations and an additional ninety-six (96) hours immediately following resumption of operations: *provided*, That the assignee furnishes a written notice to the carrier at the point of assignment, with a copy to the Director, Bureau of Operations, Interstate Commerce Commission, Washington, D.C., for his approval. Such notice shall be given within five days, exclusive of Saturdays, Sundays, and holidays, after the date on which the interference ceased; and shall state the date and time when the interference began and ceased and the cause of the interference.

(b) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Effective date.* This order shall become effective at 12:01 a.m., July 16, 1974.

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

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-16462 Filed 7-17-74;8:45 am]

Title 7—Agriculture

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

[Valencia Orange Reg. 474]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period July 19–25, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.774 Valencia Orange Regulation 474.

(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 recommendations 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 this section to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is showing improvement. Prices f.o.b. averaged $3.40 per carton on a reported sales volume of 569 carlots last week, compared with an average f.o.b. price of $3.22 per carton and sales of 439 carlots a week earlier. Track and rolling supplies of 262 cars were down 34 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed 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 rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated

among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 16, 1974.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 19, 1974, through July 25, 1974, are hereby fixed as follows:

(i) District 1: 330,000 cartons;

(ii) District 2: 270,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: July 17, 1974.

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

[FR Doc.74-16663 Filed 7-17-74;11:33 am]

PART 980—VEGETABLES: IMPORT REGULATIONS

Establishment of Minimum Quality Requirements

This regulation establishes minimum quality requirements for imported onions.

Notice of rulemaking regarding proposed requirements on the importation of onions into the United States to be made effective under Section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e–1), was published in the June 25, 1974, FEDERAL REGISTER (39 FR 22964).

The notice afforded interested persons an opportunity to file data, views, or arguments in regard thereto not later than July 11, 1974. None was filed.

Section 8e of the act provides that whenever a Federal marketing order is in effect for onions, the importation of onions shall be prohibited unless they comply with the grade, size, quality and maturity provisions of such order. The provisions hereinafter set forth comply with those which will become effective July 17, 1974, under Marketing Order No. 958 for onions grown in Idaho and Malheur County, Oregon. It is not contemplated that any other marketing order will have concurrent grade, size, quality and maturity provisions in effect regulating onions until the spring of 1975.

Findings. (a) After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, and other available information, it is hereby found that the proposal as published in the notice should be issued and that imported onions comply with the grade, size, quality and maturity requirements, as hereinafter provided, applicable to onions produced in the United States, and effective under Marketing Order No. 958, as amended (7 CFR Part 958) regulating the handling of onions grown in designated counties of Idaho and Malheur County, Oregon. This regulation is subject to amendment with adequate notice as domestic regulations are changed.

(b) It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond the time specified (5 U.S.C. 553) in that (1) the requirements established by this regulation are mandatory under Section 8e of the act; (2) all known onion importers were notified of the proposed regulation; and (3) notice hereof was published in the June 25, 1974, FEDERAL REGISTER (39 FR 22964), and such notice is determined to be reasonable.

§ 980.113 Onion import regulation.

Except as otherwise provided herein, during the period beginning July 18, 1974, and continuing through April 30, 1975, no person may import onions of the yellow or white varieties unless such onions are inspected and meet the requirements of this section.

(a) *Grade, size, and maturity requirements*—(1) *Yellow varieties.* U.S. No. 2, or better grade, 1½ inches minimum diameter.

(2) *White varieties.* U.S. No. 2, or better grade, 1 inch minimum diameter.

(3) *Yellow and white varieties.* At least "moderately cured."

(b) *Condition.* Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of ten or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they meet the other requirements of this section.

(c) *Minimum quantity.* Any importation which in the aggregate does not exceed 100 pounds in any day, may be imported without regard to the provisions of this section.

(d) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on onions under the Plant Quarantine Act of 1912.

(e) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, and quality and maturity of onions that are imported into the United States under the provisions of section 8e of the act.

(f) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the onions meet the United States import requirements for onions under section 8e of the act (7 U.S.C. 608e–1), issued by a designated governmental inspection service and applicable to a specific lot is required on all imports of onions.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of onions should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the onions will be imported.

Ports	Office	Advance notice
All Texas points.	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78589 (Phone 512-787-4091 or 6881.)	1 day.
All Arizona points.	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621, (Phone 602-287-2902).	Do.
All California points.	D. P. Thompson, 784 South Central Ave., Room 266, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenson Ching, P.O. Box 5425, Pawaa Substation, 1428 South King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Darrell G. McNeal, P.O. Box 10163, Santurce, P.R. 00908 (Phone 809-733-2230 or 4116).	2 days.
New York City.	Frank J. McNeal, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone 212-991-7669 or 7668).	1 day.
New Orleans	Pascal J. Lamarca, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
Miami	Lloyd W. Boney, 1350 Northwest 12th Ave., Room 538, Miami, Fla. 33136 (Phone 305-324-6116 or 6117).	1 day.
All other Florida points.	C. B. Brantley, P.O. Box 1232, Winter Haven, Fla. 33880 (Phone 813-294-3511, Ext. 33 and 813-294-2089).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (Phone 202-447-5870).	3 days.

(4) Inspection certificates shall cover only the quantity of onions that is being imported at a particular port of entry by a particular importer.

(5) In the event the required inspection is performed prior to the arrival of

the onions at the port of entry, the inspection certificate that is issued must show that the inspection was performed at the time of loading such onions for direct transportation to the United States; and if transportation is by water, the certificate must show that the inspection was performed at the time of loading onto the vessel.

(6) Each inspection certificate issued with respect to any onions to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e–1.

(g) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of onions for the purpose of making it eligible for importation.

(h) *Definitions.* For the purpose of this section, "Onions" means all varieties of Allium cepa marketed dry, except dehydrated, canned and frozen onions, onion sets, green onions, and pickling onions. The term "moderately cured" means the onions are mature and are more nearly well cured than fairly well cured. "Importation" means release from custody of the United States Bureau of Customs.

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

Dated July 12, 1974, to become effective July 18, 1974.

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

[FR Doc.74–16476 Filed 7–17–74;8:45 am]

proposed rules

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

DE SOTO NATIONAL WILDLIFE REFUGE, IOWA AND NEBRASKA

Proposed Addition to Areas Open to Hunting of Migratory Birds

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), as delegated to the Director, Fish and Wildlife Service by Chapter 2, Part 242 of the Departmental Manual, it is proposed to amend 50 CFR 32 Part by the addition of De Soto National Wildlife Refuge, Iowa and Nebraska, to the list of areas open to hunting of migratory birds.

It has been determined that regulated hunting of waterfowl may be permitted as designated on the above refuge without detriment to the objectives for which the area was established.

Waterfowl hunting is subject to fee charges as permitted under the Land and Water Conservation Fund Act of 1965 as amended (16 U.S.C. 4601–4 to 4601–11) and as further amended by Pub. L. 93–303.

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 persons may submit written comments, suggestions or objections, with respect to the proposed amendment, to the Regional Director, Fish and Wildlife Service, 10597 West Sixth Avenue, Denver, Colorado 80219, on or before August 19, 1974.

Accordingly, it is proposed that § 32.11, list of open areas; migratory gamebirds, be amended by the following addition:

IOWA

DE SOTO NATIONAL WILDLIFE REFUGE

NEBRASKA

DE SOTO NATIONAL WILDLIFE REFUGE

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

JULY 12, 1974.

[FR Doc.74–16423 Filed 7–17–74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 915]

AVOCADOS GROWN IN SOUTH FLORIDA

Proposed Increase in Expenses and Rate of Assessment for 1974–75 Fiscal Year

This notice invites written comment relative to a proposed increase in expenses to $42,250 and the rate of assessment to $0.06 per bushel of avocados to support the activities of the Avocado Administrative Committee for the 1974–75 fiscal year under Marketing Order No. 915.

Consideration is being given to the proposal hereinafter set forth which was submitted by the Avocado Administrative Committee, established under the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the provisions thereof. The committee has reported that there is a need for a quick test procedure for determining the maturity of avocados, and has unanimously recommended that funds be supplied to the University of Florida for a maturity test program this season. It also reports that due to recent hail and wind damage, the avocado crop will not reach the previously estimated total, thus making necessary the proposed increase in assessment rate.

The proposal is that the provisions of paragraphs (a) *Expenses* and (b) *Rate of assessment* of § 915.213 (39 FR 19773) be amended to read as follows:

§ 915.213 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* Expenses which are reasonable and likely to be incurred by the Avocado Administrative Committee during the period April 1, 1974, through March 31, 1975, will amount to $42,250.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 915.41, is fixed at $0.06 per bushel of avocados.

* * * * *

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than August 2, 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)).

Dated: July 15, 1974.

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

[FR Doc.74–16474 Filed 7–17–74;8:45 am]

[7 CFR Part 945]

IRISH POTATOES GROWN IN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of a proposed $39,595 budget and a $0.0026 per hundredweight rate of assessment which was recommended by the Idaho-Eastern Oregon Potato Committee, for its fiscal period ending May 31, 1975. This committee was established under Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945).

This marketing order program regulates the handling of Irish potatoes grown in Idaho and Malheur County, Oregon, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connectior with these proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112–A, Washington, D.C. 20250, not later than August 2, 1974. All written comments will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposals are as follows:

§ 945.227 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending May 31, 1975, by the

Idaho-Eastern Oregon Potato Committee, for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to $39,595.

(b) The rate of assessment to be paid by each handler in accordance with this part, shall be $0.0026 per hundredweight or equivalent quantity of assessable potatoes handled by him as the first handler during the fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve to the extent authorized in § 945.44(b).

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

Dated: July 15, 1974.

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

[FR Doc.74-16475 Filed 7-17-74;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

THREE-ELECTRODE GAS TUBE PROTECTORS

Proposed New REA Specification

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), including the amendment thereto enacted by Pub. L. 93-32, REA proposes to issue REA Bulletin 345-71 to announce a new REA Specification PE-56 for three-electrode gas tube protectors. On issuance of REA Bulletin 345-71, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the new specification may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before August 19, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the new REA Specification PE-56 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 345-71 announcing the issuance of the new specification is as follows:

REA BULLETIN 345-71

REA SPECIFICATION FOR THREE-ELECTRODE GAS TUBE PROTECTORS

I. *Purpose.* To announce issuance of a new REA Specification PE-56 for Three-Electrode Gas Tube Protectors.

II. *General.* This specification covers requirements for three-electrode gas tube protectors used to protect communication circuits and equipments from damages due to foreign voltages and currents. REA Specification PE-56 becomes effective on February 3, 1975. All three-electrode gas tube protectors furnished for REA projects bid or on orders placed to REA borrowers after that date shall comply in all respects with the new REA Specification PE-56. This does not preclude the adoption of the new specification by manufacturers prior to the effective date.

III. *Availability of specification.* Copies of the new PE-56 will be furnished by REA upon request. Questions concerning the new specification may be referred to the Chief, Station Equipment and Protection Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202 447-3173.

Dated: July 12, 1974.

H. A. SCHAFER, Jr.
Acting Assistant Administrator.

[FR Doc.74-16473 Filed 7-17-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-SO-73]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Ahoskie, N.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before August 19, 1974, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Ahoskie transition area described in § 71.181 (39 FR 440 and 14502) would be amended as follows: "* * * 13 miles west of the VORTAC * * *" would be deleted and "* * * 8 miles west of the VOR TAC * * *" would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for the proposed revised VOR/DME-A Standard Instrument Approach Procedure to Tri-County Airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (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 East Point, Ga., on July 9, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74-16388 Filed 7-17-74;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Part 50]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

General Design Criteria for Fuel Reprocessing Plants

The Atomic Energy Commission has under consideration amendments to its regulation 10 CFR Part 50, "Licensing of Production and Utilization Facilities," which would add an Appendix P, "General Design Criteria for Fuel Reprocessing Plants."

Paragraph (a) of § 50.34 requires that each application for a construction permit include, in the safety analysis report, the preliminary design for the facility. The following information is specified for inclusion:

(i) The principal design criteria for the facility;

(ii) The design bases and relation of the design bases to the principal design criteria;

(iii) Information relative to materials of construction, general arrangements, and approximate dimensions, sufficient to provide reasonable assurance that the final design will conform to the design bases with adequate margin for safety.

The "General Design Criteria for Fuel Reprocessing Plants" which follow would establish the minimum requirements for the principal design criteria for fuel reprocessing plants. Principal design criteria established by a license applicant and accepted by the Commission would be incorporated by reference into the construction permit. Before issuing an operating license under Part 50, the Commission would require assurance in the final safety analysis report that these criteria had been satisfied in the detailed design and construction of the facility and that any changes in such criteria are justified.

One of these criteria is that fuel reprocessing plants should be designed to facilitate decommissioning. The Commission requires that residual levels of radioactive contamination after decommissioning of a facility be sufficiently low as not to represent a hazard to the public health and safety. The Commission, after consultation with interested groups, intends to publish specific requirements for decommissioning which would be included in 10 CFR Part 50 after a rulemaking proceeding.

Concurrently with the publication for comment of this notice of proposed rulemaking, the Commission is making available to the public its "Environmental Impact Appraisal of Proposed Amendments to 10 CFR Part 50, General Design Criteria for Fuel Reprocessing

Plants." Copies of the "Environmental Impact Appraisal of Proposed Amendments to 10 CFR Part 50, General Design Criteria for Fuel Reprocessing Plants" may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director of Regulatory Standards.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 50 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff by September 16, 1974. Copies of comments received on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street NW, Washington, D.C.

1. Paragraph (a)(3)(i) of § 50.34 is amended to read as follows:

§ 50.34 Contents of applications: Technical information.

(a) Preliminary safety analysis report. Each application for a construction permit shall include a preliminary safety analysis report. The minimum information [1] to be included shall consist of the following:

* * * * *

(3) The preliminary design of the facility including:

(i) The principal design criteria for the facility.

Appendix A, General Design Criteria for Nuclear Power Plants, establishes minimum requirements for the principal design criteria for water-cooled nuclear power plants similar in design and location to plants for which construction permits previously have been issued by the Commission and provides guidance to applicants for construction permits in establishing principal design criteria for other types of nuclear power units. Appendix P, General Design Criteria for Fuel Reprocessing Plants, establishes minimum requirements for the principal design criteria for fuel reprocessing plants;

* * * * *

2. Footnote 2 to § 50.34 is deleted.

3. A new Appendix P is added to read as follows:

APPENDIX P—GENERAL DESIGN CRITERIA FOR FUEL REPROCESSING PLANTS

I. INTRODUCTION

II. DEFINITIONS

Fuel reprocessing plant
Radiological protection
Confinement system
Single failure
Process safety features
Redundant equipment or system

[1] [Deleted]

III. CRITERIA

OVERALL REQUIREMENTS

PROTECTION BY MULTIPLE CONFINEMENT BARRIERS AND SYSTEMS

PROCESS SAFETY FEATURES

NUCLEAR CRITICALITY SAFETY

RADIOLOGICAL PROTECTION

FUEL AND RADIOACTIVE WASTE STORAGE

DECOMMISSIONING

I. INTRODUCTION

Pursuant to the provisions of § 50.34, an application for a construction permit for a fuel reprocessing plant must include the principal design criteria for the proposed facility. The principal design criteria establish the design, fabrication, construction, testing, and performance requirements for structures, systems, and components important to safety; that is, structures, systems, and components that provide reasonable assurance that the facility can be operated without undue risk to the health and safety of the public.

These General Design Criteria are intended to aid the applicant for a construction permit for a fuel reprocessing plant in selection of the principal design criteria and to establish minimum requirements for the principal safety-related design criteria for fuel reprocessing plants. The development of these General Design Criteria is not yet complete. Any omissions do not relieve the applicant from the requirement of providing the necessary safety features in the design of a specific facility. In addition to satisfying the General Design Criteria, the applicant must:

1. Design against the loss of confinement capability or other capability which would jeopardize the health and safety of the public where such loss of capability results from any single failure in systems important to safety;

2. Provide redundancy and diversity in systems important to safety;

3. Minimize the possibility of non-random, concurrent failures of redundant elements in protection systems;

4. Provide design criteria for resistance of the facility to upper limit accidents and design bases for maximum probable natural phenomena;

5. Provide adequate protection for employees from hazards which could affect their performance of actions required to protect the public from exposure to radiation.

There may be some fuel reprocessing plants for which the General Design Criteria are not sufficient and for which additional criteria must be satisfied in the interest of public safety. In particular, it is expected that additional or different criteria will be needed to take into account variations in sites and environmental conditions. Also, some of the General Design Criteria may not be necessary or appropriate for a specific plant. For plants such as these, departures from the General Design Criteria must be identified and justified.

II. DEFINITIONS

Fuel reprocessing plant. A fuel reprocessing plant means the structures, systems, and components required for the separation, recovery, storage, and handling of fissile and fertile nuclear material, byproducts, and waste from irradiated nuclear fuels or materials, and includes those structures and protection systems or components required to provide reasonable assurance that the plant can be operated without undue risk to the health and safety of the public.

Radiological protection. Radiological protection means protection against internal and external ionizing radiation.

Confinement system. A confinement system means the barrier and its associated systems, including ventilation, between areas containing radioactive substances and the environment or areas in the plant which are normally expected to have levels of radioactivity lower than that which the barrier is designed to confine.

Single failure. A single failure means an occurrence which results in the loss of capability of a component to perform its intended safety function(s). Multiple failures, i.e., loss of capability of several components, resulting from a single occurrence are considered to be a single failure. Systems are considered to be designed against an assumed single failure if neither (1) a single failure of any active component (assuming passive components function properly) nor (2) a single failure of any passive component (assuming active components function properly) results in a loss of the capability of the system to perform its safety functions.

Process safety features. A process safety feature means a feature designed to prevent, limit, or mitigate the release of radioactive material.

Redundant equipment or system. Any equipment or system that duplicates the essential function of any other equipment or system is considered to be redundant to the extent that either may perform the required function regardless of the state of operation or failure of the other.

III. CRITERIA OVERALL REQUIREMENTS

Criterion 1—Quality standards and records. Structures, systems, and components important to safety shall be designed, fabricated, erected, and tested in accordance with quality assurance criteria in Appendix B. Appropriate records of the design, fabrication, erection, and testing of structures, systems, and components important to safety shall be maintained by or under the control of the

fuel reprocessing plant licensee throughout the life of the plant.

Criterion 2—Protection against environmental conditions, natural phenomena, and missiles. a. Structures, systems, and components important to safety shall be designed to withstand the effects of and to be compatible with the plant environmental conditions associated with operation, maintenance, plant shutdown, testing, and accidents.

b. Structures, systems, and components important to safety shall be designed to withstand the effects of natural phenomena such as earthquakes, tornadoes, lighting, hurricanes, floods, tsunami, and seiches without impairing their capability to perform safety functions. The principal design criteria for these structures, systems, and components shall include: (1) Resistance to the most severe of the natural phenomena reported for the site and surrounding area, with appropriate modifications to take into account the limited quantity of the historical data and the period of time in which the data have been accumulated; (2) safety features to cope with combinations of the effects of accident conditions and the effects of natural phenomena; and (3) features which provide for safe shutdown under emergency conditions, confinement of radioactivity during the emergency, and safe startup following unscheduled shutdown.

c. Capability for determining the intensity of natural phenomena which may occur for comparison with design bases of structures, systems, and components important to safety shall be provided.

d. Structures, systems, and components shall be appropriately protected against dynamic effects, including seismic motion and the effects of missiles and discharging fluids, that may result from equipment failure and from other similar events and conditions both inside and outside the fuel reprocessing plant.

Criterion 3—Protection against fires and explosions. Structures, systems, and components important to safety shall be designed and located so as to continue to perform their safety functions effectively under fire and explosion exposure conditions. Noncombustible and heat-resistant materials shall be used wherever practical throughout the facility, particularly in locations vital to the functioning of confinement barriers and systems, to methods of controlling radioactive materials within the facility, and to the maintenance of safety control functions. Explosion and fire detection, alarm, and suppression systems shall be designed and provided with sufficient capacity and capability to minimize the adverse effects of fires and explosions on structures, systems, and components important to safety. The design of the fire suppression system shall include provisions to protect against adverse effects in the event of system operation or failure.

Criterion 4—Sharing of structures, systems, and components. Structures, systems, and components important to safety shall not be shared between a fuel reprocessing plant and plants of any type unless it is shown that such sharing will not impair the capability of the fuel reprocessing plant to perform its safety functions, including the capability for orderly and safe shutdown in the event of an accident or incident.

Criterion 5—Proximity of sites. Fuel reprocessing plants located near other nuclear facilities and other activities licensed under this chapter shall be designed to assure that the cumulative effect of discharges resulting from their operation will not result in undue risk to the health and safety of the public.

Criterion 6—Testing and maintenance of systems and components. Systems and components that have safety-related functions shall be designed to permit inspection, maintenance, and testing to assure their continued functioning for the life of the facility.

Criterion 7—Emergency capability. Structures, systems, and components important to safety shall be designed to assure capability for safe shutdown of plant operations and handling of an emergency. The design shall assure capability for use, as necessary, of onsite facilities and available offsite facilities and services such as hospitals, fire and police departments, ambulance service, and utility personnel.

PROTECTION BY MULTIPLE CONFINEMENT BARRIERS AND SYSTEMS

Criterion 8—Confinement barriers and systems. The total confinement system shall consist of one or more individual confinement barriers and systems which successively control against the release of radioactivity to the environment. The confinement system shall be designed to protect against the effects of accidents or external natural phenomena and shall be fabricated, erected, tested, and maintained to assure prevention of abnormal leakage, rapidly propagating failure, or gross rupture during the design life.

Criterion 9—Ventilation and offgas systems. The ventilation and offgas systems shall be designed and tested to assure the confinement of radioactive materials during normal or abnormal conditions. To accomplish this objective, these systems shall be designed to meet the following requirements:

a. The proper ventilating air flow direction shall be maintained across the confinement barrier, that is, between areas inside the barrier and areas outside the barrier, under operating and accident conditions.

b. The ventallation system shall accommodate changes in operating conditions such as variations in temperature or pressure and shall be capable of safely controlling all radioactive offgases that could be associated with normal or accident conditions.

c. The continuity of necessary ventilation shall be assured by means of redundant equipment, fail-safe control systems, or other provisions.

d. Provisions shall be made for testing all safety-related components during normal operation of the systems to demonstrate their ability to perform at design efficiency and to function during emergency conditions and during transitions between normal and emergency conditions.

e. Ventilation systems shall be designed to permit the continued occupancy of any and all areas where such occupancy is required for normal plant operations, for safe shutdown or maintaining the plant in a safe shutdown condition. The design shall include protection against the intake or accumulation of radioactive materials. The design shall also permit the timely and safe exacuation of personnel from all areas.

f. Vessel and dissolver offgas systems shall be designed to confine the radioactive materials during normal operation and to assure that the concentration of radioactive materials in the effluent gasses is as low as practicable. Such systems shall also be designed to retain their confinement and separation capability to reduce releases resulting from an accident condition to levels consistent with the regulations contained in this chapter.

PROCESS SAFETY FEATURES

Criterion 10—Protection systems. a. Protection systems shall be designed (1) to initiate action that will assure that specified acceptable operating design limits are not exceeded as a result of operational occurrences and (2) to sense potential hazardous or accident conditions and to activate systems and components required to assure the safety of operating personnel and the public or to give audible and visual alarm so that action can be taken in a timely manner to assure such safety. Protection systems and components shall be activated automatically where this mode is compatible with the safety requirements to be satisfied.

b. Protection systems shall have reliability and *in situ* testability. The design of protection systems shall provide for redundancy and independence at least sufficient to assure that (1) no single failure results in loss of the protection functions and (2) removal from service of any component does not result in loss of the required redundancy unless it can be otherwise demonstrated that the protection system will operate with acceptable reliability. The protection systems shall be designed to permit the periodic testing of its functions and efficiencies while the plant is in operation, to determine whether failures or losses of redundancy may have occurred.

c. Protection systems shall be designed to fail into a safe state or into a state demonstrated to be acceptable on some other defined basis if conditions such as disconnection of the system, loss of energy or motive power, or adverse environments are experienced.

Criterion 11—Instrumentation and control systems. Instrumentation and control systems shall be provided to monitor safety-related variables and operating systems over anticipated ranges for normal operation, for abnormal operation, for accident conditions, and for safe shutdown. These systems shall be provided with engineered safety features in the redundancy required to assure adequate safety of process and utility operations. The variables and systems that require constant surveillance and control include parts of the process, the overall confinement system, each confinement barrier and its associated systems, and other systems that affect the overall safety of the plant. Controls shall be provided to maintain these variables and systems within the prescribed operating ranges under all normal conditions. Instrumentation and control systems shall be designed to be fail safe or to assume a state demonstrated to be acceptable on some other basis if conditions such as disconnection, loss of energy or motive power, or adverse environments are experienced.

Criterion 12—Separation of process safety features and control systems. The process safety features shall be separated from control systems to the extent that a change or failure in either leaves intact a system which satisfies all reliability and independence requirements of the process safety systems.

Criterion 13—Control room. A control room or control areas shall be designed to permit occupancy and actions to be taken to operate the plant safely under normal conditions and to maintain the plant in a safe condition under accident or other abnormal conditions. Instrumentation and controls in the control room or control areas shall be designed with sufficient redundancy to allow the plant to be put into a safe condition if any one control room or control area is removed from service.

Criterion 14—Process systems. Process components and systems are the first confinement barrier. The design of each process system shall provide capability for the system to maintain its integrity and operability to protect the public health and safety under all normal process conditions and abnormal conditions, including the maximum expected inventories of fissile materials and other radionuclides. Provisions shall be included for the safe handling of anticipated nonroutine process requirements.

Criterion 15—Utility services. a. The design of each utility service system required

for emergency conditions shall provide for the meeting of safety demands under normal and abnormal conditions. The design of safety-related utility services and distribution shall include redundant systems to the extent necessary to maintain, wtih adequate capacity, the ability to perform safety functions assuming a single failure.

b. Emergency utility services shall be designed to permit testing of their functional operability and capacity, including the full operational sequence, of each system for transfer between normal and emergency supply sources, and the operation of associated safety systems.

c. Provisions shall be made so that, in the event of a loss of the primary electric power source or circuit, reliable and timely emergency power will be provided to instruments, confinement systems, utility service systems, and process systems in amounts sufficient to allow operations to be shut down safely and to be maintained in a safe shutdown condition with all safety devices essential to safe shutdown functioning. The onsite emergency power sources and the electrical distribution circuits shall have independence, redundancy, and testability to assure performance of their safety functions in the event of a single failure or an accident.

NUCLEAR CRITICALITY SAFETY

Criterion 16—Safety margins. The design of process and storage systems shall include margins of safety for the nuclear criticality parameters that are commensurate with the uncertainties in the process and storage conditions, in the data and methods used in calculations, and in the nature of the immediate environment under accident conditions. All process and storage systems shall be designed to be maintained subcritical and to assure that no nuclear criticality accident can occur unless at least two unlikely, independent, and concurrent or sequential changes have occurred in the conditions essential to nuclear criticality safety.

Criterion 17—Methods of control. a. Favorable geometry, in which equipment or systems are subcritical by virtue of neutron leakage under worst credible conditions, is the preferred method of nuclear criticality control.

b. Where the favorable geometry method of nuclear criticality control is not practical, the use of permanently fixed neutron-absorbing materials (poisons) is the next preferred method of control.

c. Where both the favorable geometry and the permanently fixed neutron-absorbing materials (poisons) methods of nuclear criticality control are not practical, administrative controls of moderation, fissile material concentration, total fissile material, or the use of soluble neutron-absorbing materials (poisons) shall be employed when combined with margins of safety measurements or appropriate analysis and engineered safety features.

Criterion 18—Neutron absorbers. Where solid neutron-absorbing materials (poisons) are used for the prevention of nuclear criticality, the design shall provide for positive means to verify their continued efficacy. Soluble neutron-absorbing materials may be used as a primary nuclear criticality control provided: (1) two independent methods are provided to assure the presence of the required concentration of neutron absorber and (2) the equipment containing the fissile material is located behind sufficient barriers and shielding to reduce the probability and extent of accidental contamination of the environment and accidental radiation exposure to personnel in the event of a criticality accident.

Criterion 19—Ancillary Criteria for Nuclear Criticality Safety. a. Process and storage systems shall be designed to assure that no mechanisms that could cause segregation of fissile materials can be present in components whose nuclear criticality safety is dependent on the homogeneous distribution of fissile material.

b. Components whose nuclear criticality safety is dependent on a limiting concentration of fissile material shall be designed so that either (1) mechanisms that could cause critical concentrations of fissile materials are not present or (2) concentration is controlled by positive instrumental means.

c. Process and storage systems shall be designed to assure that the transfer of fissile material from safety systems to unsafe systems is not possible as a consequence of any single failure or operating error.

d. Confinement system components shall be designed to assure that leakage from equipment or from one confinement zone to another confinement zone cannot result in a condition that would result in nuclear criticality.

e. The spacing between discrete accumulations of fissile materials shall be controlled so as to maintain a subcritical state.

RADIOLOGICAL PROTECTION

Criterion 20—Access control. The design of the facility shall provide for control of access to the facility and to areas of potential contamination or high radiation within the facility. The facility shall be designed so that the spread of contamination can be monitored and controlled.

Criterion 21—Radiation shielding. Shielding shall be designed to assure that dose rates in accessible areas are consistent with the regulations contained in this chapter.

Criterion 22—Radiation alarm systems. Radiation alarm systems shall be provided to warn plant personnel of significant increases in radiation levels in normally accessible spaces and of excessive radioactivity released in plant effluents. Such systems shall be designed with redundancy and with capability to permit testing their efficiency of operation.

Criterion 23—Effluent monitoring. All plant effluent systems shall be designed to include means for measuring and recording the amount of radionuclides in any effluent. In order that the data thus measured and recorded can be used, the flow of environmental diluting media, either air or water, shall be determined.

Criterion 24—Effluent control. The design of the plant shall include means to control the release of radioactive effluents, whether gas, liquid, or solid, during normal operations and under accident conditions. Systems provided to guard against the release of radioactive materials shall be designed to be monitored and tested, and shall be provided with alarms. Capability shall be provided for prompt cessation of the flow of contaminated liquid effluents or for retention of such effluents as is necessary to assure that the concentrations of radioactive materials in liquid effluents are maintained as low as practicable.

FUEL AND RADIOACTIVE WASTE STORAGE

Criterion 25—Fuel and radioactive waste systems. Fuel storage, radioactive waste storage, and other systems that might contain or handle radioactive materials shall be designed to assure adequate safety under normal and accident conditions. These systems shall be designed (1) with a capability to test components important to safety, (2) with suitable shielding for radiation protection under normal and accident conditions, (3) with confinement systems, and (4) with a heat removal capability having testability and reliability that reflects the importance to safety.

Criterion 26—Waste disposal systems. The waste disposal systems shall be designed so that their performance will comply with the regulations in this chapter.

DECOMMISSIONING

Criterion 27—Decommissioning. In accordance with Appendix F, a design objective for fuel reprocessing plants shall be to facilitate decontamination and removal of all significant radioactive wastes at the time the facility is permanent decommissioned.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Germantown, Md., this 12th day of July 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-16504 Filed 7-17-74;8:45 am]

[10 CFR Part 50]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Design Criteria for Protection of Fuel Reprocessing Plants and Licensed Material Therein

The Atomic Energy Commission has under consideration amendments to 10 CFR Part 50, "Licensing of Production and Utilization Facilities," which would require that fuel reprocessing plants licensed under Part 50 include certain design features for the express purpose of enhancing the protection of such plants and the licensed material in the plant. The proposed design criteria are intended to afford protection against acts of industrial sabotage of the plant having radiological consequences and against theft or diversion of the special nuclear material in the plant.

The Atomic Energy Commission has recognized the desirability of specifying design features for new fuel reprocessing plants that would simplify implementation and inspection of procedures required by the Commission for the protection of radioactive material. Accordingly, the AEC has developed design criteria similar to the design criteria in Appendix A of Part 50 for nuclear power plant safety, but for protection of licensed material in fuel reprocessing plants.

The Commission is now proposing to material protection. Amendments to 50 that would specify design criteria germane to fuel reprocessing plant and material protection. Amendment to §§ 50.34 and 50.35 would provide specifically for the submission of information pertaining to, and AEC approval of fuel reprocessing plant design features for the protection of the plant and the licensed material before the issuance of a construction permit.

Persons presently holding construction permits or operating licenses for fuel reprocessing plants would be required to submit within 60 days after the effective date of the amendments, plans for meeting the criteria and would be required, within 120 days after the effective date of the amendments, to comply with the criteria.

To aid in protecting special nuclear material from theft or unlawful diversion by an individual authorized access to the material, the license applicant would be required to consider plant layout; location of process, measurment, and accountability stations; data processing systems; surveillance systems; etc. so that special nuclear material can be maintained under the direct control of designated individuals who are responsible for the protection of the material so assigned. The plant design should include provisions for a demonstrable means of identifying the location, quantity, and custodian of all special nuclear material within the plant.

To further guard against unlawful diversion and to protect the plant from acts of industrial sabotage having radiological consequences, the plant design should permit: (1) Denial to unnecessary personnel, containers, or vehicles of access to areas where special nuclear material is used or stored, (2) controlling and monitoring of access of all personnel, packages and vehicles to the vital areas and material access areas of the plant, (3) maintenance of surveillance and monitoring of plant areas, physical barriers, access points and personnel within special nuclear material access areas, (4) assessment of the impact of abnormal activity, (5) a means of communication for summoning law enforcement personnel, and (6) an effective response by the plant security organization in concert with local law enforcement authorities. Effective response of the plant security organization may be aided by design features (e.g. special barriers, remotely activated psychological or physical deterrents—recorded warning, high intensity lights, sound or smoke, etc.) so that the plant security organization can protect the plant and materials from an individual or several individuals, some of whom may be armed, until law enforcement personnel arrive.

Concurrently with the publication for comments of this notice of proposed rule making, the Commission is making available in its Public Document Room at 1717 H Street NW., Washington, D.C. its "Environmental Impact Appraisal of Proposed Amendments to 10 CFR Part 50, Design Criteria for The Protection of Fuel Reprocessing Plants and The Licensed Material Therein."

Pursuant to the Atomic Energy Act of 1954, as amended, and Section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 50 is contemplated. All interested persons who desire to submit written comments or suggestions should submit them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, by September 16, 1974. Copies of comments on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

1. A new paragraph (d) is added to § 50.34 to read as follows:

§ 50.34 Contents of applications: Technical information.

* * * * *

(d) Protection of fuel reprocessing plants and licensed materials. Each application for a permit to construct a fuel reprocessing plant shall include:

(1) The principal design criteria for protection of the plant and the licensed material, which shall provide for protection equivalent to or greater than the protection provided by the criteria in Appendix Q, Design Criteria for The Protection of Fuel Reprocessing Plants and the Licensed Material Therein.

(2) the design bases and the relation of the design bases to the principal design criteria submitted pursuant to paragraph (d)(1) of this section; and

(3) information relative to materials of construction, general arrangement, and proposed quality assurance procedures sufficient to provide reasonable assurance that the final plant will conform to the design bases for the principal design criteria submitted pursuant to paragraph (d)(1) of this section.

§ 50.35 [Amended]

2. Section 50.35 is amended by adding the words "and of the common defense and security" at the end of paragraph (a)(1).

3. A new § 50.55e is added to read as follows:

§ 50.55e Licenses for operation of fuel reprocessing plants: additional requirements.

Each person who, on (effective date of amendment), is licensed under this part to operate a fuel reprocessing plant shall:

(a) Except as provided in paragraph (b) of this section, make modifications to the plant and process as are necessary for the plant to meet the criteria in Appendix Q within 120 days after (effective date of amendment);

(b) If any criterion cannot be met by modification of plant or process, or both, institute measures that will provide, to the maximum practical degree, protection consistent with the objectives of that criterion; and

(c) File with the Deputy Director for Fuels and Materials, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 60 days after (effective date of amendment), a detailed analysis of steps that will be taken to achieve compliance with paragraphs (a) and (b) of this section.

4. A new Appendix Q is added to read as follows:

APPENDIX Q—DESIGN CRITERIA FOR THE PROTECTION OF FUEL REPROCESSING PLANTS AND THE LICENSED MATERIALS THEREIN

INTRODUCTION

Criteria

INTRODUCTION

Pursuant to the provisions of paragraph (d) of § 50.34, each application for a permit to construct a fuel reprocessing plant shall include a description of the plant and process designs pertinent to the protection of the plant and the licensed material therein.

This appendix establishes plant and materials protection criteria for the design of structures, systems, components, and equipment important to the protection of a fuel reprocessing plant and the licensed material therein. The objective of these criteria is to ensure that the plant design includes provisions for systems to protect special nuclear material from unlawful diversion or theft which could result in a threat to the common defense and security and to protect the plant from acts of industrial sabotage which could endanger the public health and safety by exposure to radiation. The criteria included in this Appendix utilize redundancy as a method of assuring reliability of these systems.

It should be noted that the Commission has under continuing review and appraisal the need for improvement in the protection of nuclear materials. As potential threats change with sociological and international trends, the Commission will continue to assess the adequacy of these criteria. Additional plant and materials protection measures currently under consideration by the AEC include nuclear security assistance groups, armed position and property defense, automatic intrusion response measures, colocation of fabrication and reprocessing plants, remotely controlled processing, and material control and accounting systems capable of maintaining continuous material control and closing daily or shift material balances. The plant design should be sufficiently flexible to permit incorporation of additional criteria as conditions arise requiring the need for such additional protection measures.

The general criteria related to physical protection and the physical security criteria in Part II of the appendix do not apply to uranium 235 contained in uranium enriched to less than 20 percent in the isotope U^{235}.

As used herein terms have the same meaning as defined in Parts 70 and 73 of this chapter.

I. GENERAL

Criterion 1—Assurance of quality. Those structures, systems, components, and equipment of fuel reprocessing plants with features important to physical protection against industrial sabotage and theft of radioactive materials and material control and accounting shall be designed, fabricated, erected, and tested to provide adequate assurance that such structures, systems, components, and equipment will perform satisfactorily in service. The requirements for

quality assurance programs in Appendix B "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants" may be utilized for this purpose.

Criterion 2—Process, components, and material isolation. The design shall include provisions for isolation (e.g., controlled access, automation, or remote handling techniques) of vital areas and material access areas to limit the need for access to such areas to individuals authorized access for essential purposes.

Criterion 3—Equipment design and placement. Equipment not identified as process equipment or vital equipment shall, to the maximum extent practicable, not be located in a vital area or in a material access area. When such equipment is located in a vital area or in a material access area, provision shall be made for limiting the necessity for access to such equipment.

Criterion 4—Inspection and test capability. Equipment and systems used in processing, storage, transfer, measurement, or protection of licensed material or protection of the plant shall be designed with provisions to facilitate inspections for verification of licensee compliance with applicable conditions of Commission licenses, rules, regulations, and orders.

Provision shall be made for testing intrusion alarms, emergency alarms, communications equipment, physical barriers, and other security-related devices and equipment in accordance with the provisions of paragraph (f) of § 73.50 and paragraph (d) of § 73.60 of this chapter.

II. PHYSICAL SECURITY

Criterion 5—Physical barriers. (a) The design shall incorporate a double barrier concept consisting of an outer physical barrier encompassing one or more inner physical barriers, passage through each of which is controlled. The outer physical barrier shall be separated from the inner physical barrier or barriers so that the intervening area can be monitored or periodically checked to detect the presence of individuals or vehicles between the barriers approaching either barrier in sufficient time to initiate the necessary guard action or notify the local law enforcement agency or both.

(b) Provision shall be made for vital areas and material access areas as defined in paragraphs (h) and (j) respectively of § 73.2 of this chapter. Functions (e.g., food service and administrative offices) that do not require access to such areas shall be carried on outside the inner barrier(s).

(c) Keys, locks, combinations, and related equipment shall be designed to permit changing.[1]

Criterion 6—Plant isolation. The design shall include an isolation zone on both sides of the outer physical barrier. This zone shall be provided with a monitoring system to detect the presence of individuals or vehicles in sufficient time to initiate the necessary guard action or notify the local law enforcement authority or both. Parking facilities inside the outer barrier shall be limited to those for authorized service vehicles.

Criterion 7—Protective lighting. Clear areas between the inner and outer barriers and the isolation zone around the outer barriers shall be provided with illumination of at least 0.2 foot candles.

Criterion 8—Personnel, package and vehicle control. (a) The design shall include provisions for control of all points in the outer and inner physical barriers used for personnel, package, or vehicle access (including shipping and receiving areas) so that identity and authority for access can be verified. Any unmanned exits in a physical barrier such as emergency doors or gates shall be operable from the inside only. All passage points in each inner physical barrier and all emergency exits in the outer physical barrier shall be provided with tamper-indicating alarm systems.

(b) The design shall include provisions at all access points in the outer barrier to allow search of entering individuals and packages, for items that could be used for industrial sabotage. Any devices, equipment, or procedures utilized shall be capable of detecting the presence of devices such as firearms, explosives, and incendiary devices.

(c) The design shall include provisions to allow search of packages prior to entry into a material access area. The design also shall include provisions to allow search of all exiting individuals (except under emergency conditions), packages, and vehicles, for concealed special nuclear material at all exit points from a material access area except those leading to a contiguous material access area.

Criterion 9—Shipping and receiving. The design shall include provisions to preclude the simultaneous handling, in a single area, of any two of the following: (a) Shipments of special nuclear material; (b) receipts of special nuclear material; and (c) shipments and receipts of materials other than special nuclear materials. This criterion may be met by, for example, providing separate docks for each such activity, or by providing a single dock with separate controlled-access storage for special nuclear material receipts and shipments.

Criterion 10—Surveillance capability. The design shall include provisions (e.g., illumination, line-of-sight, etc.) that would permit continual direct or remote observation of any individual in an area where recovered special nuclear material is used or stored. Provision also shall be made for such areas and all vital areas to be locked and protected by intrusion alarm systems when unoccupied.

Criterion 11—Emergency monitoring capability. The design shall include provisions for back-up systems such as emergency power, redundant hardware, and procedural options so that, in the event of power failure, equipment malfunction, or guard incapacitation, a level of protection consistent with safety requirements can be provided commensurate with that afforded by the provisions of Criteria 5, 6, 7, 8, and 10.

Criterion 12—Intrusion alarm system. All alarms providing monitoring to meet the provisions of Criteria 5, 6, 10 and 11 shall annunciate in a continuously manned central alarm station located within the protected area and in at least one other continuously manned station, not necessarily within the protected area, such that a single act cannot remove the capability of calling for assistance or otherwise responding to an alarm. All alarms shall be self-checking and tamper-indicating. The annunciation of an alarm at the onsite central alarm station shall indicate the type of alarm (e.g., intrusion alarm, emergency exit alarm, etc.) and location. All intrusion alarms, emergency exit alarms, alarm systems, and line supervisory systems shall at minimum meet the performance and reliability levels indicated by GSA Interim Federal Specification W-A-00450B (GSA-FSS).

Criterion 13—Communications. The design shall include provisions for two-way radio voice communication in addition to conventional telephone service between local law enforcement authorities and the plant and shall terminate at a continuously manned central alarm station within the outer barrier. The design also shall include provisions to permit continuous communications between that central alarm station and each guard or watchman on duty at the plant.

III. MATERIAL CONTROL AND ACCOUNTING

Criterion 14—Material control areas. The design shall include provisions for multiple material balance and item control areas to lower the detection threshold of, and to determine the location of, a material loss should it occur. Each such area shall be provided with material transfer stations for the determination and recording of the identity, custodian, and appropriate data for the special nuclear material content of the material entering or leaving that area.

Criterion 15—Automatic data processing capability. The design shall reflect any need for systems to permit automatic data processing for special nuclear material control and accounting and for area access control and records. If an interactive computer is used, data entry terminals shall be isolated functionally from the processing logic of the central processor.

Criterion 16—Process and related equipment. Equipment, including process equipment, storage containers, transport vessels, filters, piping, and ductwork, shall be designed to facilitate the determination of special nuclear material content by *in-situ* measurement (dynamic or static) or by cleanout. Any devices installed for *in-situ* measurements shall be capable of being calibrated *in-situ*. To minimize calibration and volume measurement uncertainties, cooling coils and other items in accountability tanks that disturb the linear character of the tank should be kept to a minimum consistent with plant safety.

Criterion 17—Measurement capability. (a) Measurement capability, including mixing for sampling, sampling, calibration and volume determination, and analytical capability, shall be provided so that:

(1) The special nuclear material content can be determined for all special nuclear material receipts, including the special nuclear material content of any recycle acid used prior to the input measurement vessel, shipments, transfers from shielded process areas, and waste streams as described in Criterion 18; and

(2) Periodic determinations can be made of the special nuclear material content of all special nuclear materials on inventory except stored irradiated fuel but including feed, product, waste, scrap, rework material and material held up in process and measurement systems.

(b) Provision shall be made for quantitative remeasurement or for uniquely identifying and tamper-safing of items to assure the continued validity of previous quantitative measurement.

Criterion 18—Waste accountability capability. The design shall include provisions for the measurement of the special nuclear material in all process area liquid and solid waste streams including those not ordinarily expected to contain special nuclear material before such wastes are permitted to enter an area that is not protected by an inner barrier.

Criterion 19—Special nuclear material storage. Vault and storage area locations shall be provided with features to expedite identification, inventory, and retrieval of items containing special nuclear material. Such

[1] Guidance with respect to use of locks in plant and materials protection is provided in Regulatory Guide 5.12, "General Use of Locks in the Protection and Control of Facilities and Special Nuclear Materials," which is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies may be obtained by addressing a request to the Director of Regulatory Standards, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545.

locations shall provide for access control including identification and recording of ingress and egress of personnel and material. Provisions shall be made in vaults and storage locations for segregation of source and other material from recovered special nuclear material.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2073, 2201))

Dated at Germantown, Md., this 12th day of July 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-16503 Filed 7-17-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 120]

COLORADO RIVER SYSTEM

Notice of Hearing on Salinity Control Policy and Standards Procedures

Notice is hereby given of public hearings to consider amendments to 40 CFR Part 120 proposed by the Administrator of the Environmental Protection Agency on June 13, 1974 (39 FR 20703) and on July 3, 1974 (39 FR 24517).

The proposal sets forth a salinity control policy, procedures, and requirements for establishing water quality standards for salinity and a plan of implementation for salinity control in the Colorado River System. Such action was taken pursuant to section 303(b) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1313(b)). The proposal effects that portion of the Colorado River and its tributaries within the States of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming.

Public hearings to consider the above rulemaking will be held as follows:

Las Vegas, Nevada
Monday, August 19, 1974
10:00 a.m.
Administration Bldg. Auditorium
U.S.E.P.A. National Environmental Research Center
944 East Harmon Avenue
Las Vegas, Nevada

Denver, Colorado
Wednesday, August 21, 1974
10:00 a.m.
Post Office Auditorium
19th & Stout Streets
Denver, Colorado

Interested private individuals, as well as local, State and Federal agencies are invited to participate. Oral statements will be received and considered. However, for accuracy of the record testimony should be submitted in writing. Oral statements should summarize written material. Persons submitting written statements are encouraged to bring additional copies for the use of the hearing panel. The hearing officer may, at his discretion, exclude oral testimony if it is overly repetitious or not relevant. All comments received by September 3, 1974, will be considered before final action is taken.

Written statements or questions concerning the proceedings should be directed to:

U.S. Environmental Protection Agency
Office of the Regional Counsel
1860 Lincoln Street, Suite 900
Denver, Colorado 80203
(303) 837-3826

Dated: July 15, 1974.

ROBERT V. ZENU,
Acting Assistant Administrator for Enforcement and General Counsel.

[FR Doc.74-16433 Filed 7-17-74;8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 536]

[Docket No. 73-39]

WATER CARRIERS IN FOREIGN COMMERCE OF THE UNITED STATES

Filing of Tariffs; Enlargement of Time To File Comments

JULY 12, 1974.

Upon request of interested parties and good cause appearing, time within which comments may be filed in response to the notice of proposed rulemaking in this proceeding (39 FR 24520; July 3, 1974) is enlarged to and including August 30, 1974. Reply of Hearing Counsel shall be filed on or before September 20, 1974 and answers to Hearing Counsel shall be filed on or before October 4, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-16461 Filed 7-17-74;8:45 am]

notices

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

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 74-195]

CERTAIN STANDS OR CASES DESIGNED TO TRANSPORT AIRCRAFT ENGINES OR PARTS

Instruments of International Traffic

JULY 11, 1974.

Under the authority of § 10.41a, Customs regulations (19 CFR 10.41a), steel aircraft engine stands were designated instruments of international traffic by Treasury Decision 66-213, dated October 5, 1966.

It has been established to the satisfaction of the U.S. Customs Service that stands or cases composed of steel, wood, or steel mesh fiberglass coated, used by Rolls-Royce, Limited, for the transportation of parts of an aircraft engine, are substantial, suitable for and capable of repeated use, and used in significant numbers in international traffic.

Therefore, Treasury Decision 66-213 is amended to designate the above-described stands or cases as "instruments of international traffic" within the meaning of section 322(a), Tariff Act of 1930, as amended (19 U.S.C. 1322(a)). These stands or cases may be released under the procedures provided for in § 10.41a, Customs regulations.

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

[FR Doc.74-16459 Filed 7-17-74;8:45 am]

Office of the Secretary

[Treasury Dept. Order 233-1]

COMMISSIONER OF INTERNAL REVENUE

Delegation of Authority Regarding Economic Stabilization Functions

By virtue of the authority vested in me as Secretary of the Treasury including the authority delegated to me by Executive Order 11788, June 18, 1974 (39 FR 22113), it is hereby ordered as follows:

1. The Commissioner of Internal Revenue is hereby delegated the authority, except as provided in paragraph 2 of this order, to perform the following Economic Stabilization functions with respect to any action or pending proceeding, civil or criminal, not finally determined on April 30, 1974, or with respect to any act committed prior to May 1, 1974:

a. Transmit to the Office of Economic Stabilization price stabilization forms, notifications, reports, applications, requests, and other information received after June 30, 1974, and required pursuant to the price stabilization regulations in Title 6, Code of Federal Regulations, or any order issued thereunder, including submissions of periodic and one-time reports required to be submitted pursuant to Part 150, Title 6, Code of Federal Regulations.

b. Conduct, at the request of the Office of Economic Stabilization or Department of Justice, investigations to determine compliance with the price or wage stabilization regulations in Title 6, Code of Federal Regulations, and the orders issued thereunder, to the extent necessary to provide for the orderly termination of the Economic Stabilization Program. Conduct, at the request of the Office of Economic Stabilization or the Department of Justice, supplemental investigations, provide assistance in case preparation, and solicit testimony or affidavits in support of cases now in litigation or which may be litigated in the future.

c. Sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, and administer oaths, all in accordance with section 206 of the Economic Stabilization Act of 1970, as amended, with respect to functions delegated by this order and, subject to the concurrence of the Chief Counsel, Office of Economic Stabilization, seek judicial enforcement of those subpoenas.

d. Maintain records and submit reports to the Director, Office of Economic Stabilization, of expenditures associated with the carrying out of the functions delegated by this order.

e. Transmit to the Director, Office of Economic Stabilization, requests received after June 30, 1974, for public disclosure of records relevant to stabilization matters in accordance with Part 102 of Title 6, Code of Federal Regulations, and assist, as necessary, the Office of Economic Stabilization in responding to such requests.

2. The authority delegated by paragraph 1 of this order does not extend to stabilization activities with respect to institutional and noninstitutional providers of health services who are subject to Subpart O or R of Part 150 of Title 6, Code of Federal Regulations, or with respect to insurers or rating bureaus who are subject to Subpart M of Part 150 of Title 6, Code of Federal Regulations.

3. The Commissioner of Internal Revenue may provide for further delegation to any official of the Internal Revenue Service of any authority under this order, and may utilize any service of any other agency, federal or state, as may be available and appropriate.

4. Officials exercising the authority delegated by this order, or redelegated pursuant thereto, shall be governed by the regulations and rulings of the Cost of Living Council and Office of Economic Stabilization, and by the policies and procedures prescribed by the Cost of Living Council and Office of Economic Stabilization.

5. All authority previously delegated to the Commissioner under Cost of Living Council Order Nos. 15, 37 and 48, and amendments thereto, is hereby revoked.

6. This order is effective July 1, 1974, and shall continue through December 31, 1974.

Dated: July 11, 1974.

[SEAL] EDWARD C. SCHMULTS,
Acting Secretary.

[FR Doc.74-16460 Filed 7-17-74;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-9]

GUY M. AUTORE

Notice of Hearing

Notice is hereby given that on February 5, 1974, the Drug Enforcement Administration, Department of Justice, issued to Guy M. Autore, M.D., Lawndale, California, an order to show cause as to why the Drug Enforcement Administration registration No. AA0091885 issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by Dr. Autore, and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on August 9, 1974, in the U.S. Court of Claims hearing room 8549, 300 North Los Angeles Street, Los Angeles, California 90012.

Dated: July 15, 1974.

ANDREW C. TARTAGLINO,
Deputy Administrator.

[FR Doc.74-16523 Filed 7-18-74;8:45 am]

[Docket No. 74-8]

MAURICE W. ROSENBERG

Notice of Hearing

Notice is hereby given that on May 16, 1974, the Drug Enforcement Administration, Department of Justice, issued to Maurice W. Rosenberg, M.D., Los Angeles, California, an order to show cause

as to why the Drug Enforcement Administration registration No. AR1435709 issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by Dr. Rosenberg, and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on August 8, 1974, in the U.S. Court of Claims hearing room 8549, 300 North Los Angeles Street, Los Angeles, California 90012.

Dated: July 15, 1974.

ANDREW C. TARTAGLINO,
Deputy Administrator.

[FR Doc.74-16524 Filed 7-18-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[DES 74-53]

FEDERAL COAL LEASING PROGRAM

Notice of Public Hearing for Draft Environmental Statement on Federal Coal Leasing and Extension of Public Review Period

Notice is hereby given that hearings will be held at the following locations for public comment on the draft environmental statement for Federal coal leasing. Dates and general locations of the pending hearings were announced in Friday, July 5, 1974 FEDERAL REGISTER notice (39 FR 24675).

August 12, 1974:
Mark H. Green Hall
Business Lecture Building
University of Utah
Salt Lake City, Utah
Time: 2 p.m.–5 p.m.
7 p.m.–10 p.m.

August 14, 1974:
Library Building—Room 146
Eastern Montana College
Billings, Montana
Time: 9 a.m.–12 a.m.
2 p.m.–5 p.m.

August 16, 1974:
Natrona County Library
Casper, Wyoming
Time: 1 p.m.–5 p.m.
7 p.m.–10 p.m.

August 19, 1974:
Auditorium—Room 269
Main Post Office Building
1823 Stout Street
Denver, Colorado
Time: 9:00 a.m.–12 noon
2 p.m.–5 p.m.

The draft environmental statement for Federal coal leasing was released for public review and comment on May 9, 1974. Copies of the statement were distributed to State governments, industry representatives, and conservation groups. A limited number of additional copies are available through the BLM State offices in Anchorage, Alaska; Phoenix, Arizona; Sacramento, California; Denver, Coloradio; Boise, Idaho; Salt Lake City, Utah; Cheyenne, Wyoming; or from the Bureau of Land Management (723), Washington, D.C. 20240.

The public hearings will be conducted by an Administrative Law Judge, U.S. Department of the Interior. Individuals wishing to testify may do so by appearing at a hearing place as previously specified. Persons wishing to give testimony will be limited to ten minutes, with written submission invited. Prior to giving testimony at the public hearings, individuals or spokesman are requested to complete a hearing registration form. Registration forms may be obtained by contacting Bureau of Land Management State Offices at:

Federal Building, 125 South State, P.O. Box 11505, Salt Lake City, Utah 84111
Federal Building & U.S. Courthouse, 316 N. 26th Street, Billings, Montana 59101
Joseph C. O'Mahoney Federal Center, 2120 Capitol Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001
Colorado State Bank Building, Room 700, 1600 Broadway, Denver, Colorado 80202.

Written comments relative to the Department of the Interior's coal leasing program will be accepted through August 30, 1974. These submissions should be sent to the Director (720), Bureau of Land Management, 18th and C Streets, NW. Washington, D.C . 20240. Earlier submissions are urged.

GEORGE L. TURCOTT,
Associate Director.

JULY 15, 1974.

[FR Doc.74-16431 Filed 7-17-74;8:45 am]

[NM 21853]

NEW MEXICO

Notice of Application

JULY 9, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Phillips Petroleum Company has applied for a 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 19 S., R. 32 E.,
Sec. 15, W½SW¼;
Sec. 21, NE¼, E½SW¼, NW¼SE¼;
Sec. 28, N½NW¼.

This pipeline will convey natural gas across 1.816 miles of national resource land in Lea 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 to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-16420 Filed 7-17-74;8:45 am]

[Wyoming 46775]

WYOMING

Notice of Application

JULY 8, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Corporation has applied for a right-of-way for cathodic protection facilities on the following land:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 17 N., R. 99 W.,
Sec. 18, SE¼SE¼.

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 send their name and address to the District Manager, Bureau of Land Management, PO. Box 1088, Rock Springs, Wyoming 82901.

PHILIP C. HAMILTON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-16421 Filed 7-17-74;8:45 am]

[Wyoming 040954]

WYOMING

Notice of Application

JULY 9, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Corporation has applied to amend right-of-way grant W-040954 to construct a natural gas pipeline across the following land:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 19 N., R. 98 W.,
Sec. 8, E½NW¼.

The pipeline will convey natural gas from the No. 1 Champlin-Fox Hills Well in sec. 5 to an existing pipeline in sec. 8, all in T. 19 N., R. 98 W.

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 send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1088, Rock Springs, Wyoming 82901.

PHILIP C. HAMILTON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-16422 Filed 7-17-74;8:45 am]

[NM 21846]

NEW MEXICO

Notice of Application

JULY 9, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act

of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Transwestern Pipeline Company has applied for a compressor station site right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 23 S., R. 25 E.,
Sec. 7, E½NW¼.

This compressor station site is a necessary part of the natural gas transmission system and will occupy 2.07 acres of national resource 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 to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-16444 Filed 7-17-74;8:45 am]

Office of Hearings and Appeals

[Docket No. M 74-150]

AMHERST COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 861(c) (1970)), Amherst Coal Company has filed a petition to modify the application of 30 CFR 75.305 to its Paragon Mine, Logan County, West Virginia.

30 CFR 75.305 reads in pertinent part as follows:

> In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety, idle workings, and insofar as safety considerations permit, abandoned areas * * *

In support of its petition to secure a waiver of 30 CFR 75.305, Petitioner states in pertinent part that:

1. It is impossible to make weekly examinations for hazardous conditions in those certain intake aircourse entries, consisting of Roads 327 through 332, in the Cedar Grove seam of coal in said mine.

2. The reason for such impossibility is that those intake aircourse entries, consisting of Roads 327 through 332, are blocked for passage of persons by a slate fall located approximately 1600 feet from their opening on Ruffner Hollow. However, the slate fall does not impair the flow of air to active areas of said mine.

3. Those entries are not used as an escapeway, there being approved escape routes in said mine.

4. Air passing through those entries does not pass over any electrical power lines, equipment, trolley lines, etc.

5. The alternative method which Petitioner proposes to establish in those entries in lieu of said mandatory standard is to make weekly examinations of all accessible areas of those entries as required by that standard. The alternative method will at all times guarantee no less than the same measure of protection afforded the miners by such standard, because those entries provide an adequate supply of air which does not pass over electrical power lines, equipment, trolley lines, etc., and is therefore, safer than air passing through other normal intake aircourses.

6. The application of said mandatory standard will result in a diminution of safety to miners at said mine because it will necessitate sealing off those entries because they cannot be examined in their entirety, and would necessitate the increasing of the volume of air entering said mine at other approved intakes, thereby increasing the velocity of intake air over existing track haulage and belt haulage systems, which would decrease safety.

Petitioner asserts that its proposed alternative will at all times afford the same protection as the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1974.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.74-16438 Filed 7-17-74;8:45 am]

[Docket No. M 74-151]

COUNTRY CLUB COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 861(c) (1970)), Country Club Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Nos. 6 and 7 Mines.

30 CFR 75.1405 provides:

> All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition to secure a waiver of 30 CFR 75.1405 Petitioner states in pertinent part that:

1. Cars subject to modification are small two-ton cars of an extremely old manufacture and no automatic couplers are available by any manufacturer.

2. A coupling pin is attached to a lever which extends to the side of the car and the pin remains in the hole in the bumper, thus making it unnecessary for a person to be between cars.

3. The link end has a rod attached permanently to the coupling link of the other car and extends out to the side of the car, thus making it unnecessary for personnel to be between cars.

4. Cars can be coupled and uncoupled by these rods with adequate clearance and safety provided employees.

5. The motorman can maneuver the coupling link to the bumper of the locomotive by said rod while remaining in his locomotive.

6. Cars that are the subject of this petition have been in use since 1954 and no accidents have occurred to any personnel.

7. This plan was initiated and instituted by pilot plan on one car in order to determine its efficacy.

8. Results determined by test and pilot project concluded that outstanding protection is afforded employees. This is indicated conclusively by fact that no employees are required to place any part of their bodies between any cars when coupling or uncoupling.

9. All personnel operating cars subject to modification are provided with training and safety orientation.

Petitioner's proposal is supported by schematic drawings of the proposed modification.

Petitioner asserts that its proposed alternative will at all times afford the same protection as the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1974.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.74-16439 Filed 7-17-74;8:45 am]

[Docket No. M 74-152]

INDIAN CREEK MINING CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c)

of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 861(c) (1970)), Indian Creek Mining Corporation has filed a petition to modify the application of 30 CFR 75.1405 to its Fort Grand Mine No. 1.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition to secure a waiver of 30 CFR 1405, Petitioner states in pertinent part that:

1. The dumping procedure used at this mine whereby the end dump cars are lowered into the tipple at a precarious angle would make the automatic coupler impossible to use.

2. The weight of the coupler that is required would necessitate the use of another man at the bottom of the slope to help remove the coupler before the hoist rope could be coupled to the loaded car.

3. The Sewickley seam of coal in this area has a raising and dipping characteristic which is compounded by the prior removal of the Pittsburgh seam located ninety (90) feet below. These knolls and swags do not allow for a level or standard grade of track that would be conducive to the self-uncoupling of the automatic couplers required.

4. All coupling and uncoupling is done from a blocked, stationary trip. All transportation personnel have been instructed and constantly reminded not to couple or uncouple cars from a moving trip.

5. Petitioner feels that the link and pin type of mine car hook-up that is being used at this time is a much safer method than the automatic coupler, because of the track condition and the hoist rope-to-mine car securing method that is needed to dump the loaded cars.

Petitioner's proposal is supported by schematic drawings.

Petitioner asserts that its proposed alternative will at all times afford the same protection as the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1974.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.74-16440 Filed 7-17-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

CHALLIS NATIONAL FOREST LIVESTOCK ADVISORY BOARD

Notice of Meeting

The Challis National Forest Livestock Advisory Board will meet at 1:00 p.m., July 31, 1974, at the Challis National Forest Supervisor's Office, Challis, Idaho.

This will be the annual meeting of the Advisory Board. The duties of the board are solely advisory and pertain generally to the regulations and/or instructions relating to the use of National Forest lands affecting the administration of grazing in the area represented by the board. There are no specific topics identified as yet. We will generally be discussing the past year's range management activities and the planned activities for Fiscal Year 1975.

The meeting will be open to the public. Persons who wish to attend should notify William R. Paddock, Challis National Forest Supervisor's Office, Challis, Idaho 83226 (area code 208-879-2285).

Any member of the public who wishes to do so shall be permitted to file a written statement with the committee, before or after the meeting.

To the extent that time permits, interested persons may be permitted by the committee chairman to present oral statements at the meeting.

Dated: July 1, 1974.

R. O. BENJAMIN,
Forest Supervisor.

[FR Doc.74-16413 Filed 7-17-74;8:45 am]

Office of the Secretary

MEAT IMPORT LIMITATIONS

Third Quarterly Estimate

Pub. L. 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles, prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act, the following third quarterly estimate is published.

1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1974 is 1,210.0 million pounds.

2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1974 is 1,027.9 million pounds.

Since the estimated quantity of imports continues to exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, under the Act limitations for the calendar year 1974 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lambs (TSUS 106.20), are required to be imposed but may be suspended. Such limitations were imposed by Proclamation 4272 of February 26, 1974, and were suspended for the balance of the calendar year 1974 unless because of changed circumstances further action under the Act becomes necessary.

Done at Washington, D.C., this 15th day of July 1974.

EARL L. BUTZ,
Secretary.

[FR Doc.74-16445 Filed 7-17-74;8:45 am]

Soil Conservation Service

SWAN CREEK WATERSHED PROJECT, ALABAMA

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Swan Creek Watershed Project, Limestone County, Alabama, USDA-SCS-ES-WS-(ADM)-73-31(F).

The environmental statement concerns a plan for watershed protection and flood prevention. The planned works of improvement provide for conservation land treatment, 12 miles of stream channel enlargement and 0.5 mile of stream channel clearing and shaping.

The final environmental statement has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, 138 South Gay Street, Auburn, Alabama 36830

Dated: July 11, 1974.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-16412 Filed 7-17-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-629; NADA No. 13-146V]

PFIZER INC.

Liquamycin Intramuscular With Lidocaine; Order Vacating Notice of Opportunity for Hearing

A notice of opportunity for hearing on a proposal by the Commissioner of Food

and Drugs to withdraw approval of new animal drug application No. 13-146V for Liquamycin Intramuscular with Lidocaine was published in the FEDERAL REGISTER of June 21, 1973 (38 FR 16257).

In response to the notice, Pfizer, Inc., 235 East 42d St., New York, NY 10017, holder of the application submitted a supplement to the application which included new information providing substantial evidence of effectiveness of the drug when used in dogs. All other conditions of use have been deleted from its labeling.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), the subject notice of opportunity for hearing is vacated.

Dated: July 11, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-16409 Filed 7-17-74;8:45 am]

[DESI 9955; Docket No. FDC-D-466; NDA 12-118]

RYSTAN CO.

Amylolytic Enzyme (Alpha Amylase); Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Application

The National Academy of Sciences-National Research Council, Drug Efficacy Study Group evaluated the effectiveness of the drug product described below, found the drug to be less than effective, and submitted its report to the Commissioner of Food and Drugs. Copies of that report have previously been made publicly available and are on display at the office of the Food and Drug Administration's Hearing Clerk. After reviewing the Academy's report and the available data and information, the Commissioner concluded in the FEDERAL REGISTER of June 25, 1970 (35 FR 10393) that the drug is possibly effective for certain labeled indications and lacking substantial evidence of effectiveness for its other indications.

NDA 12-118; Buclamase Tablets containing 10 mg. alpha amylase; Rystan Co., 117 Mount Vernon Avenue, Mount Vernon, NY 10550.

In response to the notice Rystan submitted information intended to support efficacy of the product.

The data submitted by Rystan failed to provide substantial evidence of effectiveness for Buclamase Tablets for the following reasons:

Although one controlled study (Morgan) reports that alpha amylase may be effective in controlling oral inflammation, it cannot by itself constitute substantial evidence of effectiveness. In any event, serious deficiencies render it less than adequate and well-controlled. For example, color photographs of the patients' mouths were taken before and after the dental procedures. These are said to confirm the effectiveness of Buclamase but they have never been submitted to the Agency. Failure to submit these objective data, which are said to be available and which represent far more useful objective data relating to the effectiveness of Buclamase than the wholly subjective assessments provided, renders the study incomplete at this time.

Further, with regard to methods used to minimize bias and assure blinding (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)), a serious question is raised by the use of the letter A on all vials of Buclamase Tablets and the letter B on all vials of placebo tablets. Such a simple code invites breakdown, and if the identity of the placebo and drug codes were known or guessed in relation to any patient, substantial bias would be introduced. This is of great concern, particularly since available objective data were not submitted. Without further details (for example, was the code broken for any patient prior to completion of the study? How has this been documented?), there is insufficient documentation as to the level and methods of blinding as required in 21 CFR 314.111(a)(5)(ii)(*a*)(*4*).

None of the other studies submitted (Monica, Michanowicz, Beauchamp, and Baxter) are adequately controlled or double blind and, on their face, fail to meet the requirements of adequate and well-controlled clinical investigations described in 21 CFR 314.111(a)(5)(ii)(*a*)(*3*) and (*4*).

On the basis of all of the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5), demonstrating the effectiveness of the drug.

Other drugs included in the notice of June 25, 1970, are not affected by this notice.

Therefore, notice is given to the holder(s) of the new drug application(s) and to all other interested persons that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) (or if indicated above, those parts of the application(s) providing for the drug product(s) listed above) and all amendments and supplements thereto on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice of opportunity for hearing to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (HFD-300), 5600 Fishers Lane, Rockville, MD 20852.

In addition to the ground(s) for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in § 310.6) e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR 310.314), the applicant(s) and all other persons subject to this notice pursuant to 21 CFR 310.6 are hereby given an opportunity for a hearing to show why approval of the new drug application(s) should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and of all identical, related, or similar drug products.

If an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 19, 1974, a written notice of appearance and request for hearing, and (2) on or before September 16, 1974, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this notice. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 130.14 as published and discussed in detail in the FEDERAL REGISTER of March 13, 1974 (39 FR 9750), recodified as 21 CFR 314.200 on March 29, 1974 (39 FR 11680).

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely

written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of any such drug product. Any such drug product may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice shall be filed in quintuplicate with the Hearing Clerk, Food and Drug Administration (HFC–20), Room 6–86, 5600 Fishers Lane, Rockville, MD 20852.

All submissions pursuant to this notice, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 52 Stat. 1052–53, as amended; 21 U.S.C. 355), and under authority delegated to the Director of the Bureau of Drugs (21 CFR 2.121).

Dated: July 10, 1974.

CARL M. LEVENTHAL,
Acting Director,
Bureau of Drugs.

[FR Doc.74–16411 Filed 7–17–74;8:45 am]

[DESI 12186; Docket No. FDC–D–694; NDA 12–186]

WYETH LABORATORIES

Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Application

The National Academy of Sciences-National Research Council, Drug Efficacy Study Group evaluated the effectiveness of the drug products described below, found the drugs to be less than effective, and submitted its report to the Commissioner of Food and Drugs. Copies of that report have previously been made publicly available and are on display at the office of the Food and Drug Administration's Hearing Clerk. After reviewing the Academy's report and the available data and information, the Commissioner concluded that the drugs are less than effective and published his conclusion in the FEDERAL REGISTER of February 26, 1971 (36 FR 3533), that the drugs are possibly effective and lacking substantial evidence of effectiveness for their labeling claims relating to gastrointestinal disorders.

Oxaine Suspension containing oxethazaine and aluminum hydroxide gel; and Oxaine M Suspension containing oxethazaine, aluminum hydroxide gel, and magnesium hydroxide; Wyeth Laboratories, Division American Home Products Corp., Post Office Box 8299, Philadelphia, PA 19101 (NDA 12–186).

Subsequent to the notice, Wyeth submitted data from two previously completed studies. These studies, described below, do not constitute substantial evidence demonstrating the effectiveness of these combination drugs.

In January, 1972, Wyeth submitted a summarization of a study by J. Alfred Rider, M.D. The study was a double-blind crossover controlled clinical comparison of Oxaine-M versus Aludrox (basically Oxaine-M without the topical anesthetic oxethazaine) involving 30 patients with symptomatic chronic esophagitis without stricture. By Wyeth's own analysis, with which the Food and Drug Administration agrees, the study did not demonstrate that each component contributes to the claimed effectiveness of the drug, as required by 21 CFR 3.86. The Director of the Bureau of Drugs notes that the NAS/NRC panels also raised a question as to whether oxethazaine is effective in the presence of an antacid.

In June, 1972, Wyeth submitted a copy of a report of a clinical study by Gerald Siffert, M.D. intended to evaluate the efficacy of oxethazaine with antacid in the control of symptoms of duodenal ulcer versus a standard antacid. Thirty-four patients completed the study. In January, 1974, the firm submitted a report of a study by Dr. Siffert. The data appeared to have been derived from the same study by Dr. Siffert which Wyeth submitted in June, 1972. While the Siffert study may suggest some benefit from use of the oxethazaine combination as compared to the oxethazaine alone, there are too many deficiencies to classify it as a well-controlled clinical trial meeting the requirements of 21 CFR 314.111 (a)(5). Among the deficiencies are: lack of definition and stratification as to degree of pain (§ 314.111(a)(5)(ii)(*a*)(2)(*i*)); lack of criteria for evaluating the relief of abdominal pain and heartburn (§ 314.111(a)(5)(ii)(*a*)(3)); lack of uniform or baseline diet (§ 314.111(a)(5)(ii)(a)(2) (*i*) and (*iii*); inappropriate analysis of dosage and insufficient summary tables of data (§ 314.111(a)(5)(ii)(a)(5)). Moreover, there has been no attempt to demonstrate that the combination product makes a contribution beyond that obtained from oxethazaine alone, as required under the combination drug policy (21 CFR 3.86).

The data from the above two studies do not provide substantial evidence of effectiveness of Oxaine-M.

Wyeth has submitted protocol of additional studies which are currently being conducted. Delay in implementation of the Drug Efficacy Study pending completion of the ongoing studies is not granted.

On the basis of all of the data and information now available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Act and 21 CFR 314.111(a)(5) and 21 CFR 3.86, demonstrating the effectiveness of the drugs.

Therefore, notice is given to the holder(s) of the new drug application(s) and to all other interested persons that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) (or if indicated above, those parts of the application(s) providing for the drug product(s) listed above) and all amendments and supplements thereto on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice of opportunity for hearing to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug produced named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (HFD–300), 5600 Fishers Lane, Rockville, MD 20852.

In addition to the ground(s) for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in § 310.6) e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt

from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR 310.314), the applicant(s) and all other persons subject to this notice pursuant to 21 CFR 310.6 are hereby given an opportunity for a hearing to show why approval of the new drug application(s) should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and of all identical, related, or similar drug products.

If an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 19, 1974, a written notice of appearance and request for hearing, and (2) on or before September 16, 1974, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this notice. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 130.14 as published and discussed in detail in the FEDERAL REGISTER of March 13, 1974 (39 FR 9750), recodified as 21 CFR 314.200 on March 29, 1974 (39 FR 11680).

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of any such drug product. Any such drug product may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice shall be filed in quintuplicate with the Hearing Clerk, Food and Drug Administration (HFC–20), Room 6–86, 5600 Fishers Lane, Rockville, MD 20852.

All submissions pursuant to this notice, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 52 Stat. 1052–53, as amended; 21 U.S.C. 355), and under authority delegated to the Director of the Bureau of Drugs (21 CFR 2.121).

Dated: July 3, 1974.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.74–16407 Filed 7–17–74;8:45 am]

Health Services Administration

INDIAN HEALTH ADVISORY COMMITTEE

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776), the Health Services Administration announces the renewal by the Secretary, DHEW, on June 28, 1974, with concurrence by the Office of Management and Budget Committee Management Secretariat, of the following advisory committee:

Designation. Indian Health Advisory Committee.

Purpose. The committee will advise the Secretary; Assistant Secretary for Health; Administrator, Health Services Administration; and Director, Indian Health Service on health and other related matters that have a bearing on the conduct of the Indian health program, as well as current and proposed regulations and policies.

Authority for this committee will expire June 30, 1976, unless the Secretary formally determines that continuance is in the public interest.

Dated: July 12, 1974.

ANDREW J. CARDINAL,
Associate Administrator for Management, Health Services Administration.

[FR Doc.74–16406 Filed 7–17–74;8:45 am]

MATERNAL AND CHILD HEALTH RESEARCH GRANTS REVIEW COMMITTEE

Renewal and Change of Name

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776) the Health Services Administration announces the renewal by the Secretary, DHEW, on June 28, 1974, with concurrence by the Office of Management and Budget Committee Management Secretariat, of the following advisory committee:

Designation. Maternal and Child Health Research Grants Review Committee, formerly the Maternal and Child Health Service Research Grants Review Committee.

Purpose. The committee will advise the Secretary and the Administrator, Health Services Administration, regarding research grants in the field of maternal and child health and review applications for grants to improve the operation, functioning, and general usefulness and effectiveness of maternal and child health services of all kinds by providing financial support for studies that may contribute to the advancement of health services for mothers and children.

Authority for this committee will expire June 30, 1976, unless the Secretary formally determines that continuance is in the public interest.

Dated: July 12, 1974.

ANDREW J. CARDINAL,
Associate Administrator for Management, Health Services Administration.

[FR Doc.74–16405 Filed 7–17–74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N–74–242]

SOUTHEAST FLORIDA PROPERTIES

Notice of Hearing

In the matter of Southeast Florida Properties, Addition No. 1, et al., Land Sales Enforcement Division Docket No. 74–55.

Notice is hereby given that:

1. Southern Colonization Company (later merged with Viking Communities Corporation), Robert Marlin, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated May 23, 1974, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45 (b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the developer's statement of record for Southeast Florida Properties, Addition No. 1, located in Okeechobee County, Florida, and the failure of the developer to amend the pertinent sections of the statement of record and property report.

2. The Respondent filed an answer June 5, 1974, in answer to the allegations contained in the notice of proceedings and opportunity for a hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge Frederick W. Denniston, in room 9262, Department of HUD Building, 451 7th Street, SW., Washington, D.C., on July 31, 1974, at 1:30 p.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410, on or before July 24, 1974.

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

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

Dated: July 8, 1974.

By the Secretary.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74-16458 Filed 7-17-74;8:45 am]

ATOMIC ENERGY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON DIABLO CANYON, UNITS 1 & 2

Notice of Meeting

JULY 12, 1974.

In accordance with the purposes of sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards' Subcommittee on the Diablo Canyon project will hold a meeting on August 1, 1974 in the Gold Room of the Royal Inn at 214 Madonna Road, San Luis Obispo, California. The purpose of this meeting will be to begin the Committee's formal review of a proposal to issue an Operating License for this facility. The Diablo Canyon Units 1 & 2 are adjacent to the Pacific Ocean in San Luis Obispo County approximately 12 miles WSW of the city of San Luis Obispo, California.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Thursday, August 1, 1974—11:30 a.m.-4:30 p.m.

The Subcommittee will hear presentations by Regulatory Staff and personnel of the Pacific Gas and Electric Company and their representatives and hold discussions with these groups pertinent to issuance of an Operating License for this facility.

In connection with the above agenda item, the Subcomittee will hold an executive session beginning at 11 a.m. which will involve a discussion of its preliminary views, and executive session at the end of the day, consisting of an exchange of opinions of the subcommittee members present and internal deliberations for the purpose of formulation of recommendations to the ACRS. In addition, the Subcommittee may hold closed sessions, with the Regulatory Staff and Applicants to discuss privileged information relating to fuel design and performance, if necessary.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the executive sessions at the beginning and end of the meeting will consist of an exchange of options and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that closed sessions may be held, if necessary, to discuss certain information relating to fuel design and performance which is privileged and falls within exemption (4) of 5 U.S.C. 552(b).

Any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical.

It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than July 25, 1974 to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the Diablo Canyon, Units 1 & 2 Final Safety Analysis Report and related documents on file (Dockets 50-275-OL and 50-323-OL) and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545 and the San Luis Obispo County Free Library, 888 Morro Street (P.O. Box X), San Luis Obispo, California 93406.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and is usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, during the afternoon portion of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on July 31, 1974 to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., e.d.t.

(e) Questions may be propounded only be members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street, NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portion of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., and within nine days at the San Luis Obispo County Free Library, 888 Morro Street (P.O. Box X), San Luis Obispo, California 93406. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, after October 1, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-16428 Filed 7-17-74;8:45 am]

[Dockets Nos. STN 50-456, STN 50-457]

COMMONWEALTH EDISON CO.

Availability of AEC Final Environmental Statement for the Braidwood Station, Units 1 and 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the final environmental statement prepared by the Commission's Directorate of Licensing related to the proposed Braidwood Station, Units 1 and 2 to be constructed by the Commonwealth Edison Company in north central Illinois, near the town of Braidwood, in Will County, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the Wilmington Township Public Library, 201 South Kankakee Street, Wilmington, Illinois. The final environmental statement is also being made available at the Illinois State Clearinghouse, Rm. 103 State House, Springfield, Illinois; the Northeastern Illinois Planning Commission, 400 W. Madison Street, Chicago, Illinois; and at the Kankakee County Regional Planning Commission, 291 South Harrison, City of Kankakee, Illinois.

The notice of availability of the draft environmental statement for the Braidwood Station, Units 1 and 2 with request for comments from interested persons was published in the FEDERAL REGISTER on April 8, 1974 (39 FR 12775). The comments received from Federal, state, and local officials and interested members of the public have been included as an appendix to the final environmental statement.

Single copies of the Final Environmental Statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 18th day of July 1974.

For the Atomic Energy Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Directorate of Licensing.

[FR Doc.74-16505 Filed 7-17-74;8:45 am]

LIGHT WATER BREEDER REACTOR PROGRAM

Preparation of Environmental Impact Statement and Plans for Public Hearing

Correction

In FR Doc. 74-15663 appearing on page 24947 in the issue of Monday, July 8, 1974, in the sixth line of the third paragraph, "LMFBR" should read "LWBR".

[Docket No. 50-267]

PUBLIC SERVICE COMPANY OF COLORADO

Issuance of Facility License Amendment

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 3 to Facility Operating License No. DPR-34 issued to Public Service Company of Colorado (licensee) which revised Technical Specifications for operation of the Fort St. Vrain Nuclear Generating Station (facility), located near Platteville in Weld County, Colorado. The amendment is effective as of its date of issuance.

The amendment permits (1) low power (<0.1 percent rated thermal power) operation during Phase 1 of the power ascension program with a helium environment as well as an air environment; and (2) imposing a limit on core outlet temperature of 250° F during operation in Phase 1 of the power ascension program.

The application for the amendment complies with the standards and requirements of the Act and the Commission's rules and regulations and the Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated June 20, 1974, (2) Amendment No. 3 to License No. DPR-34, with any attachments, and (3) the Commission's related Safety Evaluation. All of these are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Greeley Public Library, City Complex Building, Greeley, Colorado 80631.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Md., this 12th day of July 1974.

For the Atomic Energy Commission.

ROBERT A. CLARK,
Chief, Gas Cooled Reactors Branch, Direcorate of Licensing.

[FR Doc.74-16429 Filed 7-17-74;8:45 am]

U.S. NUCLEAR DATA COMMITTEE

Notice of Meeting

JULY 16, 1974.

A meeting of the U.S. Atomic Energy Commission's U.S. Nuclear Data Committee (USNDC) will be held at the Lawrence Berkeley Laboratory, Building 70A, Room 3377, Berkeley, California, on September 23-24, 1974. The meeting will begin at 9 a.m. and will end at approximately 4:30 p.m. each day. The entire meeting will be open to the public.

The preliminary agenda for the meeting is as follows:

MONDAY, SEPTEMBER 23, 1974

9:00 am—Administrative Matters
10:00 am—Reports of Subcommittees
1:00 pm—LUNCH
2:00 pm—Program Reviews
4:00 pm—Activities of the EANDC

TUESDAY, SEPTEMBER 24, 1974

9:00 am—Review of the Table of Isotopes Project
10:30 am—U.S. Nuclear Data Needs
1:00 pm—LUNCH
2:00 pm—Compilation and Evaluation
2:45 pm—Status Reports
3:30 pm—Conferences
4:15 pm—Recommendations

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items listed above, the following requirements shall apply:

(a) Person wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than September 9, 1974, to the Chairman, U.S. Nuclear Data Committee (Dr. H. E. Jackson), Physics Division, Argonne National Laboratory, Argonne, Illinois 60439. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman, between the hours of 3:00 pm and 4:00 pm on September 23, and between 2:30 pm and 3:30 pm on September 24, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of this committee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call to the office of the Chairman of the U.S. Nuclear Data Committee (Dr. Jackson), telephone: 312-739-3971.

(e) Questions may be asked by members only of the committee and its consultants.

(f) Seating for the public will be available on a first-come, first-serve basis.

(g) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after October 28, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-16619 Filed 7-17-74;10:37 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25519; Order 74-7-56]

AVIATION CONSUMER ACTION PROJECT

Order Denying Petition Regarding Transatlantic Passenger Charter Rate Discussions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 15th day of July 1974.

By petition filed May 24, 1974, the Aviation Consumer Action Project (ACAP) requests reconsideration of Order 74-5-89 dated May 17, 1974, which authorized discussions on transatlantic charter rates in response to a petition filed by the National Air Carrier Association (NACA), Pan American World Airways, Inc. (Pan American), and Trans World Airlines, Inc. (TWA). Specifically, ACAP requests the Board to amend its order to require that (1) a verbatim transcript be kept and filed with the Board within 7 days of the close of each meeting; (2) discussions be opened to the public; and (3) members of the public be notified at least seven days in advance of the meetings.

In support thereof, ACAP contends that the Board has previously recognized that the public interest is best served by allowing members of the public to attend inter-carrier discussions, and cites recent Board action to this end in authorizing discussions between Pan American and TWA on pooling and capacity reductions in certain transatlantic markets.[1] ACAP further alleges that, based on its observations of the airline industry, the presence of observers is required to prevent undesirable and dangerous anticompetitive effects, and that under the conditions set by the Board in its May order the only public knowledge of the meetings will be minutes filed two weeks later; that these minutes are merely summaries which may exclude many meaningful exchanges, such as "informal" and "off-the-record" conversations of interest to the public; and that the danger of this lack of knowledge is compounded by the lack of assurance that a government observer will be present.

Both NACA and Pan American[2] have replied requesting that the relief sought by ACAP be denied. In general, both NACA and Pan American state that the Board's previous orders[3] authorizing transatlantic charter rate discussions did not impose the conditions that ACAP now seeks; and that at the previous charter rate discussions nothing occurred which would indicate the need for greater safeguards beyond those already imposed by the Board. It is contended that the conditions imposed by the Board are similar to those long applicable to IATA conferences dealing with scheduled service rates and fares; that the particularly stringent conditions in the Board's orders authorizing pooling and capacity-reduction discussions, cited as precedent by ACAP, are inappropriate here since such conditions were established in view of the unprecedented character, far-reaching nature, and broad scope of the discussions while in the instant case the discussions are limited to transatlantic charter rates and are similar to those which IATA has engaged in for years; and that requirements sought by ACAP could seriously hamper the discussions, especially in the case of foreign carriers whose cooperation is vital to successful agreement, by inhibiting a candid exchange and disclosure of proprietary information.

Additionally, NACA states its belief that, in requiring accurate minutes to be kept and that any agreement reached be approved by the Board prior to implementation, the Board has adequately safeguarded the public interest. The additional requirements sought by ACAP would, therefore, allegedly serve no useful purpose.

Upon consideration of ACAP's petition and the replies by NACA and Pan American, the Board has concluded to let its authorization stand as originally conditioned. In our opinion, ACAP has made no compelling demonstration that, in this particular case, the public interest would be best served by requiring that these discussions be open to the public, or that the public at large should be given seven days advance notice of the meetings.

The Board's action merely granted the applicants (NACA, Pan American, and TWA) authority to engage in discussions concerning the narrow area of transatlantic passenger charter rates. The nature of the discussions and the conditions imposed are similar to the nature of, and conditions imposed with respect to, the IATA ratemaking conference machinery. The precedent cited by ACAP with respect to the Board's treatment of pooling and capacity-reduction discussions is not, in our opinion, persuasive in this instance. In the case of the pooling/capacity-reduction discussions, the Board required more open discussions because of the wide-ranging nature of the topics at hand, and the risk that instances or parallel or anticompetitive actions arising from such talks would not be reflected in minutes or, more specifically, in agreements and tariffs filed with the Board. Here, the discussions are confined to a relatively narrow area of ratemaking where the possibilities for parallel or anticompetitive actions are substantially diminished.

Moreover, the transatlantic passenger charter rates discussions will involve foreign carriers whose philosophies concerning the appropriate confidentiality of information vary considerably. It has been the Board's experience in dealing with IATA matters, that foreign carriers are extremely reluctant to hold meaningful discussions in public. The various foreign carriers and their governments also hold disparate philosophies as to the appropriate level of transatlantic charter rates, and the role of passenger charter operations in international air transportation. Thus, conditions such as requested by ACAP might inhibit the free flow and exchange of information necessary to compromise and agreement, and, instead, create an atmosphere in which the discussions would become merely an exercise in negotiating technique with little chance of agreement.

In any event, any agreement reached must be submitted with appropriate documentation and justification for evaluation and disposition by the Board, as is the case with all IATA agreements. At that time all interested persons and parties will be invited to submit their comments and/or objections. Similarly, in the absence of formal agreement, any separate tariffs filed by U.S. carriers must be accompanied by economic data justifying the proposed rates and are subject to complaint and the Board's powers of suspension.

Finally, our outstanding authorization is subject to the condition that any interested person may advise a carrier participant of his interest in the discussions and shall receive, upon request, all notices and agendas of the meetings, as well as an opportunity to submit comments on agenda matters and to request a personal appearance. We believe that these requirements adequately safeguard the public interest, and that the present requirement that accurate minutes and all documentation pertaining to the discussion be filed within two weeks of each meeting will provide a satisfactory record.

For the above reasons the Board finds that ACAP's petition for reconsideration does not raise issues of sufficient merit to warrant amendment of Order 74-5-89, and the petition will, therefore, be denied.

Accordingly, It is ordered, That:

The petition for reconsideration of Order 74-5-89 filed by Aviation Consumer Action Project is denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-16443 Filed 7-17-74;8:45 am]

[Docket No. 25280; Order 74-7-42]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rate Matters

Issued under delegated authority July 11, 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

[1] Order 74-4-104, April 19, 1974; Order 74-5-76, May 15, 1974.

[2] Pan American concurrently filed a motion for leave to file a late-filed document, which will be granted.

[3] Order 73-6-79, June 19, 1973; Order 73-10-99, October 26, 1973.

Transport Association (IATA). The agreement, which has been assigned the above-designated C.A.B. agreement number, was adopted by mail vote.

This agreement would amend the existing IATA Resolution pertaining to bulk unitization rates by specifying charges and rates between Athens, Greece and Sydney, Australia, as a consequence of Olympic Airways' operation of B–747 equipment on this route.

We will approve the agreement to the extent that it affects rates that are combinable with rates to/from United States points and thus has indirect application in air transportation as defined by the Act.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, which are incorporated in Agreement C.A.B. 24506 and which do not directly affect air transportation within the meaning of the Act, are adverse to the public interest or in violation of the Act:

JT23 (Mail 341) 535

Accordingly, it is ordered, That:

Agreement C.A.B. 24506 be and hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–16572 Filed 7–17–74;8:45 am]

[Dockets Nos. 26057, 26075; Order 74–7–33]

PAN AMERICAN WORLD AIRWAYS, INC.

Order Authorizing Discussions

Correction

In FR Doc. 74–16035 appearing at page 25683 in the issue of Friday, July 12, 1974, in the third column on page 25683, in the last line of the third complete paragraph, insert the word "air" after the word "supplemental".

[Docket No. 26861, Order 74–7–59]

TRANS WORLD AIRLINES, INC.

Order of Rejection Regarding Application for Extension of Embargo

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of July 1974.

Trans World Airlines, Inc. (TWA) by Embargo Notice No. TWA 74–1, effective June 15, 1974, gave notice that it was embargoing "CAT III Radioactive Shipments on Passenger Aircraft only excluding CAT III Medicines." The embargo notice bore an expiration date of July 15, 1974. The embargo was on TWA systemwide passenger flights for all passenger equipment and all passenger flights. The stated reason for the embargo was to avoid possibility of incidents which have occurred on some carriers. On July 11, 1974, TWA submitted an application for extension of this embargo accompanied by Extension of Embargo Notice No. TWA 74–1 bearing an indefinite expiration date. The traffic embargoed, the points affected by the embargo, the equipment, the facilities, and the reason for the extension of the embargo were the same as set forth in the original Notice of Embargo described above.

The Board's Economic Regulations Part 228, Embargoes on Property, (14 CFR Part 228) provide, inter alia, that "embargo" means the temporary refusal by an air carrier to accept for transportation property where because of lack of facilities, personnel, other priority traffic or because of other compelling reasons not within the control of the carrier, it is temporarily unable to perform all of the transportation services requested of it. The regulations provide that no embargo shall extend beyond 30 days from the initial effective date except that any carrier who finds it necessary to continue in effect any embargo for more than 30 days from the initial effective date may file an application for authority to extend such embargo for more than 30 days. The regulations further provide that an application to extend embargoes, if filed later than 10 days following the initial effective date of the embargo, will be accepted only if it includes or is accompanied by a showing of good cause why such application could not be filed earlier. In this regard, TWA's filing states only that "TWA was unable to file this application within 10 days of the initial effective date of the embargo because it was not (sic) known at that time whether the problems in handling these shipments could be resolved within the original embargo period."

Upon consideration of the application and relevant materials, the Board finds that the public interest requires that it act upon this application without waiting for answers to the application or replies thereto and will reject such application. The Board's embargo regulations clearly contemplate that embargoes shall not extend beyond the initial 30-day period except where the carrier finds it necessary to continue the embargo for more than 30 days and upon a filing for the extension of such embargo which application is to be filed not later than 10 days following the initial effective date unless accompanied by a showing of good cause why such application could not have been filed earlier. TWA's basis for the late filing set forth in the above does not constitute good cause for late filing. If, as the carrier asserts, it was not known that its asserted problems in handling the traffic involved could be resolved within the 30-day period it was incumbent upon it to file a timely application for extension. This requirement is not simply a technical provision to burden the carriers. The Board's embargo regulations provide for the serving and posting of such application and make provisions for interested persons to file an answer in opposition to or in support of an application within 7 days after the filing thereof. Under the time frame available for consideration of TWA's application for embargo extension, the Board would have no time prior to July 15th to consider answers or replies in determining whether or not to extend an embargo for a specific period.[1]

Further comment is warranted as to why the Board cannot find that it should issue an order extending the embargo as requested. Section 228.2(c) of the regulations provides that the embargo regulations should not be construed as relieving any carrier, during the initial 30-day embargo period or for any period that such embargo is automatically extended, of any duty otherwise imposed upon it to furnish transportation service or to observe all requirements of the Federal Aviation Act, and the rules and regulations thereunder. Thus TWA has not been relieved of its obligations to provide service under its certificate authority. In Order 74–6–77, dated June 14, 1974, the Board, inter alia, rejected a tariff proposal of TWA refusing to accept Fissile Class III materials, stating that we believed that TWA's common carrier responsibilities require that the airline accept such shipments under tariff rules in general conformity with the regulations of the Department of Transportation and the Federal Aviation Administration (DOT/FAA). The Board also noted the fundamental jurisdictional questions as to the respective authority of the Board and DOT/FAA involving the refusal of a carrier to transport property based upon safety considerations and the position of DOT thereon.[2]

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[1] Under our regulations, the 30-day limitation does not apply pending disposition by the Board of the embargo application. Thus prompt action is required or the embargo will be automatically extended.

[2] In that order, in connection with tariff proposals of other carriers providing for nonacceptance of restricted articles in containers, the Board noted contentions submitted by DOT that:

"It is the responsibility and duty of the Department of Transportation/Federal Aviation Administration ("DOT/FAA") to prescribe rules and regulations necessary to provide for safety in air commerce under Title VI of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1421 et seq.). Pursuant to that authority and responsibility, Part 103 was promulgated by the FAA and prescribes rules for loading and carrying dangerous articles and magnetized materials in civil aircraft. Part 103 now authorizes containerized shipments of dangerous articles aboard aircraft within safety limitations therein set forth. While the FAA recently published for public comment a notice of proposed rulemaking[1] proposing certain changes in Part 103, DOT/FAA does not have any information which would justify an embargo of

DOT's position, noted below, has been adopted by the Atomic Energy Commission (AEC). In a letter to the Director, Office of Consumer Affairs, dated June 20, 1974, the AEC requested rejection of TWA's original Embargo Notice stating that TWA has a common carrier responsibility to handle all properly packaged shipments and that any restrictions regarding the carriage of radioactive materials by air properly belong in the FAA Regulations. While the Board did not take action upon this informal request relating to the original 30-day embargo, official notice of the AEC position is taken in consideration of our action herein.[2] For the same basic reasons set forth in the above order the Board will not issue an order extending TWA's initial embargo.

Accordingly, pursuant to the provisions of the Federal Aviation Act of 1958, and particularly sections 204(a), 404 and 1111, and the provisions of Part 228 of the Board's Economic Regulations, (14 CFR Part 228):

It is ordered, That:

1. The application for extension of embargo filed by Trans World Airlines, Inc., in Docket 26861 is hereby rejected.

2. Copies of this Order will be served upon Trans World Airlines, Inc., the Department of Transportation, and the Atomic Energy Commission.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-16442 Filed 7-17-74;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, July 31, 1974, to continue discussions on the fiscal year 1975 comparability adjustment for the statutory pay systems of the Federal Government.

The Director of the Office of Management and Budget and the Chairman of the U.S. Civil Service Commission, in carrying out their joint responsibility as President's agent under 5 U.S.C. 5305 and Executive Order 11721, have established the Federal Employees Pay Council as a forum for discussions with the representatives of Federal employee organizations of a wide variety of issues relating to the setting of pay for the Federal statutory pay systems. Public disclosure of the issues raised and positions taken in these labor-management discussions would inhibit the exchange of candid views, and would thereby severely limit the effectiveness of the Federal Employees Pay Council as a means by which Federal employees organizations can play a meaningful role in the Federal pay comparability process.

Therefore, in accordance with the provisions of section 10(d) of the Federal Advisory Committee Act, the President's agent has determined that this meeting of the Federal Employees Pay Council will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.74-16448 Filed 7-17-74;8:45 am]

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, July 24, 1974, to continue discussions on the fiscal year 1975 comparability adjustment for the statutory pay systems of the Federal Government.

The Director of the Office of Management and Budget and the Chairman of the U.S. Civil Service Commission, in carrying out their joint responsibility as President's agent under 5 U.S.C. 5305 and Executive Order 11721, have established the Federal Employees Pay Council as a forum for discussions with the representatives of Federal employee organizations of a wide variety of issues relating to the setting of pay for the Federal statutory pay systems. Public disclosure of the issues raised and positions taken in these labor-management discussions would inhibit the exchange of candid views, and would thereby severely limit the effectiveness of the Federal Employees Pay Council as a means by which Federal employees organizations can play a meaningful role in the Federal pay comparability process.

Therefore, in accordance with the provisions of section 10(d) of the Federal Advisory Committee Act, the President's agent has determined that this meeting of the Federal Employees Pay Council will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.74-16447 Filed 7-17-74;8:45 am]

DEPARTMENT OF AGRICULTURE

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 Agriculture to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary for Real Property, Immediate Office.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16449 Filed 7-17-74;8:45 am]

DEPARTMENT OF COMMERCE

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 Commerce to fill by noncareer executive assignment in the excepted service the position of Deputy Director, Office of Policy Development, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-14655 Filed 7-17-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Director, Office of Special Concerns, Office of the Assistant Secretary for Planning and Evaluation, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16450 Filed 7-17-74;8:45 am]

containerized shipments of dangerous articles on safety grounds.

"[1] 39 FR 14612 (Apr. 25, 1974)."

In response to these contentions, the Board stated:

"The pleadings herein raise fundamental questions regarding the respective jurisdictions of the Board and the DOT/FAA, with respect to carrier tariff provisions which are premised upon safety considerations. While we are not prepared to resolve these questions definitively at this time, we accept in principle the statement of DOT concerning its responsibility and duty. Further, our own regulations, Section 221.38(a)(5), provide that tariff rules relating to the transportation of explosives and other dangerous or restricted articles shall be in conformity with Part 103 of the Federal Aviation Regulations."

[2] Other informal complaints against the original embargo have been received from Technical Operations Incorporated and Atomic Industrial Forum Inc.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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 Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Commissioner for Planning, Evaluation and Management, Office of the Deputy Commissioner for Planning, Evaluation and Management.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16451 Filed 7-17-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

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 Environmental Protection Agency to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Administrator for Research and Environmental Assessment, Office of the Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16454 Filed 7-17-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

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 Federal Communications Commission to fill by noncareer executive assignment in the excepted service the position of Deputy Chief, Cable Television Bureau.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16453 Filed 7-17-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

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 Office of Management and Budget to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Director, Office of the Director.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16452 Filed 7-17-74;8:45 am]

SALES STORE CLERICAL SERIES, DENVER, COLORADO

Notice of Establishment of Minimum Rates and Rate Ranges; Correction

In the FEDERAL REGISTER of Friday, July 12, 1974, FR Doc. 74-16050, the document appearing on page 25687 incorrectly stated the series as "Sales Store Checkers—Denver, Colorado"—it should appear as "Sales Store Clerical Series—Denver, Colorado". The effective date of this document was also inadvertently omitted, it should read: "Effective Date: First day of first pay period on or after July 21, 1974."

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-16446 Filed 7-17-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN NICARAGUA

Entry or Withdrawal From Warehouse for Consumption

JULY 12, 1974.

On September 5, 1972, the United States Government concluded a comprehensive bilateral cotton textile agreement with the Government of Nicaragua concerning exports of cotton textiles and cotton textile products from Nicaragua to the United States over a five-year period beginning August 1, 1972. The agreement was amended by exchange of notes between the two governments, dated January 9 and January 18, 1974. Among the provisions of the agreement, as amended, are those establishing an aggregate limit for the 64 categories and within the aggregate limit specific limits on Categories 9/10 and 22/23 for the agreement year beginning August 1, 1974.

Accordingly, there is published below a letter of July 12, 1974, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textile products in Categories 9/10 and 22/23 produced or manufactured in Nicaragua which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning August 1, 1974, be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229.

JULY 12, 1974.

DEAR MR. COMMISSIONER: Pursuant to the Bilateral Cotton Textile Agreement of September 5, 1972, as amended, between the Governments of the United States and Nicaragua, and in accordance with Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning August 1, 1974 and extending through July 31, 1975, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 9/10 and 22/23, produced or manufactured in Nicaragua, in excess of the following twelve-month levels of restraint:

Category	*12-Mo. level of restraint*
9/10	square yards... 2,756,250
22/23	do.... 2,756,250

In carrying out this directive, entries of cotton textile products in Categories 9/10 and 22/23, produced or manufactured in Nicaragua and which have been exported prior to August 1, 1974, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period August 1, 1973 through July 31, 1974. In the event that the levels of restraint established for the twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 5, 1972, as amended, between the Governments of the United States and Nicaragua which provide, in part, that within the aggregate limit, the limitations on Categories 9/10 and 22/23 may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustment pursuant to the provisions of the bilateral agreement referred to above will be made to you by further letter.

A detailed description of the categories in terms of TSUSA numbers was published in the FEDERAL REGISTER on January 25, 1974 (39 FR 3430).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles and cotton textile products from Nicaragua 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 rulemaking

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.74-16404 Filed 7-17-74;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

AUTOMATIC DISHWASHER INTERLOCK SAFETY DEVICE

Denial of Petition

By letters of March 6 and 28, 1974, Consumers Union (CU), publisher of Consumer Reports, reported that in the course of testing for one of its reports it discovered certain models of automatic dishwashers which, under some circumstances, would not shut off when opened during operation. It stated that these dishwashers are hazardous because a curious child or adult opening the door could be splashed and burned by hot, caustic wash water if the door had been improperly latched when the dishwasher was started.

Involved were a Frigidaire model and two Wards Signature models, manufactured by Frigidaire. CU described the alleged hazard as follows:

> The three hazardous Frigidaire and Wards dishwashers employ identical door interlock systems which require a door latching lever to be moved from left to right to lock the door and start the machines. The lever, in its left-most position, cannot be moved when the door is open and the dishwasher is off. As the door is being closed a projection on the washer door frame releases the latching lever so it may be moved to the right. However, once the lever has been so released it may be moved to the right whether the door remains closed or open. Since the safety switch senses only whether the lever has been moved fully to the right and not whether the door has been firmly closed and locked, the dishwasher will operate regardless of the door position. It should be noted that in order for the hazardous mode to occur, the door must be pulled slightly ajar from where it was when the latching lever was released. This may be accomplished by a slight pull on the lever as it is being moved to the right. The dishwasher door can thus appear to be locked but can be pulled open without shutting off. If this occurs during a wash portion of the cycle, hot wash water containing dissolved, caustic dishwasher detergent will be violently splashed out of the machine.

CU requested that the Commission consider whether this interlock mechanism is an imminent hazard under section 12(a) of the Consumer Product Safety Act and that it undertake regulatory action looking toward promulgation of appropriate consumer product safety standards for home appliance interlocks (section 7 of the Act). (CU also alleged that two General Electric dishwashers had hazardous interlock devices, but after further consideration, it informed the Commission that it no longer believed these machines constituted an imminent hazard.)

The Commission has determined to deny Consumers' petition for the following reasons:

(1) Although it appears that the interlock involved has been placed by Frigidaire in some 1.5 million dishwashers over a period of nine years, the Commission has not found nor been informed of any injuries known to have resulted from this interlock device.

(2) The likelihood that a person would be sprayed by the wash water is not great primarily because a person would have to manipulate the door in a very special manner to defeat the interlock. *And, providing,* The foregoing, washing sounds and leaking water would probably warn the person not to open the door and if he or she did open the washer, the door in its initial partially open state would probably shield the person from the water spray.

(3) Testing done by the Commission's staff indicated that a typical dishwasher detergent solution at least as caustic and as hot as that likely to contact a person opening a dishwasher door is not an eye irritant.

Therefore, in the unlikely event that the dishwaster door accidentally opens during the wash cycle, it appears that neither the temperature of the water nor its causticity would present an "imminent and unreasonable risk of death, serious illness, or severe personal injury," or that these dishwashers are "imminently hazardous consumer product(s)." (Sec. 12(a) of the Consumer Product Safety Act.) Accordingly, it is concluded that the matter of a consumer product safety standard for dishwasher interlocks needs no further study at this time.

Pursuant to section 10(d) of the Consumer Product Safety Act (15 U.S.C. 2059(d)), notice is hereby given that the CU petition is denied.

Dated: July 15, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-16389 Filed 7-17-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

EFFLUENT STANDARDS AND WATER QUALITY INFORMATION ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given of a meeting of the Effluent Standards and Water Quality Information Advisory Committee, established under section 515 of the Federal Water Pollution Control Act ("The Act") 33 U.S.C. 1374, Pub. L. 92-500, to be held in Building No. 2, Crystal Mall, Arlington, Virginia, Monday and Tuesday, August 12 and 13, 1974. A schedule of the individual workshop rooms will be posted in Room 821, Building No. 2, Crystal Mall.

The agenda for this meeting will be directed toward an intensive exploratory analysis through workshops for each of the following industries: Ore Mining and Dressing; Miscellaneous Food and Beverages; Machinery and Mechanical; and Water Supply, with the intentions of discovering through these early inputs, from all concerned persons, the proper structuring of data within the framework of the contractor's future document, to achieve the technologically and scientifically acceptable Effluent Limitations.

Attendees are requested to bring to these workshops information in writing to meet the above objective. In addition, as a result of these workshops, additional data and information requirements may be generated from attendees.

The workshops will be open to the public and under the overall direction of the Committee Chairman. Individual workshops will be conducted by members of ES&WQIAC. Any member of the public wishing to attend or participate should contact Dr. Martha Sager, Chairman, ES&WQIAC, Room 821, CM No. 2, Washington, D.C. 20460. Tel: (703) 557-7390.

MARTHA SAGER,
Chairman, ES&WQIAC.

[FR Doc.74-16434 Filed 7-17-74;8:45 am]

[FRL-237-3; OPP-32000/84]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION DATA TO BE CONSIDERED IN SUPPORT OF APPLICATIONS

On November 19, 1973, the Environmental Protection Agency (EPA) 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. This policy provides that EPA will, upon receipt of every application for registration, 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.

On or before September 16, 1974, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the 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 after this September 16, 1974.

APPLICATION RECEIVED

EPA Reg. No. 264–138. Amchem Products, Inc., Brookside Ave., Ambler PA 19002. AMIBEN PREEMERGENCE HERBICIDE. Active Ingredients. Ammonium salt of chloramben [3-amino-2,5-dichlorobenzoic acid] 21.1%; Ammonium salts of related aminodichlorobenzoic acids 2.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 264–222. Amchen Products, Inc., Brookside Ave., Ambler PA 19002. WEED-ONE 170 WOODY PLANT HERBICIDE. Active Ingredients: 2,4-Dichlorophenoxypropionic acid, butoxyethanol ester 32.2%; 2,4-Dichlorophenoxyacetic acid, butoxyethanol ester 31.6%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 475–RIT. Boyle-Midway Inc., South Ave. & Hale St., Cranford NJ 07016. BLUE AUTOMATIC SANI-FLUSH TOILET CLEANER & ODORIZER. Active Ingredients: 5-chloro-2-(2,4-dichlorophenoxy) phenol 0.97%; Sodium Xylene sulphonate 1.00%; Essential Oils 1.25%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1757–UT. Drew Chemical Corp., 701 Jefferson Rd., Parsippany NJ 07054. DREWSPERSE 782 FOR CONTROL OF BACTERIA, FUNGI AND INORGANIC DEPOSITS. Active Ingredients: Bis (trichloromethyl) sulfone 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 168–ULU. Entrada Industries, Wasatch Chemical Division, P.O. Box 6219, Salt Lake City, UT 84106. GRASS & WEED SEED KILLER WITH TREFLAN. Active Ingredients: Trifluralin (a,a,a-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine) 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279–1396. FMC Corp., Agricultural Chemical Division, 100 Niagara St., Middleport NY 14105. STREPTOMYCIN 1500 DUST. Active Ingredients: Streptomycin 0.15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279–2667. FMC Corp., Agricultural Chemical Division, 100 Niagara St., Middleport NY 14105. SULFUR 50 DIBROM 4 SEVIN 5 DUST. Active Ingredients: Carbaryl; 1-napthyl N-methylcarbamate 5.00%; Naled; 1,2-dibromo-2,2-dichloroethyl dimethyl phosphate 4.00%; Sulphur 50.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 869–61. Green Light Co., P.O. Box 16192, San Antonio TX 78246. GREEN LIGHT LIQUID EDGER. Active Ingredients: Erbon 2-(2,4,5-Trichlorophenoxy) ethyl 2,2-dichloropropionate 3.40%; Related compounds 1.21%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 31970–U. Haynes Chemical Co., P.O. Box 30, East Grand Forks MN 56721. MCPA AMINE. Active Ingredients: Dimethylamine salt of 2-methyl-4-chorophenoxy-acetic Acid 52.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11724–GI. Intex Products, Inc., P.O. Box 6648, Greenville SC 29606. INTEX KOOLKLOR 8090. Active Ingredients: Sodium Dichloro-s-triazinetrione 34.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 335–ERR. Pennwalt Corp., Three Parkway, Philadelphia PA 19102. ACCOMPLISH LOW FOAM CONCENTRATED ACID-ANIONIC SURFACTANT SANITIZER. Active Ingredients: Phosphoric Acid 37.50%; Dodecylbenzene Sulfonic Acid 4.85%; Sodium Mono (1-alkenyl) Phenoxybenzene Disulfonate 3.15%; Sodium Di (1-alkenyl) Phenoxybenzene Disulfonate 1.35%; Sodium Methyl and Dimethyl Naphthalene Sulfonate 5.00%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 904–EELI. B. G. Pratt Division, Gabriel Chemicals Ltd., 204 21st Ave., Paterson NJ 07509. BENOMYL 50W SYSTEMIC FUNGICIDE. Active Ingredients: Benomyl [Methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate] 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 201–332. Shell Chemical Co., A Division of Shell Oil Co., Agricultural Division, Suite 200, 1025 Connecticut Ave., Washington DC 20036. BLADEX 15G GRANULAR HERBICIDE. Active Ingredients: 2-(4-chloro-6-ethylamino-s-triazin-2-ylamino)-2-methylpropionitrile 15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33071–E. Southchem, Inc., 750 E. Markham Ave., Durham NC 27701. SOUTHCHEM TOWER CONTROL. 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 33871–R. Southchem, Inc., 750 E. Markham Ave., Durham NC 27701. SOUTHCHEM ALGAE CONTROL. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene (dimethyliminio)ethylene dichloride] 15.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 476–2107. Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804. ORDRAM 8–E. Active Ingredients: S–ethyl hexahydro - 1H - azepine - 1 - carbothioate 90.9%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 20004–G. Traylor Chemical & Supply Co., P.O. Box 7937, 1911 Lockwood Way, Orlando FL 32804. TRACO ARSENIC ACID. Active Ingredients: Arsenic Acid 75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 400–82. Uniroyal, Amity Rd., Bethany CT 06525. OMITE 30W AGRICULTURAL MITICIDE. Active Ingredients: 2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite 30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1616–RNT. Warren-Douglas Chemical Co., Inc., 3002 F St., Omaha NE 68107. WARLASCO POOL ALGAECIDE NF. Active Ingredients: Poly[oxyethylene-(dimethyliminio) ethylene (dimethyliminio)ethylene dichloride] 10.0%. Method of support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1616–RNI. Warren-Douglas Chemical Co., Inc., 3002 F St., Omaha NE 68107. WARLASCO TOWER ALGAECIDE NF. Active Ingredients: Poly[oxyethylene-(dimethyliminio)ethylene(dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 15136–1. Wave Energy Systems, Inc., 600 Madison Ave., New York, NY 10022. SONACIDE STERILIZING AND DISINFECTING SOLUTION. Active Ingredients: Glutaraldehyde (1,5 Pentanedial) 2%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 52–EGI. West Chemical Products, Inc., 42–16 West St., Long Island City NY 11101. DONE–4 BRUSH AND WEED KILLER. Active Ingredients: (3-phenyl-1-dimethylurea trichloroacetate) 12.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2935–389. Wilbur-Ellis Co., P.O. Box 1286, Fresno CA 93715 RED-TOP NUSAN 30 E.C. Active Ingredients: 2-(thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(b) of interim policy.

REPUBLISHED ITEMS

The following items represent a correction and/or change in the list of Applications Received published in the FEDERAL REGISTER of July 8, 1974 (39 FR 24949).

EPA File Symbol 1202–ETA. Puregrow Co., 1052 W. 6th St., Los Angeles CA 90017. DIBROM SEVIN DUST 4–10. Published as EPA File Symbol 1202–ETI.

EPA File Symbol 6121–RE. Sterling Chemical Products, P.O. Box 2185, Memphis TN 38101. STERLING PINE ODOR DISINFECTANT. Published as EPA File Symbol 6121–RG.

EPA File Symbol 6121–RG. Sterling Chemical Products, P.O. Box 2185, Memphis TN 38101. STERLING MINT ODOR DISINFECTANT. Published as EPA File Symbol 6121VRG.

Dated: July 11, 1974.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.74–16385 Filed 7–17–74;8:45 am]

FEDERAL POWER COMMISSION

[Rate Schedule No. 30, etc.]

AMERADA HESS CORP. ET AL.

Notice of Rate Change Filings

JULY 11, 1974.

Take notice that the producers listed in the Appendix attached below have filed proposed increased rates to the applicable area new gas ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 639, issued December 12, 1972.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before August 2, 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.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
June 25, 1974	Amerada Hess Corp., 1200 Milam, 6th floor, Houston, Tex. 77002.	30	Northern Natural Gas Co.	Permian Basin.
Do	do	51	do	Do.
June 21, 1974	Getty Oil Co., P.O. Box 1404, Houston, Tex. 77001.	18	Natural Gas Pipeline Co. of America.	Texas Gulf Coast.
June 24, 1974	do	5	do	Do.
June 26, 1974	Champlin Petroleum Co., Attention: Mr. William S. Jones, P.O. Box 9365, Fort Worth, Tex. 76107.	5	Tennessee Gas Pipeline Co.	Do.

[FR Doc.74-16395 Filed 7-17-74;8:45 am]

[Dockets Nos. RP73-85, RP73-86]

COLUMBIA GULF TRANSMISSION CO. AND COLUMBIA GAS TRANSMISSION CORP.

Notice of Extension of Time

JULY 11, 1974.

On July 5, 1974, Columbia Gulf Transmission Company and Columbia Gas Transmission Corporation filed a motion for an extension of the dates for filing comments regarding proposed settlement agreements as provided for by the notice of certification of the proposed settlement agreement issued June 12, 1974, in the above-designated matter. The motion states that Staff Counsel and the wholesale customers of Columbia participating in the settlement have no objection to the extension.

Upon consideration, notice is hereby given that the time is extended to and including July 22, 1974, within which initial comments may be filed and August 19, 1974, within which responding comments may be filed.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16402 Filed 7-17-74;8:45 am]

[Docket No. E-8813]

IOWA PUBLIC SERVICE CO.

Notice of Filing

JULY 11, 1974.

Take notice that on May 23, 1974, the Iowa Public Service Company, tendered for filing an Interconnection Agreement between itself and the Town of Rockford, Iowa, dated August 7, 1973, which provides for the interconnection of the systems of the parties and for the interchange of power and energy under the terms of various service schedules.

The proposed schedule provides for charges in the event one party requests firm power and energy and the other party can and does furnish the power and energy as described in the Interchange Agreement. The demand charge will be $1.75 per Kw per month and the energy charge will be the incremental production cost plus 10 percent.

The Town of Rockfords' Certificate of Concurrence is simultaneously filed. It is requested that the Interconnection Agreement and Supplemental Schedules be deemed effective as of June 15, 1974.

Any person desiring to be heard or to make any protest with reference to the subject matter of this notice should on or before July 29, 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). Persons wishing to become parties to a proceeding or to participate as a party in any hearing related thereto must file petitions to intervene in accordance with the Commission's rules. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. The documents referred to above are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16391 Filed 7-17-74;8:45 am]

[Docket No. ID-1738]

JOHN E. LILLESTON

Notice of Initial Application

JULY 11, 1974.

Take notice that on July 8, 1974, John E. Lilleston (Applicant) filed an initial application with the Federal Power Commission, pursuant to section 305(b) of the Federal Power Act, seeking authority to hold the following positions:

Controller, Missouri Edison Company, Electric and Gas Utility.
Controller, Missouri Power & Light Company, Electric and Gas Utility.

Missouri Edison is engaged in the purchase, distribution and sale of electric energy in Pike, Lincoln, Montgomery, St. Charles and Warren Counties in eastern Missouri, north of the Missouri River. Missouri Power & Light Company, an affiliated company, furnishes all of Missouri Edison's energy requirements under normal operating conditions. Missouri Edison also supplies natural gas to customers in the City of Louisiana and 19 other Missouri communities.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 31, 1974, file with the Federal Power Commission, Washington, D.C., petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16400 Filed 7-17-74;8:45 am]

[Docket No. ID-1737]

J. STEVE WEBER

Notice of Initial Application

JULY 11, 1974.

Take notice that on July 8, 1974, J. Steve Weber (Applicant) filed an initial application with the Federal Power Commission, pursuant to section 305(b) of the Federal Power Act, to hold the following positions:

Director, Secretary and General Counsel, Missouri Edison Company, Electric and Gas Utility.
Secretary and General Counsel, Missouri Power & Light Company, Electric and Gas Utility.

Missouri Edison is engaged in the purchase, distribution and sale of electric energy in Pike, Lincoln, Montgomery, St. Charles and Warren Counties in eastern Missouri, north of the Missouri River. Missouri Power & Light Company, an affiliated company, furnishes all of Missouri Edison's energy requirements under normal operating conditions. Missouri Edison also supplies natural gas to customers in the City of Louisiana and 19 other Missouri communities.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 31, 1974, file with the Federal Power Commission, Washington, D.C., petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with

the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16397 Filed 7-17-74;8:45 am]

[Docket No. RP74-100]

NATIONAL FUEL GAS SUPPLY CORP.

Notice of FPC Gas Tariff Filing

JULY 11, 1974.

Take notice that on June 28, 1974, United Natural Gas Company (United) tendered for filing on behalf of National Fuel Gas Supply Corporation, the latter's FPC Gas Tariff, Original Volume No. 2, conditional upon receipt of the requisite regulatory approvals for the realignment of the major operating subsidiaries of National Fuel Gas Company (Iroquois Gas Corporation, Pennsylvania Gas Company and United Natural Gas Company).

According to United, prior to the proposed realignment, authorization for which was requested in FPC Docket No. CP73-294, each of the three operating companies carried on gas production, purchase, transmission, storage and distribution functions. United states that upon realignment, the supply functions, including gas production, purchase, transmission, storage, and sale for resale, and related properties and personnel are to be assigned to National Fuel Gas Supply Corporation (Supply Corporation), and distribution functions and related properties and personnel are to be assigned to National Fuel Gas Distribution Corporation (Distribution Corporation). Both of these companies will be wholly-owned subsidiaries of National Fuel Gas Company.

United states that this filing is made to establish the rates at which the Supply Corporation is to sell natural gas at wholesale to the Distribution Corporation during the interim period beginning upon completion of the realignment as of July 1, 1974, and continuing only until superseding rates become effective under the Supply Corporation original volume No. 1 filed June 28, 1974, in Docket No. RP74-100. United further states that the filing will provide only for wholesale gas sales to the Distribution Corporation necessary to serve existing retail customers of United, and that the rates to such customers will not be changed by the instant filing except through changes in the Supply Corporation's cost of gas through the purchased gas adjustment clause included in the Original Volume No. 2.

Copies of the filing were served upon the Distribution Corporation and the regulatory commissions of the states of New York, Ohio and Pennsylvania.

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. 20420, 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 July 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 filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16399 Filed 7-17-74;8:45 am]

[Dockets Nos. E-7700, E-7729, E-7800]

NEW ENGLAND POWER CO.

Notice of Extension of Time

JULY 11, 1974.

On July 3, 1974, New England Power Company (NEPCO) requested an extension of time within which to file its answer to the customers' comments on NEPCO's compliance tariff filing in the above proceeding. The request states that the customers do not object to the granting of this request.

Upon consideration, notice is hereby given that the time is extended to and including July 21, 1974, within which to answer the customers' comments on NEPCO's compliance tariff filing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16398 Filed 7-17-74;8:45 am]

[Dockets Nos. E-8641, E-8251, E-8169, and E-8476]

NEW ENGLAND POWER CO.

Notice of Extension of Time

JULY 11, 1974.

On July 3, 1974, New England Power Company (NEPCO) requested an extension of time within which to file its financial plans as required by the order issued May 8, 1974, in the above-designated matter. The request states that counsel for the customers does not object to the request.

Upon consideration, notice is hereby given that the time is extended to and including July 15, 1974 within which NEPCO shall file its financial plans as required by the order issued May 8, 1974, in the above-designated matter.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16392 Filed 7-17-74;8:45 am]

[Docket No. RP73-108]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Further Extension of Time and Postponement of Hearing

JULY 11, 1974.

On June 28, 1974, Staff Counsel filed a motion for a further postponement of the procedural dates fixed by notice issued June 20, 1974, in the above-designated matter. The parties authorized Staff Counsel at the informal conference to seek a further extension of the procedural dates.

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

Prehearing Conference, July 29, 1974 (10:00 a.m., e.d.t.).
Service of rebuttal by all parties except Panhandle, August 5, 1974.
Service of rebuttal by Panhandle, August 15, 1974.
Cross-examination, August 19, 1974 (10 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16394 Filed 7-17-74;8:45 am]

[Docket No. E-8882]

PUBLIC SERVICE COMPANY OF COLORADO

Notice of Changes in Rates and Charges

JULY 11, 1974.

Take notice that the Public Service Company of Colorado (PSCC) on July 1, 1974, tendered for filing proposed changes in its FPC Rate Schedule Nos. 3, 6, 9, 11, 12, 13, and 14 which would result in increased revenues of $943,834 from its jurisdictional sales and services.

The company states that the reasons for the filing stem from inflationary pressures on its operations.

Colorado proposes an effective date of September 1, 1974, and states that notice has been given to the wholesale customers.

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 July 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 filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16396 Filed 7-17-74;8:45 am]

[Docket No. E-8570]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Extension of Time and Postponement of Hearing

JULY 11, 1974.

On June 25, 1974, Staff Counsel filed a motion for an extension of the procedural dates fixed by notice issued May 16, 1974, in the above-designated matter. On July 2, 1974, Cities of Anaheim, California, et al., filed an answer

to Staff's motion stating that Cities did not object to the motion but did object to the specific dates because of conflicts with other hearings. The filing by Cities stated that there was no objection to the revised dates.

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

Service of Staff's Testimony, September 6, 1974.
Service of Intervenor's Testimony, September 30, 1974.
Service of Company's Rebuttal, October 28, 1974.
Hearing, November 19, 1974 (10:00 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16393 Filed 7-17-74;8:45 am]

[Docket No. E-8868]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Application

JULY 11, 1974.

Take notice that on June 24, 1974, Southern California Edison Company (Applicant) tendered for filing pursuant to section 205 of the Federal Power Act and § 35.13 of the Regulations issued thereunder, an April 29, 1974 Amendment No. 1 to the Principles for Interconnected Operation for Four Corners Interconnection Agreement among Arizona Public Service Company, El Paso Electric Company, Public Service Company of New Mexico, Salt River Project Agricultural Improvement and Power District, Tucson Gas & Electric Company and applicant, accepted for filing effective May 22, 1969 and designated Southern California Edison Rate Schedule FPC No. 47.

The terms of the Four Corners Interconnection Principles provide for the sale and purchase of emergency energy between the parties on a cash settlement basis. Amendment No. 1 establishes energy return at the option of the supplier as an alternate method of payment to settlement in cash for emergency service.

It is not contemplated that the amended settlement provision will result in a rate increase, and an effective filing date of November 1, 1973, is requested.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 31, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16401 Filed 7-17-74;8:45 am]

[Project No. 619]

PACIFIC GAS AND ELECTRIC CO.

Land Withdrawal (Additional) California

Correction

In FR Doc. 74-15559, appearing on page 25254, in the issue of Tuesday, July 9, 1974, make the following changes in the Mount Diablo Meridian, California land description:

1. In the eighth line from the bottom insert a comma between NW½ and N½ SW¼, so that the corrected line reads "Sec. 33 NW¼NE¼, NW¼, N½SW¼, SE¼";

2. In the fourteenth line from the bottom, insert a comma between SW½ and W½SE¼, so that the corrected line reads "SW¼, W½SE¼, SE¼SE¼;".

FEDERAL RESERVE SYSTEM

D. H. BALDWIN CO.

Proposed Acquisition of C. C. Fletcher Mortgage Co.

D. H. Baldwin Company, Cincinnati, Ohio, 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 C. C. Fletcher Mortgage Company, Cincinnati, Ohio. Notice of the application was published on February 19, 1974, in The Cincinnati Enquirer, a newspaper circulated in Hamilton County, Ohio.

Applicant states that the proposed subsidiary would engage in the following activities: (1) The origination of mortgage loans, (2) the selling of mortgage loans to permanent investors, (3) servicing these loans and (4) providing real estate construction loans. 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 Kansas City.

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 August 6, 1974.

Board of Governors of the Federal Reserve System, July 9, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16414 Filed 7-17-74;8:45 am]

FIRST CITY BANCORPORATION OF TEXAS, INC.

Acquisition of Bank

First City Bancorporation of Texas, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Southwood Bank, Houston, Texas, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 7, 1974.

Board of Governors of the Federal Reserve System, July 10, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16415 Filed 7-17-74;8:45 am]

FIRST FINANCIAL GROUP OF NEW HAMPSHIRE, INC.

Proposed Acquisition of Pacific Industrial Bank and Lincoln Industrial Bank

First Financial Group of New Hampshire, Inc., Manchester, New Hampshire, 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 (1) Pacific Industrial Bank, Brunswick, Maine, and (2) Lincoln Industrial Bank, Skowhegan, Maine. Notice of the application was published on (1) May 10, 1974, in the Portland Press Herald, a newspaper circulated in Portland, Maine, and (2) on May 10, 1974, in the Morning Sentinel, a newspaper circulated in Waterville, Maine.

Applicant states that the proposed subsidiary would engage in the activities of (a) Making of consumer loans on a secured, partially secured or unsecured

basis, and purchasing consumer sales finance contracts, (b) Issuing certificates of investment of fixed or uncertain maturity, with fixed denominations and interest rates, or on an open account basis, (c) Acting as agent or broker for the sale of credit related life, accident and disability insurance directly related to extension of credit by Pacific Industrial Bank. Applicant states that 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 Boston.

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 August 7, 1974.

Board of Governors of the Federal Reserve System, July 10, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16416 Filed 7-17-74;8:45 am]

FIRST MOORE BANCSHARES, INC.

Formation of Bank Holding Co.

First Moore Bancshares, Inc., Moore, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of The First National Bank of Moore, Moore, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 7, 1974.

Board of Governors of the Federal Reserve System, July 10, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16417 Filed 7-17-74;8:45 am]

FIRST TENNESSEE NATIONAL CORP.

Acquisition of Tower Loan Co.

First Tennessee National Corporation, Memphis, Tennessee, 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 Tower Loan Company, Hannibal, Missouri ("Tower"), a company that engages in the following activities: Making or acquiring, for its own account, interest-bearing and discount loans and other extensions of credit, and acting as insurance agent or broker with respect to (1) the sale of credit life, credit accident and health and disability insurance directly related to extensions of credit by Tower; (2) any insurance sold in communities with populations not exceeding 5,000, and (3) any insurance that is otherwise sold as a matter of convenience to the purchaser. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4 (a) (1) and (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 5667). The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843 (c)).

Applicant, the largest banking organization in Tennessee, controls thirteen [1] banks with aggregate deposits of about $1.3 billion, representing approximately 12 percent of the total commercial bank deposits in the State.[2] Applicant's nonbanking subsidiaries engage in data processing, mortgage banking, international banking, consumer finance, credit-card financing, personal property and equipment leasing, trust services, investment and financial management, advising a real estate investment trust, and the sale of credit life and credit accident and health insurance in connection with extensions of credit by Applicant's lending subsidiaries.

Tower is a consumer finance company and makes interest-bearing and discount installment loans with and without security through its 19 offices in Missouri and two offices in Kansas. As of April 30, 1973, Tower had total outstandings of $8.5 million.

The relevant product market to be considered in evaluating the competitive effects of this proposal is the making of personal installment loans. Applicant engages in this activity through its banking subsidiaries and its consumer finance subsidiary, Crown Finance Corporation ("Crown"). With total assets of $29 million, Crown operates a total of 62 offices in several States, and has 21 offices in Missouri and one office in Kansas.

It appears that any anticompetitive effects that may result from consummation of the proposed acquisition are confined to the St. Louis and the Flat River, Missouri market areas. Tower and Crown each maintain two offices in the St. Louis market; however each of their respective offices are located at least 17 miles apart and it does not appear that consummation of this proposal would eliminate any significant competition between Tower and Crown in the St. Louis market. Tower and Crown each have one office in the Flat River market [3] and complete for personal installment loans with eight commercial banks, three credit unions and five other consumer finance companies. The Flat River offices of Tower and Crown each had approximately $400,000 of the total amount of personal installment loans outstanding, which represented about seven per cent of such loans in the market. In view of the relatively small size of the Flat River offices of Tower and Crown, as well as the number of convenient alternative sources for consumer loans in the market, it does not appear that consummation of this proposal would have any significant adverse effect on existing competition. Furthermore, due to the large number of competitive alternatives and the relatively low barriers to entry, it does not appear that consummation of the proposed transaction would have any significant adverse effects on future competition.

Tower is also engaged in the sale of credit life, credit accident and health and disability insurance directly related to its extensions of credit and these insurance activities have been determined by the Board to be closely related to banking under § 225.4(a)(9)(ii) of Regulation Y. In addition, Tower sells single premium accident insurance not related to an extension of credit and is also engaged in the sale of level term credit life insurance in connection with its installment loans.[4] Such insurance activities are permissible for bank holding companies, pursuant to § 225.4(a)(9)(iii) of Regulation Y, in communities with populations not exceeding 5,000 persons. Such insurance activities are also permissible, pursuant to § 225.4(a)(9)(ii)(c), in comunities with populations greater than 5,000 persons so long as the premium income from sales of such insurance sold as a convenience to the purchaser does not constitute a significant portion of the aggregate insurance premium income of the holding company.

[1] In addition, Applicant has a pending application before the Board to acquire the successor by merger to Pioneer Bank, Chattanooga, Tennessee, with deposits of $103.9 million as of June 30, 1973.

[2] All banking data are as of June 30, 1973, and reflect holding company formations and acquisitions approved through May 31, 1974; other financial data are as of December 31, 1972, unless otherwise indicated.

[3] The Flat River market area for personal installment loans is defined as the eastern portion of St. Francois County and the western portion of Ste. Genevieve County.

[4] The Board does not regard the sale of level term credit life insurance in connection with installment lending as being directly related to an extension of credit under § 225.4(a)(9)(ii) of Regulation Y. (See application of Fidelity Corporation of Pennsylvania to acquire Local Finance Corporation, 1973 Federal Reserve Bulletin 472.)

Applicant has made commitments that it will comply with the provisions of § 225.4(a)(9)(ii)(c) as interpreted by the Board.[5] From the facts of record, and in view of the nature of Tower's insurance business, it does not appear that the continuation of these insurance activities upon approval of the application would have any adverse effect on existing or future competition. Therefore, competitive effects of this proposal are consistent with approval.

Applicant proposes to expand the types of lending services offered by Tower as well as to increase its lending capabilities through the resources of Applicant. Consummation of this proposal should enable Tower to become a more effective competitor. There is no evidence in the record indicating that consummation of the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices or other adverse effects on the public interest.

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 St. Louis.

By order of the Board of Governors,[6] effective July 10, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-16418 Filed 7-17-74;8:45 am]

FIRST UNION, INC.

Proposed Acquisition of Union Finance Co. and Union Agency, Inc.

First Union, Incorporated, St. Louis, Missouri, 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 Union Finance Company and its affiliate, Union Agency, Inc., both of Kansas City, Missouri. Notice of the application was published on May 16, 1974, in The St. Louis Globe-Democrat, a newspaper circulated in St. Louis, Missouri; on May 17, 1974, in The Springfield Leader & Press, a newspaper circulated in Springfield, Missouri; and on May 31, 1974, in The Kansas City Times, a newspaper circulated in Kansas City, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of making consumer loans, purchasing retail installment sales contracts from dealers in consumer goods, occasional inventory loans to retail dealers, the sale as an agent or broker of declining balance credit life and credit health, accident and disability insurance to borrowers from Union Finance Company or its subsidiaries, and the sale as agent or broker of physical damage and fire insurance on personal property collateral in which Union Finance Company or its subsidiaries has a security interest. 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 St. Louis.

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 August 7, 1974.

Board of Governors of the Federal Reserve System, July 10, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16419 Filed 7-17-74;8:45 am]

GENERAL SERVICES ADMINISTRATION

GASEOUS FUELED MOTOR VEHICLES

Potential Safety Hazard

This notice informs interested individuals of a potential ventilation safety hazard in gaseous fueled motor vehicles. During an experiment on the use of dual fuel in motor vehicles, the General Services Administration (GSA) learned that improper ventilation in motor vehicles operating on or carrying gaseous fuels (compressed natural gas (CNG)/liquid natural gas (LNG)) could be dangerous to vehicle occupants. This hazard increases when such vehicles are parked or stored with windows closed.

Prior to the use of vehicles (especially sedans) or their conversion to gaseous fuel operation including vehicles with gaseous containers or equipment in the passenger or trunk compartment, individuals responsible for the operation of these vehicles are urged to obtain a technical analysis of the ventilating capability of the vehicles. Such analysis will assist in ensuring that the gas-air mixture in the operator and passenger areas is below the lower flammability limit for the type of gaseous fuel in the vehicle and is not hazardous to the vehicle occupants.

Dated: July 1, 1974.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.74-16436 Filed 7-17-74;8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS

DANCE TOURING PROGRAM

Guidelines for Grants

The following are guidelines for grants made under the Dance Touring Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for this program is August 19, 1974. Interested persons should contact Don Anderson, Director, Dance Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-5853 for further information and application forms. Only the Dance Program office may distribute application forms.

Signed at Washington, D.C., on 8 July 1974.

FANNIE TAYLOR,
Director, Program Information.

DANCE TOURING PROGRAM GUIDELINES FOR DANCE COMPANIES

INTRODUCTION

The National Endowment for the Arts Dance Touring Program (DTP) (formerly the Coordinated Residency Touring Program) was initiated in Fiscal Year 1968 as a pilot project. At that time four companies toured to eight communities in two states for a total of eight weeks. Since then the Program has grown with 84 companies touring in 52 states and jurisdictions for a total of 380 weeks during Fiscal Year 1975.

Among the most successful programs of the National Endowment for the Arts the DTP has fostered new sponsors for dance residencies, developed new audiences for American dance, and assisted those communities with a history of dance programs in

[5] Generally, those provisions limit the total gross commission income derived by a bank holding company system from the sale of "convenience" insurance to less than 5 percent of the aggregate gross commission income derived by the bank holding company system from all insurance sold pursuant to § 225.4(a)(9)(ii). (Published Interpretations, section 7378)

[6] Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, Holland and Wallich. Absent and not voting: Governor Mitchell.

presenting more of our nation's dance companies.

Integral to the success of the Program since its inception have been the state arts agencies, without whose close involvement and active participation the Program could not have achieved its current success. In Fiscal Year 1975, state arts agencies or their delegated organizations assumed primary administrative responsibilities for the Program.

PURPOSE

The primary purpose of the Dance Touring Program is to provide professional dance residencies to the largest possible number of the American people. Through these residencies and imaginative planning on the part of the state arts agencies, sponsors, and companies, it is expected the following objectives will be achieved:

(1) To develop new audiences for dance, and to expand the public's awareness and appreciation of dance.

(2) To improve touring practices for both sponsors and companies.

IMPLEMENTATION

The Dance Touring Program, through the state arts agencies or their delegated administrative organizations, assists sponsors in engaging professional dance companies for residencies of at least one-half week (two and one-half days). By encouraging residencies, both the sponsor and the company are allowed time to accomplish the purposes of the Program outlined above. The sponsor and the company are expected to evolve a schedule of activities which will involve the resident community as broadly as possible in the scheduled activities.

Three basic elements contribute to a successful residency:

(1) Detailed advance work which will prepare the community for the residence so that it make take full advantage of the activities offered.

(2) Broad involvement of the community in the activities offered during the residency.

(3) Taking advantage of the "residual" benefits of the engagement.

In order to allow each local sponsor the flexibility to tailor each residency to its own needs and resources, and to use its own criteria in selecting the dance companies it wishes to engage, there is no longer a listing of companies based on qualitative review. Rather, any company meeting the quantitative criteria outlined below and meeting the qualitative judgments of the sponsor, may qualify for assistance. Sponsors, in other words, are given the responsibility for engaging companies on the basis of the sponsor's own qualitative selection.

HOW A COMPANY QUALIFIES FOR PARTICIPATION

As mentioned above, there is no listing of companies participating in the Dance Touring Program based on qualitative review. A company wishing to participate in the Program, however, must meet the following quantitative criteria:

(1) The company must be a nonprofit, tax-exempt organization donations to which are deductible as charitable contributions under section 170(c) of the Internal Revenue Code of 1954, and must submit a copy of its Internal Revenue Service Tax-Exempt Determination Letter to the Endowment.

(2) The company must certify to the Endowment that while on tour it pays all professional performers, related or supporting staff, laborers and mechanics no less than the minimum compensation level as determined by the appropriate union in accordance with Part 505 of Title 29 of the Code of Federal Regulations. The Company must also meet the applicable requirements of Title VI of the Civil Rights Act of 1964. The " 'Company Statement' accompaying in the 'Company Information Questionnaire' " is to be used for this purpose.

(3) The company must have performed at least 15 public performances for which the dancers and staff were paid no less than the minimum compensation level as defined by the appropriate union during the 1973–74 season, and must project at least 15 such performances for the 1974–75 season. A list of these engagements must be attached to the Company Information Questionnaire (enclosed) indicating the place and date of these performances, and, for the 1973–74 appearances, the estimated attendance at each performance. The company must also attach budgetary information which indicates payment was made to the performers and staff at or above the appropriate minimum scale.

(4) The company must have adequate management to provide potential tour sponsors with the necessary services to contract and carry out tour engagements. The company must submit a description of its tour management structure, indicating the tour management staff employed (number, title, and name), whether part or full-time (if part-time, number of hours per week employed), and how the staff is compensated. Please note: It is imperative companies be reachable by phone year-round during regular business hours either directly or through an answering service. Therefore, please indicate in this description how the company's phone communications are handled. Also, a copy of the company's standard touring contract must be attached to the Company Information Questionnaire.

(5) The company must have a history of sound administrative practices. If there is reason to question the administrative practices of the company, such as a history of cancelled contracts, commitments unfulfilled, deviation from the minimum fee requirements, et cetera, the company will be required to describe what it has done to correct these problems before it will be considered eligible for participation in the Program. If the problem remains, the company will be ineligible for participation. Each company's participation in the Program will be reviewed annually to determine that the company is functioning within the Guidelines of the Program.

Companies which believe they meet these criteria must provide the Endowment with the information requested on the accompanying "Company Information Questionnaire." This information will be reviewed by the Endowment on the basis of the above quantitative criteria.

NOTE.—This information is to be mailed to:
Director of Dance Programs
National Endowment for the Arts
Washington, D.C. 20506

DEADLINE

And postmarked no later than August 19, 1974.

Because of the very tight schedule of deadlines, material postmarked after this time will not be considered.

THE DIRECTORY OF DANCE COMPANIES

All companies meeting the quantitative criteria and filing the "Company Information Questionnaire" by August 19, 1974 will be included in a "Directory of Dance Companies" to be available from the Endowment in November 1974. Companies not in the Directory are not eligible for participation in the FY 1976 Program. This Directory will provide potential sponsors with pertinent factual information about each company extracted from the "Company Information Questionnaire." The Directory is intended only as an initial aid to sponsors, and cannot provide all the information needed by a sponsor to make final company selections. Sponsors are advised to contact all companies in which they are interested in order to obtain from them more detailed information. It is the responsibility of the company to communicate directly with potential sponsors and to provide them with detailed information.

It should be noted that the administration of touring engagements for a few of the largest dance companies will continue to be handled directly by the Dance Program office of the Endowment, because of the size and complexity of their touring activity. These companies will be clearly marked in the Directory.

GENERAL PROCEDURES

Each state arts agency or its delegated administrative organization serves to promote the Dance Touring Program in general, to develop sponsorship for the Program, to aid sponsors and companies participating in the Program, and to evolve and administer its own program of technical assistance. A listing of these agencies will be sent to all companies in November. Sponsors deal directly with the appropriate agency for all matters concerning the Dance Touring Program. Although the state arts agency can be of assistance to companies seeking engagements in their state, companies should not ask or expect these agencies to promote them or seek engagements for them. This is solely the responsibility of the company.

Each sponsor is given free choice from the Directory. In order to provide the community with a variety of dance experience, or an in-depth exposure to dance, the sponsor is expected to engage at least two companies for a minimum of one-half week each, or in some cases one company for a minimum of one week. In extenuating circumstances the state arts agency can waive this requirement for sponsors participating in the Program for the first year. However, it is understood this waiver can generally be granted only for first-year sponsors. Residencies must be at least one-half week in length (2½ working days) and may be lengthened by increments of one day.

ENDOWMENT FUNDING

The National Endowment for the Arts through direct grants to the state arts agencies, will provide each sponsor through the sponsor's state arts agency one-third (33⅓%) of the company's quoted minimum weekly or half-weekly fee OR $10,000 per week ($5,000 per half-week, $2,000 per additional day), whichever is less.

When an agreement between the company and the sponsor is reached, a contract (see "Contracts" page 9) must be signed and a signed copy sent by the company to the sponsor's state arts agency. No Endowment funds will be allocated until the state arts agency has received a copy of the contract signed by both parties, and it has been determined that the contract complies with the DTP Guidelines. (This includes compliance by the sponsor with the requirement that at least two companies be engaged for a minimum of one-half week each, or in some cases one company for a minimum of one week. Therefore, it is to the company's advantage to remind the sponsor of the above regulation. If a waiver of this regulation is sought, the sponsor must request this from the state arts agency in writing and must have confirmation in writing from the state arts agency that the waiver has been granted.)

NOTE: It is the responsibility of the company to insure that a copy of the contract is sent to the state arts agency.

Only a limited amount of funds is available. The Program closes when all funds have been allocated. It is impossible to set a firm date for this occurrence. In the past all funds have been allocated by late spring (in this case, the spring of 1975). State arts agencies will keep sponsors informed of the status of the available funds. When all funds are allocated, the Program is closed. Companies should keep in mind, however, that dance touring activity is not limited to what takes place under the Endowment's Dance Touring Program. For many companies, the DTP does not account for the majority of their tour engagements. Companies will usually find it possible and desirable to seek and book additional dates without Endowment assistance.

Residencies taking place in the summer of 1975 (after July 1, 1975) may be included in the Fiscal Year 1976 Program. However, because of Congressional appropriations procedures, payment for these engagements will be delayed. Therefore, both the company and the local sponsor should expect to defer receipt of Endowment funds until late summer 1975.

COMPANY FEES

Each participating company is asked to quote a minimum weekly fee for residencies. The company must then certify that it will accept no less than this fee for similar engagements whether under the DTP or not. It is expected that this fee will conform with the total fee structure of the company.

There is no ceiling on this minimum fee. However, as indicated above, the Endowment's participation will be limited to one-third of the company's quoted minimum fee or $10,000 per week ($5,000 per half-week, $2,000 per additional day), whichever is less.

In determining the company's minimum weekly fee, the following should be taken into account:

(1) One week equals five and one-half days in residence.

(2) One-half week equals two and one-half days in residence.

(3) One day equals one full day in residence.

(4) The minimum half-weekly fee will be exactly one-half the minimum weekly fee.

(5) The minimum one day fee will be exactly one-fifth the minimum weekly fee.

Companies may negotiate larger fees than the minimum fees quoted. The Endowment's participation, however, will remain at the levels stated above based on the company's quoted minimum fee.

SCHEDULING THE RESIDENCY

The company and the sponsor in collaboration arrive at a mutually agreeable residency schedule. There are no set rules or requirements for the residency schedule other than the minimum residency length and number of companies engaged as stated above, though it is expected that the goals and purposes of the Program will be served by the schedule.

The Dance Touring Program will continue to develop new sponsorship for dance company residences. Local sponsors have been encouraged to use the company as imaginatively as possible and involve as broad a spectrum of the community as possible. Therefore, it is essential that company directors, and managers deal generously and professionally with the local sponsors, and adhere fully to the agreed-upon schedule. However, keep in mind that seriously overextending the company in response to sponsor demands will result in lowered quality.

ANNOUNCEMENT OF THE PROGRAM

The National Endowment for the Arts will mail a flyer announcing the Program to the following:

(1) All state arts agencies.

(2) All past DTP sponsors.

(3) A mailing list of approximately 5,000 names drawn from standard sources of touring attraction sponsors.

The flyer will be mailed in late September 1974. Sponsors wishing to complete Dance Touring Program Guidelines including the list of participating companies will return a request card to the Endowment. The "Guidelines for Sponsors" will be available for distribution by November 1974.

Companies qualifying for the Program are urged to include an indication of their availability under the Dance Touring Program in their booking publicity. The following standard wording is suggested:

"(name of company) participates in the Dance Touring Program of the National Endowment of the Arts. Under this program the Endowment will provide the sponsor with up to one-third of the company's minimum fee for residencies of one-half week or longer. For more information about the Dance Touring Program, please contact your state arts agency or the Director of Dance Programs, National Endowment of the Arts, Washington, D.C. 20506, (202) 382-5853."

If the above standard wording is not used, companies must clear any material referring to the Dance Touring Program through the National Endowment for the Arts, Director of Dance Programs.

Each company is requested to send state arts agencies of the states in which they plan to tour two complete copies of their promotional information. A list of the state arts agencies and their delegated administrative organizations will be sent to companies in November.

NOTE: The Directory is only a compendium of factual information to aid sponsors in their early decisions. Inclusion in the Dance Directory does not guarantee the company will be engaged. It is up to the company's booking representative to promote the company, and to procure any and all engagements, and to provide interested sponsors with more detailed information as requested.

CONTRACTS

For the purposes of confirming engagements and allocating Endowment funds (see "Endowment Funding" above) the state arts agencies will accept the following binding agreements:

(1) A formal contract between the two parties including all items listed below. (If you would like a sample contract for residency engagements, contact the Endowment's Dance Program Office.)

(2) A letter of agreement including all items listed below.

(3) A "first priority" letter or contract including all items listed below. (If a sponsor is unable to execute either document No. 1 or No. 2 above because of a delay in his budget approval or other internal funding problem which prevents his committing funds to the engagement, the state arts agency will accept a letter or contract from the local sponsor which includes a clause certifying that, whether or not his total budget is approved, the first monies he receives will be used for the engagements under the Dance Touring Program. If you would like, the Endowment can provide a sample "first priority" agreement. Write to the Director of Dance Programs, National Endowment for the Arts, Washington, D.C. 20506.)

Items to be included in all letters, contracts, and agreements:

(a) Name, address and phone number of the company.

(b) Name, address and phone number of person actually in charge of scheduling details of the residency for the company.

(c) Name, address and phone number of sponsor.

(d) Name, address and phone number of person actually in charge of scheduling details of the residency for the sponsoring organization.

(e) Fee for the engagement.

(f) Specific dates and place of the engagement including beginning and ending times.

(g) Name and address of the local sponsoring person or agency to whom the state arts agency should make checks payable for the Endowment share of the company fee.

(h) Signatures of both parties (sponsor and company).

NOTE: If either No. 2 or No. 3 above are used, it is to the company's advantage to follow these agreements with a complete contract as soon as possible.

A clause stating that the National Endowment for the Arts will provide $ _____ (appropriate amount of money) to the sponsor through the sponsor's state arts agency may be included in contracts and letters of agreement.

A complete technical requirement sheet from the company should be sent to the sponsor with your initial correspondence. In all discussions and agreements with the local sponsor be sure to clarify all aspects of the engagement, including:

(1) The company's technical requirements in terms of equipment and personnel to be provided by the sponsor.

(2) The publicity services offered by the company and their costs, if any, and when publicity materials are to be available to the sponsor.

(3) Your space needs for classes, rehearsals, et cetera.

(4) Limitations on class size and levels.

(5) The availability of the performance space for set-up and rehearsals, including all necessary free time before performances.

(6) The actual beginning and ending time of the residency.

(7) The total fee and method of payment.

(8) Local transportation needs and who is to provide them.

(9) The names, addresses and phone numbers of all key people (technical director, sponsor, crew heads, etcetera).

NOTE: If your booking is done through a booking agent who does not handle the details of residency scheduling, please be sure that the booking agent makes it clear to the sponsor who in the company management is responsible for the residency details. Conversely, the contracting sponsor is not always the person in charge of detailed planning on the other end. These facts should be ascertained in advance and contracts should include name, address, and phone number of the "detail person" on both sponsor and company sides.

COMPANY-SPONSOR RELATIONS

Engagements under the Dance Touring Program are essentially the same as any other touring engagement. All negotiations between sponsor and company are the responsibility of the two parties. Advance planning is the key to a successful residency. Be sure to work out the residency schedule in detail and in writing well in advance of the engagement. If there are any questions or problems, please contact the Endowment immediately.

FOLLOWING THE RESIDENCY

If you would like to record your reactions to a specific residency or the Program in general, please do so. Such information is essential in the Endowment's future planning. All correspondence and evaluations should be sent directly to the Director of Dance Programs, National Endowment for

the Arts, Washington, D.C. 20506. Companies are urged to discuss potential sponsors with other companies who have had experience with the sponsor.

PLANNING SCHEDULE

Following is the Planning Schedule for the Dance Touring Program in Fiscal Year 1976 (July 1, 1975 through June 30, 1976).

August 19, 1974—Postmark deadline for "Company Information Questionnaire" to be sent to the Endowment.

November 1974—"Guidelines for Sponsors" and "Directory of Dance Companies" distributed to potential sponsors. Distribution of state arts agency or delegated administrative organization list.

November 1974–March 1975—Peak period for tour engagement booking activity. Sponsors should indicate to their state arts agency their interest in participating in the Program.

January 1975–April 1975—Agreements between sponsor and company should be finalized, with a copy of the signed agreement going from the company to the sponsor's state arts agency for the purpose of committing funds.

Early Spring 1975—Funds begin to run out. Sponsors will be notified as funds become limited. When all funds are allocated, the Program is closed.

July 1, 1975—Fiscal Year 1976 Program begins (i.e. actual engagements).

Late Summer 1975—Endowment funds released to state arts agencies for payment to sponsors.

June 30, 1976—Fiscal Year 1976 Program ends.

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EXPANSION ARTS PROGRAM

Guidelines for Grants for Funding Assistance for Community Arts Projects

The following are guidelines for grants made under the Expansion Arts Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that application deadlines for Fiscal Years 1975 and 1976 for the various programs are as follows: Community Cultural Centers and Arts Exposure projects, October 1, 1974 and 1975; Neighborhood Arts Services, Instruction and Training, and Special Summer Projects, November 1, 1974 and 1975. Applicants should not plan to start projects before July 15 in either year with the exception of Special Summer Projects which may begin June 30, 1974 or 1975. Interested persons should contact Vantile Whitfield, Director, Expansion Arts Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-6071 for further information and application forms.

Only the Expansion Arts Program office may distribute application forms.

Signed at Washington, D.C., on 12 July 1974.

FANNIE TAYLOR,
Director, Program Information.

EXPANSION ARTS PROGRAM

INTRODUCTION

The Expansion Arts Program of the National Endowment for the Arts assists, through matching grants, urban, suburban, and rural community arts organizations with proven professional direction. The Expansion Arts Program reflects the Endowment's concern with expanding the involvement of all Americans in the arts, and encouraging the cultural expression of our diverse people as we support excellence and innovation in the arts. This Program's specific responsibility lies with the neighborhood and community based programs where citizens have the opportunity for significant input, involvement, and direction regarding artistic, administrative, and developmental policy; Expansion Arts' concern, therefore, is not generally involved with other kinds of "outreach" programs.

The scope of this Program, especially as it deals with "community based arts projects," tends to combine two elements: professional direction by arts-involved people who have chosen to remain and work in their communities, linked with their deep involvement in the cultural expression and traditions of their neighborhoods, communities, and regions. In essence, Expansion Arts are people arts programs, bold in conception and execution.

Expansion Arts activities assisted to date mirror America's unique cultural diversity and breadth of the Program's concern, and include, for example, arts activities of ethnic groups of all types and origins; projects in the more remote Appalachian and other rural communities, as well as urban neighborhoods, and a variety of special environments in which the arts are both lacking and needed, such as prisons and hospitals.

In addition to their commitment to the arts as the expression of a peoples' tradition, creativity, and cultural self-awareness, these endeavors are further linked by the production of original and promising works of art; creation of innovative art forms and art-related activities; development of new ways to assimilate new and established art forms; and achievement of educational and social goals through the arts. Because of its interdisciplinary nature and commitment to all classes and ethnic groups, Expansion Arts promotes and encourages cross-cultural exchange.

The Endowment feels that these projects should be encouraged through selective support. In addition, it is hoped that imaginative programming of Endowment funds in this area will point the way for more extensive public, private, foundation, and business support.

Grants to organizations, with few exceptions, must be matched at least dollar for dollar with non-federal funds. Expansion Arts Program grants generally will provide no more than 50 percent of the total project budget, and no more than 25 percent of any organization's total annual budget.

A WORD ON THE BICENTENNIAL

The Endowment recognizes that the arts will play an important role in the next few years in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

RESOLUTION ON THE ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (Pub. L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all of the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped.

(Adopted by the National Council on the Arts, September 15, 1973.)

CATEGORIES OF FUNDING

The following categories of the Expansion Arts Program have been developed in response to the growing needs of the community and neighborhood arts field. In light of the overwhelming number of applications which possess borderline eligibility, the Expansion Arts staff and panel have had to reexamine existing guidelines and develop requirements which reflect the flux and competition occurring in the field. Application may be made in one category only, therefore applicants are urged to clearly stipulate, in Item II of the application form, within which category funds are being sought (eg. Expansion Arts/Instruction and Training.)

INSTRUCTION AND TRAINING

Matching grants of up to $30,000 to operating community-based programs which offer first-rate professional training, including active participation in one or more art forms. A high standard of artistic achievement is the major consideration in review of applications. To be eligible for funding under this category, the specific program for which support is requested, even if it is a component program of an older organization, must fulfill the requirement of having been in existence for at least one year.

Deadline: November 1, 1974 (Fiscal 1976).
November 1, 1975 (Fiscal 1977).

COMMUNITY CULTURAL CENTERS

Matching grants of up to $50,000 for major community-based cultural centers with extensive, multi-art activities, including workshops, as well as performing and exhibiting experiences. To be eligible for funding under

this category, a community center must have had a continuing program in at least two art forms for at least three years.

Deadline: October 1, 1974 (Fiscal 1976).
October 1, 1975 (Fiscal 1977).

ARTS EXPOSURE PROGRAMS

Matching grants of up to $50,000 to organizations which enable inner-city, low-income young and elderly people, and others not in the cultural mainstream, to attend major cultural events which they would not otherwise experience, by providing low-cost tickets and transportation. A major thrust of this type of program is dynamic interchange between artists and the audience outside the performance situation. Also under this category, the Endowment hopes to assist organizations active in programs of cross-cultural exchange between, for example, the old and young, the affluent and nonaffluent, and between the races. Funds may also be available for organizations which provide arts activities for students to ease the transition between elementary and junior high/high school; arts projects to provide constructive alternatives in drug prevention and rehabilitation; and for programs involving convicts in and out of prisons. A imited number of grants may also be made to community-based cultural research projects on regional and ethnic culture and cultural organiztaions. To be eligible for funding under this category, the specific program for which support is requested even if it is a component program of an older organization, must fulfill the requirement of having been in existence for at least three years.

Deadline: October 1, 1974 (Fiscal 1976).
October 1, 1975 (Fiscal 1977).

NEIGHBORHOOD ARTS SERVICES

Matching grants of up to $50,000 to assist service organizations which can document that they provide, and have provided for at least three years, assistance to operating community arts groups such aid as equipment loans, publicity, sponsorship of activities, assistance in dealing with real estate, fundraising, accounting, and legal matters, and the like. Note: Funds in this category are not to provide sub-grants, but rather to provide services to community arts groups.

Deadline: November 1, 1974 (Fiscal 1976).
November 1, 1975 (Fiscal 1977).

SPECIAL SUMMER PROJECTS

Matching grants of up to $20,000 to assist outstanding professionally directed projects which take place uniquely and exclusively during the summer by providing training, including active participation in one or more art forms. A high standard of artistic achievement is the major consideration in review of applications. Applicants should provide local recommendations and press coverage to document the merit of a project. To be eligible for funding under this category, a project must have been conducted at least once before. Grantees receiving year-round support under other categories are not eligible to reapply under Special Summer Projects.

Deadline: November 1, 1974 (Summer 1975/Fiscal 1976).
November 1, 1975 (Summer 1976/Fiscal 1977).

PILOT TOUR-EVENT

The Expansion Arts Program has initiated a pilot touring program for Fiscal Year 1974 to enable a limited number of community groups of outstanding quality to reach areas in their regions heretofore without such exposure, and to encourage young people in particular to pursue goals similar to those achieved by the groups they see. This pilot program, which the Endowment feels will make a significant contribution to the nation's bicentennial celebration, has been developed in conjunction with state arts agencies and other recognized local sponsors. Participants in this program will be chosen from among those supported under the other categories and upon recommendation of excellence by state arts agencies or local area sponsors. Therefore, applications are not to be made in this specific category.

STATE ARTS AGENCIES—EXPANSION ARTS

State arts agencies, either individually or in regional groupings, are eligible to apply to the Expansion Arts Program for special projects beginning with pilot efforts in fiscal 1975. All grants will be matching. Generally grants will not exceed $20,000 and most will be for less. The purpose of this category is to explore and expand state arts agency programming in Expansion Arts. This might include areas such as advocacy, coordination, neighborhood arts services, and the new "tour event" category in Expansion Arts.

Each state arts agency may explore its involvement with Expansion Arts in these areas on the basis of its own individual circumstances regarding Expansion Arts programming emphasis and goals. Official application should be made following preliminary discussions which are satisfactory to both the state arts agencies and the Expansion Arts Program.

(In negotiations which deal with state agencies' securing professional staff to develop Expansion Arts activities in their states (or regions), Expansion Arts will discuss also with the Federal-State Partnership Program as regards its Program Development program. Program Development grants will ultimately be made by the Federal-State Office following negotiation and review/recommendation by the Expansion Arts Program. Discussions in this regard should generally be initiated with Expansion Arts.)

The Endowment wishes to note that this is a pilot effort beginning in Fiscal Year 1975. The above mentioned general guidelines will be refined on the basis of experience gained by both the state agencies and the Endowment. State agencies will be consulted and advised as things develop.

Deadline: Negotiations and applications under this category for fiscal 1976 must be executed by February 10, 1975; and for fiscal 1977 by February 10, 1976.

APPLICATION DEADLINES AND PROJECT PERIODS

FISCAL YEAR 1976

All applications for funding under the following categories must be postmarked no later than these dates:

OCTOBER 1, 1974

Community Cultural Centers
Arts Exposure

NOVEMBER 1, 1974

Neighborhood Arts Services
Instruction and Training
Special Summer Projects

Notices of acceptance or rejection will not be sent before March 1975.

Applicants should not plan to start projects before July 15, 1975 with the exception of Special Summer Projects, which may begin their projects June 30, 1975.

FISCAL YEAR 1977

All applications for funding under the following categories must be postmarked no later than these dates:

OCTOBER 1, 1975

Community Cultural Centers
Arts Exposure

NOVEMBER 1, 1975

Neighborhood Arts Services
Instruction and Training
Special Summer Projects

Notices of acceptance or rejection will not be sent before March 1976.

Applicants should not plan to start projects before July 15, 1976 with the exception of Special Summer Projects, which may begin their projects June 30, 1976.

APPLICATION INFORMATION

ELIGIBILITY

Although there are many outstanding community programs in which arts activities are one of several components, the Expansion Arts Program generally funds only those groups whose primary concern is with the arts and arts-related activities.

More specifically, eligibility generally is restricted to arts organizations which meet the following requirements:

(1) Are professionally directed and community-based.

(2) Have demonstrated a commitment to pursuit of the highest level of artistic achievement.

(3) Have demonstrated high standards of performance and administrative ability.

(4) Have been in operation for at least one year. (Exception: Community Cultural Centers which require three years.)

(5) Have nonprofit, tax-exempt status under section 170(c) of the Internal Revenue Code.

GRANT AMOUNTS

Organizations may apply for no more than the maximum amounts listed:

Community Cultural Centers.	$50,000.
Neighborhood Arts Services.	$50,000.
Arts Exposure Programs.	$50,000.
Special Summer Projects.	$20,000.
Instruction and Training.	$30,000.
Pilot Tour Event	Grant amounts are negotiable.
State Art Agencies—Expansion Arts.	Grant amounts are negotiable.

NOTE.—In most cases, grants will be for less than the maximum amounts listed above. Organizations are advised to apply for what they need to carry out the proposed project and can match at least dollar for dollar.

Grants to organizations, with few exceptions, must be matched at least dollar for dollar with non-federal funds. Expansion Arts Program grants generally will provide no more than 50 percent of the total project budget, and no more than 25 percent of any organization's total annual budget. The required matching (50 percent of a total earned income where possible. Generally project) should be from cash contribution or where in-kind matching is used it may not exceed 25 percent of the total matching funds (12½ percent of the total cost of the project).

INTERNAL REVENUE DETERMINATION

Grants may be made to a group only if not part of its net earnings is for the benefit of a private stockholder or individual, and provided that donations to the group are allowable as charitable contributions under

section 170(c) of the Internal Revenue Code of 1954, as amended.

In applying for an Endowment grant, an organization is required to submit a copy of its Internal Revenue Service tax-exemption letter together with its application.

In special cases, when tax-exempt status has not been attained by an otherwise qualified applicant group, sponsorship of the project by a related organization which has attained tax-exemption may be acceptable to the Endowment. The sponsoring organization must maintain a close working relationship with the group, as part of its own purposes as defined in its application for tax-exemption. It must undertake, and be able to provide, full and accurate accounting of the ways in which grant funds are expanded. In this capacity, professional organizations which are not themselves community-based, but which provide advisory services or other assistance to community-based organizations, may be given grants.

METHODS OF FUNDING

Program Funds Method. Generally, grants to organizations will be made on at least a dollar-for-dollar matching basis. Applicants requesting assistance from Program Funds must present evidence in the proper space (Section X) on the application form (Project Grant Application/NEA–3 Rev.) that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching must be identified. Budgeted funds, as well as newly raised funds, may be used for matching in all programs. Applicants are urged to verify the terms for matching in the program descriptions.

Example:

Applicant requests from NEA	$10,000
Matching amount from applicant	10,000
Total budget reflecting at least	20,000

Treasury Fund Method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation allowing the Endowment to work in partnership with private and other non-federal sources of funding for the arts. Designed to encourage and stimulate continued private funding for the arts, the Treasury Fund allows non-federal contributors to join the Endowment in the grant-making process.

The Endowment encourages use of the Treasury Fund method as an especially effective way of combining federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds.

Treasury Fund grants are project grants applied for and approved in the same manner and for the same purposes as regular grants.

Under the Treasury Fund method, when a donation is received, it frees an equal amount from the Treasury Fund, and the doubled amount is then made available to the grantee to match. Thus for every $1.00 given by private sources under this program, another $1.00 is released from the Treasury. The grantee then matches this $2.00 with an additional $2.00, since almost all Endowment grants are for only half the total budget of an approved project. Please see the enclosed brochure for further information.

REVIEW CRITERIA

All applications will be reviewed by the Expansion Arts staff, the Expansion Arts Advisory Panel, and by the National Council on the Arts according to the following criteria:

(1) Merit of the project.
(2) Organizational stability.
(3) Capacity to achieve objectives.
(4) Constituency served by the organization.
(5) Demonstrated need for support requested.
(6) Capacity of the organization to raise funds in addition to those provided by the Endowment.

REVIEW PROCESS

The review process is as follows:

(1) The Endowment (Expansion Arts) staff reviews applications including supplementary information sheets.

(2) Applications are then referred to the Expansion Arts Advisory Panel and subsequently to the National Council on the Arts. Upon recommendation of these bodies and action by the Chairman, the Endowment will notify applicants of its decision by letter.

(3) Applicants receiving a grant will receive a grant letter and an acceptance copy. The grantee signs and returns to the Endowment the acceptance copy and a Labor Assurance Form.

(4) The initial payment is usually sent approximately one month after the Endowment's receipt of the signed acceptance and the completed Cash Request Form. The grantee designates on the Cash Request Form the amount desired in the initial payment for a period of time to be specified, in accordance with the Endowment's General Grant Provisions. Succeeding payments are spread throughout the remainder of the grant period. Details in this regard are communicated in the grant award letter.

SPECIAL INSTRUCTIONS FOR COMPLETING APPLICATION FORM

(1) All requests must be submitted in triplicate according to instruction of the Endowment's official application form (Project Grant Application/NEA–3 Rev.).

Please follow closely the instruction sheet attached to your application and supply all information requested. Use the check list at the end of the application form to be certain that you have supplied all the information necessary for prompt processing and consideration of your applications. Failure to do so will result in unavoidable delays that may adversely affect consideration of your proposal.

(2) Each request must be on a separate form. Multiple requests on one form will be returned.

(3) Applications must be submitted by the institution or association named in the IRS letter of determination of tax-exemption.

(4) Period of Support Requested/Grant Period (Sec. III):

Period of Support Requested is the span of time necessary to plan, execute and close out the proposed project. Generally, the Endowment limits its financial participation in any project to no more than 12 months. Applicants are urged to verify the terms for the grant period in the program descriptions that follow.

(5) Project Description (Sec. IV):

The Project Description should be brief but specific. Spell out concrete details. All essential elements of the proposal must be included in a concise project summary in the space provided on the application. If applicants wish to supply additional information, they should submit no more than five pages (8½" x 11") with the application. Please also complete the Supplementary Information Sheets which request special information to assist the Endowment in its assessment of the project.

(6) Budget (Secs. VI and IX):

Budget estimates cover the total project costs. Provide a breakdown on salaries, travel, and all other categories in the budget, including entries under Other. Travel items on the budget should be substantiated with a statement of the official policy of the institution and the specific nature of the travel. Indirect Costs (Secs. VI B and IX B) are those costs (general and administrative) which must be apportioned to each project of the applicant organization. The Endowment does not advocate a single method of apportionment. The Endowment's sole criterion is that the proposed project carry no more or less than its fair share of those indirect costs not set out as direct costs in some other section of the application. If you use indirect costs in projecting your budget, do not assume that automatic recognition will be given to the figure indicated. The amount of indirect costs must be backed up with an explanation of the method used to compute it.

(7) Total Amount Requested from NEA (Sec. VII):

Maximum amounts listed earlier are approximate. Applications should show actual expenses and an appropriate request (no more than 50 percent of total costs). Please be sure to complete this section. Applications will be returned if this section is not complete.

(8) Contributions, Grants and Revenues (Sec. X):

All applicants must complete this section of the application. The matching funds plus the amount requested from the National Endowment for the Arts must equal the total project costs. The Endowment does not require that the applicant have in hand at the time of application those matching funds listed under Contributions, Grants and Revenues. However, the applicant is asked to list the possible sources and amounts of such anticipated funds.

(9) Certification (Sec. XII):

The application must be signed by an official of the applicant organization with authority to legally obligate applicant. In addition, please be sure to type name, title and telephone number of the authorizing official(s), project director and payee.

(10) Applications must be postmarked no later than the deadline date for the program under which you are applying.

SUPPLEMENTARY INFORMATION

Applicant must submit the following supplementary information with the application signed by the Director of the organization. Without the supplementary information, applications will not be considered complete and will not be processed. Attach one complete set of all the following information/support materials to your application (3 copies) and mail to:

Grants Office
National Endowment for the Arts
Washington, D.C. 20506

Supplementary information should include the following:

(1) General Information:
Name of Organization
Director
Address
Phone
How long in existence
Purpose (be brief)
Activities (be brief)

(2) Fiscal Information:
What is your fiscal year?
Total budget for current fiscal year.
Estimate monthly operating costs.
List funding sources and amounts for current fiscal year.

List funds currently on hand (estimate).
Total budget for the past fiscal year.
List funding sources and amounts for past fiscal year.
List previous Endowment support, amount, year, and Endowment program under which grant was received.
(3) Information on Project for which assistance is requested:
Project Title.
Length of time in operation.
Project address (if different from organization address).
Project telephone number (if different from organization number).
Project Director (if different from organization director).
(4) Support Materials (To be attached to application and above information):
Brief resumes or biographies of key staff on the project.
Letters or other written evidence of support for your proposal from community leaders, art professionals, public officials, etc. (at least two).
Press clippings on your project or organization (if available).

REMINDER FOR APPLICANTS

(1) Have you attached your IRS letter?
(2) Have you typed (printed) as well as signed the application? Including titles? Is the person(s) who signed the official authorizing official?
(3) Have you specified the amount you are requesting from the endowment? (Section VII on the application form)
(4) Have you specified amount(s) and source(s) of matching funds? (Section X on the application form)
(5) Have you specified cost breakdown of the total project, that is how you would spend both NEA and matching money? We need to have breakdown on the entire project.
(6) Have you completed four copies (the fourth is for your records) of the application for the Endowment? (Mail three to Grants Office, National Endowment for the Arts, Washington, D.C. 20506)
(7) Have you attached three complete sets of the supplementary information (one to each copy of the application)?

FOR ADDITIONAL INFORMATION

Additional Information and application forms may be obtained from:

Expansion Arts Program
National Endowment for the Arts
Washington, D.C. 20506
Telephone: (202) 382-6071

[FR Doc.74-16426 Filed 7-17-74;8:45 am]

JAZZ/FOLK/ETHNIC MUSIC PROGRAM

Guidelines for Grants

The following are guidelines for grants made under the Jazz/Folk/Ethnic division of the Music Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for this program is September 10, 1974. Interested persons should contact Walter Anderson, Director, Music Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-5755, for further information and application forms. Only the Music Program office may distribute application forms.

Signed at Washington, D.C., on 8 July 1974.

FANNIE TAYLOR,
Director, Program Information.

JAZZ/FOLK/ETHNIC MUSIC PROGRAM

The National Endowment for the Arts announces its Fiscal 1975 program of assistance for the support of individuals and groups engaged in the creation of new works and the performance, preservation, and study of jazz, folk, and ethnic musics.

Notices of grant award or rejection will not be sent before February 15, 1975.

Deadline: September 10, 1974.

Applications must be postmarked no later than September 10, 1974. The proposed period of grant support should not begin prior to March 1, 1975 and may extend through June 30, 1976. Support under the Fiscal 1976 Jazz/Folk/Ethnic Program will not be available for projects beginning before July 1, 1976.

Applications postmarked later than September 10, 1974 will not be considered under this porgram and will be returned.

Applications for organizations which satisfy the eligibility criteria as set forth on page 3 may be obtained by requesting Project Grant Application Forms, No. NEA-3 (Rev.). Applications for individuals who satisfy the eligibility requirements as set forth on page 3 may be obtained by requesting Individual Application Forms, No. NEA-2 (Rev.). Application forms may be requested by completing and returning the Application Request Form on page 13 of these guidelines.

The completed application forms, in triplicate, and all accompanying materials should be sent to the Grants Office, National Endowment for the Arts, Washington, D.C. 20506. Applications which are not legible will be returned to the applicant without consideration.

GENERAL PURPOSE

The purpose of this program is the creation of a broad artistic climate in the United States in which its indigenous musical arts will thrive with distinction through artistic, educational, and archival programs.

A WORD ON THE BICENTENNIAL

The Endowment recognizes that the arts will play an important role in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

ELIGIBILITY

Individuals. By statute the National Endowment for the Arts is limited to the award of grants to individuals "of exceptional talent." Applications will therefore be reviewed according to the following criteria:

(1) Exceptional creative or performing talent and accomplishment.
(2) Strong commitment to artistic standards.
(3) Capacity for research or special study.

Individual grants are awarded on a non-matching basis.

Organizations. By statute the National Endowment for the Arts is limited to the award of matching grants to organizations which meet the following criteria:

(1) Only those organizations in which no part of net earnings inures to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under section 170(c) of the Internal Revenue Code of 1954, as amended. Copy of Internal Revenue Service determination letter for tax-exempt status must be submitted with each application.

(2) Only those organizations which compensate at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(3) Only those organizations which meet the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

In general, eligibility is further determined on the basis of these additional criteria:

(1) Performing ensembles, both instrumental and vocal, which demonstrate high quality in performance and management. (Reminder: Ensembles must meet statutory criteria for organizations as stated above.)

(2) Sponsoring organizations demonstrating the capacity for efficient, stable, and imaginative administration as well as a strong commitment to the purposes of this program.

LIMITATIONS

(1) This program does not fund commercial recording or publication costs.
(2) This program does not fund foreign travel.
(3) This program does not provide assistance to develop or complete Master's degree theses or doctoral dissertations.
(4) This program does not provide support to high school or college performing groups.
(5) This program does not provide support to individuals to contract and pay other individuals for performances.
(6) Generally, composition fellowship grants will not be awarded to the same individual in consecutive years.
(7) Generally, fellowship grants under this program may not be retained concurrently with another major award (fellowship, assistantship, scholarship, or similar award) which duplicates the provisions of the Endowment fellowship grant. The following may be retained concurrently: Loans from the Federal Government, small grants not exceeding $1,000 made by educational institutions, and veterans' educational assistance benefits for war orphan benefits.

CATEGORIES OF SUPPORT

All applications should be developed within the categories and budgetary limitations as designated.

Category I (Individuals). Non-matching composition fellowship grants of up to $3,500 to composers and arrangers for the creation of new works and the completion of works in progress. The program provisions in these guidelines are intended to support only those composers whose works retain a consistent basic idiomatic feeling relevant to the particular jazz/folk/ethnic style with which the composer's work is identified. Composers should be aware that the Endowment does have a separate program of assistance for "Composers/Librettists/Translators" whose works do not have a strong idiomatic and stylistic rooting in jazz/folk/ethnic musics.

Category II (Organizations.) Matching grants of up to $15,000 will be available for

jazz/folk/ethnic presentations, regional community celebrations with coordinated educational programming, and carefully planned regional or national festivals or tours. Applicants may only include:

(1) Professional performing organizations meeting statutory criteria as defined on page 3.

(2) State arts agencies.*

(3) Regional arts organizations.*

(4) In special cases, other sponsoring organizations which are in a unique position to make an exceptional contribution in the field for carefully organized programming provided the applying organization will assume full organizational responsibility and will identify the required non-Federal matching funds for the project. Before submitting an application, such organizations should send a letter to the Music Program prior to September 1, 1974, stating the nature of the project for which support would be sought and outlining the history of the organization with emphasis on past support of jazz, folk, ethnic activities.

Generally, grants to educational institutions will be limited to those institutions which have a strong commitment to the programming of folk and indigenous musics as evidenced by previous direct support to activities within the jazz, folk, ethnic idioms.

NOTE: Applications for regional or national programming will be recommended only provided that:

(1) The overall plan includes a well-developed educational component such as workshops, clinics, and/or other structured programs of educational value. Such programs may be planned in cooperation with local sponsoring educational, community and religious organizations.

(2) If the request involves touring, the applicant presents a proposed itinerary and includes, if applicable, supporting letters from organizations which would act as local sponsors.

Category III (Individuals). Non-matching one-time travel/study fellowship grants of up to $1,000 to enable young musicians of exceptional talent to study and/or tour with individual professional artists or ensembles for short-term concentrated instruction and experience. Normally these grants will not cover periods longer than one month. Under no conditions will these awards cover tuition costs for formal study at an educational institution, nor will such assistance apply to foreign travel. The intent of this category of support is to facilitate the professional development of musicians who already have proven their potential for advanced study and professional careers.

COMPLETION OF THE APPLICATION

General. Applicants are urged to study carefully, point by point, the General Purpose and Categories of Support, as described earlier, before they submit their applications.

Application forms must be submitted in triplicate. All essential elements of the proposal must be included in a concise project description in the space provided on the first page of the application. If additional space is needed, no more than one additional 8½" x 11" page may be attached to each of the application forms.

Under no conditions will an application be considered for support in more than one category. In addition, applicants must limit their requests to a single application.

Completion of the Application: Category I (Individuals)—The Application Form—No. NEA–2 (Rev.). While the entire form must be completed, applicants are asked to pay particular attention to the following information requested on the application:

(1) "Description of Proposed Activity."

(a) Description of work to be composed or arranged.

(b) If the work is to be composed for a specific group or individual, include as part of the project description the name and, in the case of groups, the instrumentation of the ensemble.

(c) Are there plans for the work to be performed? By whom? When? Where? In what context (concert, festival, television, etc.)?

(d) "Amount Requested from NEA."

(2) "Career Summary."

(3) "Period for which Grant Support is Requested" (may not begin earlier than March 1, 1975).

The application must be signed and dated.

Additional Required Materials. (1) Two reference statements (sent directly to the Music Program, National Endowment for the Arts, Washington, D.C. 20506). References must be submitted by individuals who are qualified to discuss the applicant's musical ability and achievements.

(2) One tape and one score or one disc and one score, preferably of the same material, must accompany the application. The one sample should be representative of the applicant's compositional and/or scoring ability within the specific style for which the applicant is requesting assistance. Lead sheets are not acceptable. Tapes, moreover, must conform to the following specifications: One tape, 7" reel, 7½ speed, reel-to-reel two or four track, leader between compositions if there is more than one composition, ready to be played on reel, tails in, no splices. No cassettes. Applicant's name and address must be included on all supporting material.

Completion of the Application: Category II (Organizations)—The Application Form—No. NEA–3 (Rev.). (1) Applying organizations are asked to follow closely the instruction sheet attached to the application and supply all information requested. The "check list" at the end of the application form should be used to be certain that all information necessary for prompt processing and consideration of applications has been supplied.

(2) "Period of Support Requested" (Sec. III) may not begin earlier than March 1, 1975.

(3) Budget (Secs. VI and IX):

A breakdown on salaries, travel, and all other categories in the budget should be provided, including entries under "Other." "Miscellaneous" and "contingency" items may not be included.

(4) "Total amount requested from NEA" (Sec. VII)—rounded to the nearest $100—may not exceed more than one-half the total project costs.

(5) "Organization's Total Fiscal Activity" (Sec. VIII):

The fiscal data requested in this item should not reflect the organization's total operating expenses and revenues unless all of the organization's activities are involved in jazz/folk/ethnic music. In other words, institutions should include only data reflecting their activities in the area for which support is requested.

(6) "Contributions, Grants and Revenues" (Sec. X):

All applicants must complete this section of the application. The total amount entered in this section plus the amount requested from the National Endowment for the Arts must equal the total project costs.

(7) "Certification" (Sec. XII):

The application must be signed by an official with authority to legally obligate the applying organization. In addition, names, titles, and telephone numbers of the authorizing official(s), project director, and payee must be typed under the signatures.

Required Supplementary Information. (1) Copy of Internal Revenue Service determination letter indicating tax-exempt status must be attached to application. State or local government units must attach to the application a copy of the official document which indicates their status within the state or local government. Applications which arrive at the Endowment without the appropriate document attached will not be processed until all required documents are on file.

(2) Brief statement of organization's history, stressing its long-range commitment to the program and any experience it has had in the area for which assistance is sought. (State arts agencies need not supply this item.)

(3) Biographical information on both professional artists who will participate and persons on whom full responsibility will rest for the artistic direction, program planning, and management.

Completion of the Application: Category III (Individuals)—The Application Form—No. NEA–2 (Rev.). While the entire form must be completed, applicants are asked to pay particular attention to the following information requested on the application:

(1) "Description of Proposed Activity."

(a) Name of the individual or group with whom applicant wishes to travel or study. If applicant requires the address of the musician with whom he wishes to study or travel, the Endowment suggests that an inquiry be addressed to the American Federation of Musicians (President's Office, Tour Department), 641 Lexington Avenue, New York, New York 10022.

(b) When and where the project is to be carried out.

(c) "Amount Requested from NEA."

(d) Brief budget of anticipated travel and living expenses. If a fee will be paid to the artist/instructor, the fee and amount of time involved should be entered in the budget.

(2) "Career Summary."

(3) "Period for which Grant Support is Requested" (may not begin earlier than March 1, 1975).

The application must be signed and dated.

Additional required materials. (1) Two references statements (sent directly to the Music Program, National Endowment for the Arts, Washington, D.C. 20506). References must be sent by individuals who are qualified to discuss the applicant's musical ability and achievements.

(2) A confirming letter from the individual or leader of the group with whom applicant wishes to travel or study. The letter should designate a definite time commitment, state generally how the activity is to proceed, and confirm the fee which the specialist is charging the student. The letter should also state that the specialist will provide a report of the applicant's study directly to the Endowment at the close of the period of support.

GENERAL INFORMATION

Application processing. The application, if not completed properly, will be returned to the applicant for corrections. The Endowment cannot accept responsibility for delays occasioned by the late arrival of applications or requests which have been improperly submitted.

*Where several local presentations are contained in an application for coordinated activities by a state or regional arts agency, a grant may be awarded for more than the stated amount in this category.

Applications will be returned to the applicant if the individual or organization does not meet the eligibility criteria set forth in these guidelines or if the proposed project does not fall within the scope of these guidelines.

If an application is incomplete and/or if all additional required materials have not been submitted, the application may be rejected due to insufficient information for review.

Tapes, scores, and discs received at the Endowment will be returned although the Endowment cannot responsibility for losses incurred en route. Applicant's name and address must be included on all supporting material.

Application review. After an application with all necessary information has been received, the file will be reviewed as follows:

(1) The Endowment music staff, the Jazz/Folk/Ethnic Advisory Panel, and the National Council on the Arts successively review the application.

The Jazz/Folk/Ethnic Program makes use of two advisory groups: one consisting of jazz specialists; the other consisting of a wide range of practicing folk musicians, sociologists, and ethnomusicologists. These groups meet both separately and jointly; they function concurrently as the Jazz/Folk/Ethnic Panel in reviewing all policy matters and applications.

(2) Notices of conditional approval or rejection will be sent only as the Chairman authorizes.

Applicants are urged not to seek information on the status of their requests.

Final reports. At the conclusion of the grant period, the Endowment requires final reports from all grantees. Complete instructions on final reporting will accompany the grant letter.

OTHER AREAS OF INTEREST

Documentation and preservation. The Endowment has initiated a project designed to add to national and regional archives which document the creativity and experiences of distinguished leaders in the development of jazz/folk/ethnic music in the United States.

During 1974–75, the project will be devoted principally to audio-taped interviews of senior artists who have made distinguished contributions. To date, the project has concentrated on elder jazz musicians.

In addition, the Endowment is exploring the possibility of initiating efforts to encourage documentation of traditional music techniques and recordings for archival use of significant artists in the field. Formal applications for these activities will not be accepted. However, the Endowment would be interested in receiving programming suggestions or outlines of proposed projects in the form of a letter which would include the following information:

(1) Subject(s) to be documented.

(2) Technical approach to the documentation.

(3) Statement as to why this would be a significant contribution to the field.

(4) A brief summary of costs for program or project.

(5) Biographical information on the person who will have the primary artistic responsibility, if the inquiry is for a specific project.

(6) The nature of sample work that could be supplied, if requested.

Letters should be addressed to the Music Program, National Endowment for the Arts, Washington, D.C. 20506.

Media dissemination. The Jazz/Folk/Ethnic Panel and the National Council on the Arts encourage projects in media programming in the jazz/folk/ethnic fields. A portion of the Public Media Program Guidelines is reproduced below for those interested in media dissemination projects.

Programming in the Arts. Matching grants up to $50,000 for production, research and development designed to improve the quality of arts programming on film, television and radio. Some of the grants made specifically in regard to programming on Public Television will be jointly funded by the Corporation for Public Broadcasting and the National Endowment for the Arts.

Applications for matching Treasury Fund grants will be accepted from recognized, nonprofit-producing organizations for production, research and development of major programs on the arts, including those designed specifically for broadcast as a series over the Public Television network. There is no set maximum for applications in this area.

Applications must be postmarked no later than October 1, 1974. Applicants should not anticipate announcement of awards and rejections before March 15, 1975. Projects should not be scheduled to begin before April 1, 1975.

For further information and applications, address inquiries to Public Media Program, National Endowment for the Arts, Washington, D.C. 20506.

[FR Doc.74–16427 Filed 7–17–74;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 July 15, 1974 (44 U.S.C. 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 FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Family Planning Survey, Form, Single time, Sunderhauf/HRD/Reese, 50 States and 4 jurisdictions.

DEPARTMENT OF LABOR

Manpower Administration: Extended Unemployment Compensation Program on a Labor Market Basis, Form, Single time, Strasser, State ES agencies.

DEPARTMENT OF TRANSPORTATION

U.S. Coast Guard: User Response Questionnaire, Form, Single time, Lowry, Mariners.

Departmental, Application for Waiver—Waiver Renewal Application, Form, Occasional, Lowry, Motor Carriers.

U.S. TARIFF COMMISSION

Questionnaire for Purchasers of Bleached Hardwood Kraft Pulp: Form, Single time, Evinger, Establishments purchasing bleached hardwood kraft pulp.

REVISIONS

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration: Civil Rights Data Report, Form FAA 5190–10, Annual, Sunderhauf/EGG/Lowry, Public Airport operators.

EXTENSIONS

GENERAL SERVICES ADMINISTRATION

Application for Reimbursement of Expenses Incidental to Conveyance of Real Property: Form SF 260, Occasional, Evinger (x).

Qualification Statement for Benefits under Public Law 91–646—Owner-Dwelling: Form SF 261, Occasional, Evinger (x).

Qualification Statement for Benefits under Public Law 91–646—Tenants and Certain Others: Form SF 262, Occasional, Evinger (x).

Qualification Statement for Benefits under Public Law 91–646—Moving Expenses for Business or Farm Operation: Form SF 263, Occasional, Evinger (x).

Application for Moving Costs and Related Expenses—Families and Individuals: Form SF 264, Occasional, Evinger (x).

Application for Replacement Housing Payment for Tenants and Certain Others: Form SF 265, Occasional, Evinger (x).

Application for Replacement Housing Payment—Homeowner: Form SF 266, Occasional, Evinger (x).

Application for Payment of Moving Costs and Related Expenses Business and Farm Operation: Form SF 267, Occasional, Evinger (x).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health:

Genital Tract Carcinomas of Youth and Adults, Form NIH–CA–16, Occasional, Evinger (x).

Breast Cancer Study, Form NIH–CA–17, Occasional, Evinger (x).

Leisure World Study, Form NIH–CA–18, Occasional, Evinger (x).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health: Anticonvulsant Drug Study Forms, Form NIH–ND–5, Occasional, Evinger (x).

U.S. CIVIL SERVICE COMMISSION

Medical Report (Epilepsy): Form CSC–739, Occasional, Evinger (x).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Report of Government-Owned/Contractor Held Property and Space Hardware: Form NASA–1018, Annual, Sheftel.

VELMA N. BALDWIN,
Assistant to the Director for Administration.

[FR Doc.74–16583 Filed 7–17–74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

BROKER-DEALER MODEL COMPLIANCE PROGRAM ADVISORY COMMITTEE

Notice of Public Meetings

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 93–463, 86 Stat. 770, the Securities and Exhange Commission announces the following public advisory committee meetings.

The Commission's Advisory Committee on a Model Compliance Program for Broker-Dealers, established on October 25, 1972 (Securities Exchange Act Release No. 9335), will hold meetings on August 13–14, 1974, at the National Association of Securities Dealers Board Room, 1735 K Street NW., Washington, D.C., 10th Floor. The meeting on August 13th will commence at 10 a.m. and the meeting on August 14th will commence at 9 a.m.

This Advisory Committee was formed to assist the Commission in developing a model compliance program to serve as an industry guide for the broker-dealer community. Assisted by this Committee's work, the Commission plans to publish a guide to broker-dealers of the standards to which they should adhere if investor confidence in the fairness of the market place is to be warranted and sustained. The Committee's recommendations are not intended to result in the expansion of Commission rules governing broker-dealers, but to inform broker-dealers as to the existing requirements and how they may comply with them.

The Committee's scheduled meetings will be for the purpose of reviewing drafts and proposals concerning the Committee's proposed report to the Commission on these compliance guidelines for broker-dealers.

These meetings are open to the public. Any interested person may attend and appear before or file statements with the Advisory Committee—which statements, if in written form, may be filed before or after the meetings or, if oral, at the time and in the manner and extent permitted by the Advisory Committee. Information on the procedures for making statements may be obtained by contacting: SEC Broker-Dealer Model Compliance Program Advisory Committee, Mr. Sidney T. Bernstein, Secretary, 500 North Capitol Street NW., Room 334, Washington, D.C. 20549.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JULY 10, 1974.

[FR Doc.74–16430 Filed 7–17–74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 551]

ASSIGNMENT OF HEARINGS

JULY 15, 1974.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 110420 Sub-694, Quality Carriers, Inc., now assigned July 23, 1974, at Chicago, Ill., is cancelled and the application is dismissed.

No. 35786, Feed Grains to New England, now being assigned hearing November 4, 1974 (1 week), in Room 501, Causeway Street, Boston, Mass.

MC 139605, MJR Enterprises, application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–16469 Filed 7–17–74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 15, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before August 2, 1974.

FSA No. 42847—*Propylene Oxide to Points in West Virginia.*

Filed by Southwestern Freight Bureau, Agent (No. B–472), for interested rail carriers. Rates on propylene oxide, in tank-car loads, as described in the application, from Plaquemine, Louisiana, Bayport and Freeport, Texas, to Charleston, Institute, and South Charleston, West Virginia.

Grounds for relief—Market competition.

Tariff—Supplement 13 to Southwestern Freight Bureau, Agent, tariff 12–I, I.C.C. No. 5132. Rates are published to become effective on August 12, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–16468 Filed 7–17–74;8:45 am]

[No. AB–19 (Sub-No. 7)]

BALTIMORE AND PHILADELPHIA RAILROAD CO. AND BALTIMORE AND OHIO RAILROAD CO.

Abandonment of Crum Creek Branch, Eddystone, Delaware County, Pennsylvania

JULY 12, 1974.

The Interstate Commerce Commission hereby gives notice that on May 17, 1974, notice was published locally that an environmental threshold assessment survey and order for the above-entitled proceeding determined that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. Inasmuch as no comments in opposition, of an environmental nature, were received by the Commission in response to the May 17, 1974, notice, this proceeding is now ripe for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–16466 Filed 7–17–74;8:45 am]

[Finance Docket No. 27546]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO.

Acquire and Operate; a Line of Railroad, Postville, Allamakee County, Iowa

JULY 11, 1974.

The Interstate Commerce Commission hereby gives notice that on May 22, 1974, notice was published locally that an environmental threshold assessment survey and order for the above-entitled proceeding determined that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. Inasmuch as no comments in opposition, of an environmental nature, were received by the Commission in response to the May 22, 1974, notice, this proceeding is now ripe for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–16464 Filed 7–17–74; 8:45 am]

[No. AB–53]

KANSAS AND MISSOURI RAILWAY AND TERMINAL CO.

Abandonment Between Intersection of 3rd and New Jersey Avenue and Applicant's Matoon Yard, Kansas City, Wyandotte County, Kansas

JULY 11, 1974.

The Interstate Commerce Commission hereby gives notice that on May 21, 1974, notice was published locally that an environmental threshold assessment survey and order for the above-entitled proceeding determined that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. Inasmuch as no comments in opposition, of an environmental nature, were received by the Commission in response to the May 21, 1974 notice, this proceeding is now ripe for further disposition within the Office of Hearings

or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-16465 Filed 7-17-74;8:45 am]

[No. AB-10, 2 (Sub-No. 5, 6)]

NORFOLK AND WESTERN RAILWAY CO. AND LOUISVILLE AND NASHVILLE RAILROAD CO.

Abandonment

JULY 11, 1974.

The Interstate Commerce Commission hereby gives notice that on May 31, 1974, notice was published locally that an environmental threshold assessment survey and order for the above-entitled proceedings determined that the proceedings do not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. Inasmuch as no comments in opposition, of an environmental nature, were received by the Commission in response to the May 31, 1974 notice, these proceedings are now ripe for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74—16465 Filed 7-17-74;8:45 am]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS; CORRECTION

The following notices of filings of petitions were published in FEDERAL REGISTER volume 39, number 129, pages 24563 and 24564 on Wednesday, July 3, 1974:

MC-11220 (Sub-No. 134)
MC-109326 (Sub-No. 86)
MC-112713 (Sub-No. 107)
MC-134114 (Sub-No. 1)
MC-135787 (Sub-No. 1)

Inadvertently these notices incorrectly indicated July 3, 1974 as the due date for participatory replies. The correct due date for replies is August 2, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-16470 Filed 7-17-74;8:45 am]

[Notice 123]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 18, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 6, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75105. By order of July 10, 1974, the Motor Carrier Board authorized John P. Stachnik and Stephen E. McPartlin, of Oak Brook, Ill., to acquire partial control of Forlow Travel Bureau, Inc., South Bend, Ind., which holds License No. MC-12483 (Sub-No. 1) authorizing it to engage in operations as a broker in connection with the transportation of passengers and their baggage, in all-expense round-trip special and charter sightseeing and pleasure tours, beginning and ending at points in Indiana, Cook County, Ill., and Berrien, Cass, Kalamazoo, and St. Joseph Counties, Mich., and extending to all points in the United States (except Alaska and Hawaii). Harry J. Harman, 8130 South Meridian Street, Indianapolis, Ind. 46217, attorney for applicants.

No. MC-FC-75149. By order of July 10, 1974, the Motor Carrier Board approved the transfer to Little Dutch Lines, Inc., Pella, Iowa, of Permits Nos. MC-135352 Sub 1, MC-135352 Sub 2, and MC-135352 Sub 4, issued February 18, 1972, October 19, 1972, and March 5, 1973, respectively, to Vander Hart Transfer and Storage, Inc., Pella, Iowa, authorizing the transportation of tires from Memphis, Tenn., to Pella, Iowa; new plastic furniture, parts and components thereof, and plastic articles from Pella and Des Moines, Iowa, to St. Louis, Mo.; and foam molded articles, new furniture, furniture parts, plastic articles, and foam pallets from Pella and Des Moines, Iowa, to points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, and from points in Illinois, South Dakota, and Texas to Pella and Des Moines, Iowa. Thomas E. Leahy, Jr., Esq., attorney for transferee, 900 Hubbell Building, Des Moines, Iowa 50309.

No. MC-FC-75231. By order entered July 11, 1974, the Motor Carrier Board approved the transfer to Yellow Van & Storage, Inc., San Antonio, Tex., of the operating rights set forth in Certificate No. MC-138298, issued March 11, 1974, to Dub Chilton, doing business as Yellow Van & Storage, San Antonio, Tex., authorizing the transportation of used household goods, between points in Atascosa, Bandera, Bexar, Blanco, Comal, De Witt, Frio, Gillespie, Gonzales, Guadalupe, Hays, Karnes, Kendall, Kerr, La Salle, Lavaca, McMullen, Medina, and Wilson Counties, Tex., subject to certain restrictions. Glenn G. Turner, 7934 Webbles Drive, San Antonio, Tex. 78218, representative for applicants.

No. MC-FC-75238. By order entered July 11, 1974, the Motor Carrier Board approved the transfer to Steinway Van & Storage Corp., Long Island City, New York, of the operating rights set forth in Certificate No. MC-19878, issued June 28, 1974, to A & K Moving & Storage, Inc., Brooklyn, N.Y., authorizing the transportation of household goods as defined by the Commission, between New York, N.Y., and points on Long Island, N.Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, and Pennsylvania. Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368, attorney for applicants.

No. MC-FC-75245. By order entered July 10, 1974, the Motor Carrier Board approved the transfer to Daggett Truck Line, Inc., Frazee, Minn., of a portion of the operating rights set forth in Permit No. MC-135845 (Sub-No. 3), issued July 13, 1973, to Cater, Inc., Moorhead, Minn., authorizing the transportation of such merchandise as is dealt in by retail and wholesale food and grocery business houses, from points in Idaho, Illinois, Iowa, Minnesota, and Wisconsin, to Fargo, N. Dak., restricted to a transportation service to be performed under a continuing contract, or contracts with Big Red Grocery Co. Gene P. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102, attorney for applicants.

No. MC-FC-75257. By order entered July 11, 1974, the Motor Carrier Board approved the transfer to Ray Slater, Inc., Philadelphia, Pa., of the operating rights set forth in Certificate No. MC-67403, issued November 24, 1974, to Raymond Slater, Philadelphia, Pa., authorizing the transportation of steel and metals, from Philadelphia, Pa., to points in New Jersey and Delaware; scrap metal, from points in New Jersey and Delaware to Philadelphia, Pa.; and soap, sizes, and softeners, from Philadelphia, Pa., to points in New Jersey. John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011, practitioner for applicants.

No. MC-FC-75260. By order of July 10, 1974, the Motor Carrier Board approved the transfer to Fairport Trucking Company, a corporation, Grand River, Ohio, of a portion of the operating rights in Certificate No. MC-135323 issued December 2, 1971, to M & M Trucking Co., a corporation, Bessemer, Pa., authorizing the transportation of cement from points in Lake County, Ohio, to described areas in New York, Pennsylvania, West Virginia, Kentucky, and Indiana. John A. Pillar, 1122 Frick Building, Pittsburgh, Pa. 15219, attorney for transferor. Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215, attorney for transferee.

No. MC-FC-75262. By order entered July 10, 1974, the Motor Carrier Board approved the transfer to Shorty's Towing and Transportation Service, Inc.,

Fridley, Minn., of the operating rights set forth in Certificate No. MC–109741, issued March 26, 1974, to Don's Towing and Automotive Service, Inc., doing business as Bishop Towing Service, St. Paul, Minn., authorizing the transportation of wrecked or disabled motor vehicles, and tractors for replacement or wrecked or disabled tractors, in truckaway service, between points in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin. Stanley C. Olsen, Jr., 1000 First National Bank Building, Minneapolis, Minn. 55402, attorney for applicants.

No. MC–FC–75264. By order of July 10, 1974, the Motor Carrier Board approved the transfer to Joe D. Ray, Portales, N. Mex., of the operating rights in Certificate No. MC–133958 (Sub-No. 2) issued October 7, 1970, to W. E. Stockard, Roswell, N. Mex., authorizing the transportation of dry animal and poultry feeds and dry feed supplements between points in New Mexico, on the one hand, and, on the other, points in a described area of Texas. Edwin E. Piper, Jr., 1115 Sandia Savings Building, Albuquerque, N. Mex., 87101, attorney for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–16467 Filed 7–17–74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JULY 12, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before July 29, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC–2368 (Sub-No. E1), filed May 29, 1974. Applicant: BRALLEY-WILLET TANK LINES, INC., P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Richmond, Va., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC–2368 (Sub-No. E3), filed May 29, 1974. Applicant: BRALLEY-WILLETT TANK LINES, P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry adipic acid*, in bulk, in tank vehicles, from Richmond, Va., to Natrium, W. Va., Perth Amboy, N.J., and Chestertown, Md. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC–2368 (Sub-No. E5), filed May 29, 1974. Applicant: BRALLEY-WILLETT TANK LINES, P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplements*, in bulk, in tank vehicles, from points in Virginia on, north, and west of a line beginning at the Virginia-West Virginia State line and extending east along U.S. Highway 250 to Waynesboro, thence along U.S. Highway 340 to Luray, thence along U.S. Highway 211 to its junction with Interstate Highway 66, thence along Interstate Highway 66 to the Virginia-District of Columbia State line, to points in South Carolina. The purpose of this filing is to eliminate the gateway of Linville, Va.

No. MC–2368 (Sub-No. E18), filed May 29, 1974. Applicant: BRALLEY-WILLETT TANK LINES, P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk, in tank vehicles, from points in Virginia on, east, and north of a line beginning at the District of Columbia-Virginia State line, and extending along U.S. Highway 1 to Richmond, Va., thence along Interstate Highway 64 to its junction with Interstate Highway 264, thence along Interstate Highway 264 to the Atlantic Ocean, to points in North Carolina on and west of U.S. Highway 29. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC–2368 (Sub-No. E19), filed May 29, 1974. Applicant: BRALLEY-WILLETT TANK LINES, P.O. Box 495, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk, in tank vehicles, from points in Virginia on, east, and south of a line beginning at the Virginia-North Carolina State line and extending along Interstate Highway 95 to Richmond, thence along U.S. Highway 1 to Fredericksburg, thence along Virginia Highway 3 to the Chesapeake Bay, to points in West Virginia on, south, and west of a line beginning at the West Virginia-Kentucky State line and extending along Interstate Highway 64 to Charleston, thence along Interstate Highway 77 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC–7640 (Sub-No. E4), filed May 27, 1974. Applicant: BARNES TRUCK LINE, INC., P.O. Box 2006, High Point, N.C. 27261. Applicant's representative: John T. Coon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from points in that part of North Carolina west of U.S. Highway 29, to points in Delaware, New Jersey, that part of Virginia on and east of a line beginning at the North Carolina-Virginia State line, thence along Interstate Highway 85 to its junction with Interstate Highway 95, thence along Interstate Highway 95 to the Virginia-District of Columbia Boundary line, that part of Maryland on and east of a line beginning at the District of of Columbia-Maryland Boundary line, thence along Interstate Highway 70S to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Maryland-Pennsylvania State line, and that part of Pennsylvania on, north, and east of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 70 to Breezewood, thence along Interstate Highway 76 to its junction with Interstate Highway 80S, thence along Interstate Highway 80S to the Pennsylvania-Ohio State line, and the District of Columbia; and (2) *lumber* (except plywood and veneer), from points in that part of North Carolina west of U.S. Highway 29, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and that part of Ohio on, north, and east of a line beginning at the Pennsylvania-Ohio State line, thence along Interstate Highway 76 to Woodworth, thence along Ohio Highway 7 to Youngstown, thence along Ohio Highway 193 to Lake Erie.

No. MC–7640 (Sub-No. E5), filed May 26, 1974. Applicant: BARNES TRUCK LINES, INC., P.O. Box 2006, High Point, N.C. 27261. Applicant's representative: John T. Coon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and agricultural machinery parts* (except commodities requiring special equipment), (1) from points in South Carolina to points in Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, Connecticut, Delaware, New Jersey, that part of Maryland east of Interstate Highway 81, that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 81 to its junction with Pennsylvania Highway 16, thence along Pennsylvania Highway 16 to its junction with

U.S. Highway 15, thence along U.S. Highway 15 to Gettysburg, thence along Pennsylvania Highway 34 to its junction with U.S. Highway 322, thence along U.S. Highway 322 to its junction with U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line, and that part of New York east of a line beginning at the Pennsylvania-New York State line, thence along U.S. Highway 219 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to Buffalo, and (2) from points in North Carolina to points in Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, Connecticut, Delaware, New Jersey, that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 83 to its junction with Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line, and that part of New York east of a line beginning at the New York-Pennsylvania State line, thence along Interstate Highway 81 to Syracuse, thence along New York Highway 57 to Lake Ontario; and (B) materials and supplies used in the manufacture of agricultural machinery, agricultural implements, and agricultural machinery parts, (1) from those destination points described in (A)(1) above, to points in South Carolina, and (2) from those destination points described in (A)(2) above, to points in North Carolina.

No. MC–17868 (Sub-No. E23), filed May 31, 1974. Applicant: H. E. BRINKERHOFF & SONS TRANSPORTATION CO., 1001 South 14th Street, Harrisburg, Pa. 17104. Applicant's representative: Thomas R. Kingsley, 1819 H Street, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and the District of Columbia, those in and east of Frederick, Shenandoah, Rockingham, Augusta, Albemarle, Fluvanna, Goochland, Chesterfield, Dinwiddie, Sussex, and Southampton Counties, Va., and points in and east of Somerset, McKeesport, Allegheny, Armstrong, Clarion, Elk, and McKean Counties, Pa. The purpose of this filing is to eliminate the gateway of Harrisburg, Pa.

No. MC–25798 (Sub-No. E1) (Correction), filed April 7, 1974, published in the FEDERAL REGISTER May 3, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh vegetables, in mixed shipments with frozen citrus products or citrus products not canned and not frozen*, from points in Florida to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, West Virginia, and Wisconsin (except when from points in Florida west of the eastern boundary of Jefferson County and destined to points in Kentucky, applicable only to points east of Kentucky Highway 61 beginning at the Kentucky-Tennessee State line to Elizabethtown, and extending along U.S. Highway 31W to its intersection with U.S. Highway 60, thence along U.S. Highway 60 to its intersection with Kentucky Highway 79, thence along Kentucky Highway 79 to the Kentucky-Indiana State line (where from points in Florida west of the eastern boundary of Jefferson County and destined to points in Illinois, applicable only to points in Illinois, on and north of U.S. Highway 460 beginning at the Illinois-Indiana State line, to its intersection with U.S. Highway 40, thence along U.S. Highway 40 to the Illinois-Missouri State line) (when from points in Florida west of the eastern boundary of Jefferson County, and destined to points in Indiana, not applicable to points in Posey, Vanderburg, Warrick, Spencer, Perry, Dubois, Gibson, and Pike Counties, Indiana). The purpose of this filing is to eliminate the gateway of points in Henderson County, N.C. The purpose of this correction is to correctly describe the territory sought to be served.

No. MC–30280 (Sub-No. E56), filed May 17, 1974. Applicant: WATKINS CAROLINA EXPRESS, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Paul Daniell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton and textile products*, from points in Hudson, Bergen, Essex, Passaic, Union, and Middlesex Counties, N.J., (1) to points in that part of North Carolina on, south, and east of a line beginning at the North Carolina-South Carolina State line, thence along U.S. Highway 15 to Laurinburg, thence along U.S. Highway 401 to Fayetteville, thence along U.S. Highway 301 to junction U.S. Highway 70, thence along U.S. Highway 70 to Kinston, thence along U.S. Highway 258 to Jacksonville, thence along U.S. Highway 17 to Dixon, thence along North Carolina Highway 210 to the Atlantic Ocean, and (2) to points in that part of North Carolina on and west of North Carolina Highway 18. The purpose of this filing is to eliminate the gateway of Pelham, N.C.

No. MC–30280 (Sub-No. E57), filed May 17, 1974. Applicant: WATKINS CAROLINA EXPRESS, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Paul Daniell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton and textile products*, from Baltimore, Md., to points in Georgia. The purpose of this filing is to eliminate the gateway of Charlotte, N.C.

No. MC–30280 (Sub-No. E58), filed May 9, 1974. Applicant: WATKINS CAROLINA EXPRESS, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Paul Daniell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, dairy products, livestock, acids, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), from Baltimore, Md., to points in tha part of South Carolina on and west of a line beginning at the North Carolina-South Carolina State line, thence along South Carolina Highway 150 to Gaffney, thence along South Carolina Highway 18 to junction U.S. Highway 176, thence along U.S. Highway 176 to junction South Carolina Highway 34, thence along South Carolina Highway 34 to junction U.S. Highway 601, thence along U.S. Highway 601 to Orangeburg, thence along U.S. Highway 21 to Beaufort. The purpose of this filing is to eliminate the gateways of Charlotte, N.C., and Greenville, S.C.

No. MC–46219 (Sub-No. E11), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55, Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from Philadelphia, Pa., to points in North Carolina, South Carolina, Georgia, Alabama, Louisiana, Kentucky, Tennessee, and Florida. The purpose of this filing is to eliminate the gateway of Alexandria, Va.

No. MC–46219 (Sub-No. E12), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55, Pearson Street, Long Island City, N.Y. 11101. Applicant's repersentative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Pennsylvania (except points in Erie, Crawford, Warren, Forest, Elk, McKean, Potter, Tioga, Cameron, Clinton, Lycoming, Venango, Bradford, Sullivan, Columbia, Montour, Luzerne, Wyoming, Susquehanna, Lackawanna, Wayne, Pike, Monroe, and Carbon Counties), to points in Vermont. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E13), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55, Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from points in Erie County, N.Y., to points in North Carolina, South Carolina, Georgia, Florida, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateways of Jamestown, N.Y., Warren, Pa., and Alexandria, Va.

No. MC–46219 (Sub-No. E14), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Jamestown, N.Y., and points within 30 miles thereof to points in Florida. The purpose of this filing is to eliminate the gateway of Hampton, Va.

No. MC–46219 (Sub-No. E15), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Chautauqua and Cattaraugus Counties, N.Y., to points in Ohio, Pennsylvania, Massachusetts, Connecticut, Rhode Island, New Jersey, West Virginia, North Carolina, South Carolina, Georgia, Louisiana, Mississippi, Alabama, Florida, Virginia, and Nassau, Suffolk, Westchester, Putnam, and Rockland Counties, N.Y., and points in Bergen, Hudson, Passaic, Essex, Morris, Middlesex Counties, N.J. The purpose of this filing is to eliminate the gateway of Warren, Pa., and New York, N.Y.

No. MC–46219 (Sub-No. E16), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James F. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from Jamestown, N.Y., and points within 30 miles thereof, to points in Louisiana, Florida, Alabama, Georgia, South Carolina, and North Carolina. The purpose of this filing is to eliminate the gateway of Alexandria, Va.

No. MC–46219 (Sub-No. E17), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James F. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from points in New York (except Niagara, Orleans, Wayne, Erie, Genesee, Monroe, Ontario, Seneca, Cayuga, Tompkins, Tioga, Chemung, Schuyler, Steuben, Yates, Livingston, Allegany, Wyoming, Chautauqua, and Cattaraugus Counties) to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Kentucky, and Tennessee. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E18), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 44–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Franklin, Clinton, Essex, Warren, Saratoga, Washington, Montgomery, Schenectady, Rensselaer, Albany, Schoharie, Greene, Columbia, Ulster, Sullivan, Dutchess, Orange, Rockland, Putnam, Nassau, Suffolk, and Westchester Counties, N.Y., to points in Maryland, Delaware, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of New York, N.Y., and Paterson, N.J.

No. MC–46219 (Sub-No. E22), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in New Jersey (except Sussex, Bergen, and Passaic Counties), to points in Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Florida, and points in St. Lawrence, Franklin, Clinton, Essex, Hamilton, Herkimer, Fulton, Warren, Saratoga, Washington, Rensselaer, Albany, Schenectady, Montgomery, Schoharie, Greene, Columbia, Dutchess, Putnam, Westchester, Nassau, and Suffolk Counties, N.Y. The purpose of this filing is to eliminate the gateway of New York, N.Y., and Hampton, Va.

No. MC–46219 (Sub-No. E23), filed May 24, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New household furnishings, uncrated* (or crated when moving in the same vehicle with uncrated), restricted to shipments moving from retail department stores or storage facilities maintained by such stores, from Newark, N.J., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, and Tennessee. The purpose of this filing is to elminate the gateway of Alexandria, Va.

No. MC–46219 (Sub-No. E24), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and household goods*, from points in West Virginia, to points in Connecticut, Massachusetts, and Rhode Island, and points in Bergen, Passaic, Hudson, Essex, Union, and Middlesex Counties, N.J., and points in Westchester, Rockland, Putnam, Dutchess, Columbia, Greene, Schoharie, Albany, Rensselaer, Montgomery, Fulton, Saratoga, Washington, Warren, Hamilton, Essex, Clinton, Schenectady, Nassau, and Suffolk Counties, N.J. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E25), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated store and office furniture*, from points in Rhode Island to points in Niagara, Schuyler, Erie, Thompkins, Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Broome, Ulster, Sullivan, Orange, Rockland, Westchester, Nassau, and Suffolk Counties, N.Y., and points in Ohio, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, Tennessee, New Jersey, and Kentucky, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., Alexandria, Va., and Warren, Pa.

No. MC–46219 (Sub-No. E26), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 2004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New household and office furniture*, from points in Rhode Island to points in New Jersey (except points in Atlantic, Cape May, Cumberland, Salem, and Gloucester Counties), and points in Ohio, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana, and Mississippi, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., Paterson, N.J., Philadelphia, Pa., Hampton, Va., Warren, Pa., and Jamestown, N.Y.

No. MC–46219 (Sub-No. E28), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James

E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new and used household and office furniture*, from points in Rhode Island to points in Niagara, Erie, Chautauqua, Cattaraugus, Wyoming, Allegany, Steuben, Schuyler, Tompkins, Chemung, Tioga, Broome, Sullivan, Orange, and Rockland Counties, N.Y. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E29), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture*, from points in Louisiana, Kentucky, Tennessee, North Carolina, and South Carolina to points in Maryland, Delaware, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Alexandria, Va., and New York, N.Y.

No. MC–46219 (Sub-No. E30), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated*, from points in Kentucky, and Tennessee to points in Pennsylvania (except Erie, Crawford, Warren, McKean, Potter, Tioga, Mercer, Venango, Elk, Cameron, Clinton, Elk, Forest, Clarion, Jefferson, Clearfield, Centre, Union, Lawrence, Butler, Armstrong, Indiana, Cambria, Blair, Huntingdon, Mifflin, Snyder, Juniata, Westmoreland, Allegheny, Beaver, Washington, Greene, Fayette, Somerset, Bedford, and Fulton Counties) and points in Clinton, Essex, Warren, Fulton, Saratoga, Washington, Montgomery, Schenectady, Rensselaer, Otsego, Schoharie, Albany, Columbia, Delaware, Greene, Ulster, Sullivan, Dutchess, Orange, Putnam, Rockland, and Westchester Counties, N.Y. The purpose of this filing is to eliminate the gateway of Alexandria, Va., and New York, N.Y.

No. MC–46219 (Sub-No. E31), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Ohio to points in New Hampshire, Connecticut, and Massachusetts (except points in Berkshire County). The purpose of this filing is to eliminate the gateway of New York, N.Y., and Jamestown, N.Y.

No. MC–46219 (Sub-No. E32), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Virginia to points in Connecticut, Rhode Island, Massachusetts, points in Bergen, Passaic, Hudson, Essex, and Union Counties, N.J., and points in Westchester, Rockland, Putnam, Dutchess, Columbia, Greene, Schoharie, Albany, Rensselaer, Montgomery, Fulton, Saratoga, Washington, Warren, Hamilton, Schenectady, Essex, Clinton, Franklin, St. Lawrence, Ulster, Nassau, and Suffolk Counties, N.Y. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E33), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Virginia to points in Vermont, New Hampshire, Massachusetts, points in Bergen, Passaic, Hudson, Essex, and Union Counties, N.J., and points in Westchester, Rockland, Putnam, Dutchess, Columbia, Greene, Schoharie, Albany, Rensselaer, Montgomery, Fulton, Saratoga, Washington, Warren, Hamilton, Schenectady, Essex, Clinton, Franklin, St. Lawrence, Ulster, Nassau, and Suffolk Counties, N.Y. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and New York, N.Y.

No. MC–46219 (Sub-No. E34), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated*, from points in Maryland and Delaware to points in Rhode Island and points in Franklin, Clinton, Essex, Hamilton, Warren, Fulton, Saratoga, Washington, Montgomery, Schenectady, Rensselaer, Schoharie, Albany, Greene, Columbia, Ulster, Dutchess, Orange, Putnam, Rockland, and Westchester Counties, N.Y. The purpose of the filing is to eliminate the gateways of New York, N.Y., and New Haven, Conn.

No. MC–46219 (Sub-No. E35), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearason Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Maryland and Delaware to points in Connecticut, Massachusetts, New Hampshire, and Vermont, and points in Fassaic, Bergen, and Hudson Counties, N.J. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E36), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Vermont to points in Pennsylvania (except points in Erie, Crawford, Warren, Forest, Elk, McKean, Potter, Tioga, Cameron, Clinton, Lycoming, Venango, Bradford, Sullivan, Columbia, Montour, Luzerne, Wyoming, Susquehanna, Lackawanna, Wayne, Pike, Monroe, and Carbon Counties), points in New Jersey (except points in Sussex and Warren Counties), and points in Virginia, Ohio, Maryland, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., Philadelphia, Pa., and Warren, Pa.

No. MC–46219 (Sub-No. E37), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Vermont to points in Pennsylvania (except points in Erie, Crawford, Warren, Forest, Elk, McKean, Potter, Tioga, Cameron, Clinton, Lycoming, Venango, Bradford, Sullivan, Columbia, Montour, Luzerne, Wyoming, Susquehanna, Lackawanna, Wayne, Pike, Monroe, and Carbon Counties), points in New Jersey (except points in Sussex and Warren Counties), and points in Maryland, Delaware, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y.

No. MC–46219 (Sub-No. E38), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from points in Vermont to points in Pennsylvania (except points in Erie, Crawford, Warren, Forest, Elk, McKean, Potter,

Tioga, Cameron, Clinton, Lycoming, Venango, Bradford, Sullivan, Columbia, Montour, Luzerne, Wyoming, Susquehanna, Lackawanna, Wayne, Pike, Monroe, and Carbon Counties), points in New Jersey (except points in Sussex and Warren Counties), and points in Kentucky, Tennessee, Virginia, North Carolina, South Carolina, Georgia, Alabama, Louisiana, Florida, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., Philadelphia, Pa., Alexandria, Va., and Warren, Pa.

No. MC-46219 (Sub-No. E39), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45-55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper-wrapped, uncrated steel utility cabinets*, from points in Vermont to points in West Virginia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Philadelphia, Pa.

No. MC-46219 (Sub-No. E41), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45-55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Franklin, Hampshire, Hampden, and Berkshire Counties, Mass., to points in Pennsylvania (except Pike, Wayne, Susquehanna, Lackawanna, Wyoming, and Bradford Counties), and points in New Jersey (except Bergen, Passaic, and Sussex Counties), and points in Maryland, Delaware, Virginia, West Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Warren, Pa.

No. MC-46219 (Sub-No. E42), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45-55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Massachusetts (except points in Franklin, Hampshire, Hampden, and Berkshire Counties) to points in Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Warren, Pa.

No. MC-64373 (Sub-No. E1), filed May 22, 1974. Applicant: CLARKSON BROS. MACHINERY HAULERS, INC., P.O. Box 25, Cowpens, S.C. 29330. Applicant's representative: Everett C. Clarkson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used or secondhand textile machinery*, (a) between points in Cherokee, York, Chester, and Lancaster Counties, S.C., on the one hand, and, on the other, points in Georgia [Gastonia, N.C., or points within 25 miles thereof]*; (b) between points in that part of Virginia east of U.S. Highway 21, on the one hand, and, on the other, points in Georgia [Gastonia, N.C., or points in Rockingham County, N.C.]*; (c) between points in that part of Virginia east of U.S. Highway 21, on the one hand, and, on the other, points in that part of Alabama on and south of U.S. Highway 80, including Montgomery [(1) Gastonia, N.C., or points in Rockingham County, N.C., and (2) Columbus, Ga.]*; (d) between points in that part of North Carolina east of a line beginning at the North Carolina-South Carolina State line, thence along U.S. Highway 1 to Rockingham, thence along U.S. Highway 220 to the Virginia-North Carolina State line, on the one hand, and, on the other, points in that part of Alabama south of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 280 to Birmingham, thence along U.S. Highway 78 to Guin, thence along U.S. Highway 278 to the Alabama-Mississippi State line [Columbus, Ga.]*; (e) between points in that part of Tennessee east of U.S. Highway 31, on the one hand, and, on the other, points in Cherokee, York, Chester, Lancaster, Chesterfield, Darlington, Marlboro, and Dillon Counties, S.C. [Gastonia, N.C., or points within 25 miles thereof]*; (f) between points in Cherokee, York, Chester, and Lancaster Counties, S.C., on the one hand, and, on the other, points in that part of Alabama on and south of U.S. Highway 80, including Montgomery [(1) Gastonia, N.C., or points within 25 miles thereof, and (2) Columbus, Ga.]*; and (g) between points in that part of Tennessee east of U.S. Highway 31, on the one hand, and, on the other, points in that part of Virginia east of a line beginning at or near Danville, thence along U.S. Highway 29 to Opal, thence along U.S. Highway 17 to Winchester, thence along U.S. Highway 11 to the Virginia-Maryland State line [points in Rockingham County, N.C.]*. The purpose of this filing is to eliminate the gateway indicated by asterisks above.

No. MC-70083 (Sub-No. E1), filed May 14, 1974. Applicant: DRAKE MOTOR LINES, INC., 20 Olney Avenue, Cherry Hill, N.J. 08034. Applicant's representative: Leonard C. Zuker (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores, between New York, N.Y., on the one hand, and, on the other, points in Delaware, points in Wicomico, Anne Arundel, Baltimore, Frederick, Dorchester, Allegany, and Montgomery Counties, Md., points in Cape May, Cumberland, Salem, Gloucester, Atlantic, Camden, Burlington, and Ocean Counties, N.J., and points in Dauphin, Lebanon, Berks, York, Lancaster, Chester, Montgomery, and Bucks Counties, Pa., and the District of Columbia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107496 (Sub-No. E9), filed June 4, 1974. Applicant: RUAN TRANSPORTATION CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from points in Nebraska (except Richardson, Nemaha, Johnson, Pawnee, Gage, Jefferson, and Saline Counties), to points in Illinois (except Jo Daviess, Stephenson, and Carroll Counties). The purpose of this filing is to eliminate the gateways of Omaha, Nebr., and the plant site of Hawkeye Chemical Co., located at or near Clinton, Iowa.

No. MC-107496 (Sub-No. E10), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from points in Nebraska to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., and the plant site of Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC-107496 (Sub-No. E11), filed June 11, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, in tank vehicles, from the storage facilities of Allied Chemical Corporation at Dubuque, Iowa, to points in Indiana. The purpose of this filing is to eliminate the gateway of the plant site of the Stauffer Chemical Company (formerly the Des Plaines Chemical Company), at or near Morris, Ill.

No. MC-107496 (Sub-No. E12), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonedible animal oils*, in bulk, in tank vehicles, from points in North Dakota to points in Illinois. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC-107496 (Sub-No. E13), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk,

in tank vehicles, from points in North Dakota to points in Wisconsin on and south of Wisconsin Highway 29. The purpose of this filing is to eliminate the gateways of Minneapolis and Austin, Minn.

No. MC–107496 (Sub-No. E14), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk, in tank vehicles, from points in North Dakota to points in Missouri (except points north of U.S. Highway 36 and west of U.S. Highway 69). The purpose of this filing is to eliminate the gateway of Minneapolis and Austin, Minn.

No. MC–107496 (Sub-No. E15), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of American Cyanamid Company at Avondale, La., to points in South Dakota. The purpose of this filing is to eliminate the gateway of Military, Kans.

No. MC–107496 (Sub-No. E16), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of American Cyanamid Co., at Avondale, La., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Military, Kans.

No. MC–107496 (Sub-No. E17), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant site of American Cyanamid Co., at Avondale, La., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Military, Kans.

No. MC–107496 (Sub-No. E18), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, from points in St. Bernard, St. James, Orleans, Plaquemines, Jefferson, Lafourche, Terrebonne, St. Charles, St. John the Baptist, Ascension, Livingston, Tangipahoa, Washington, St. Tammany, and Assumption Parishes, La., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC–107496 (Sub-No. E31), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Clear Lake, Iowa, and points within 10 miles thereof, to points in Wisconsin (except points on and south of U.S. Highway 16 and on and west of U.S. Highway 12). The purpose of this filing is to eliminate the gateway of the pipeline terminal of Williams Brothers at or near Rochester, Minn.

No. MC–107496 (Sub-No. E39), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark., to points in Iowa. The purpose of this filing is to eliminate the gateway of the plant site and storage facilities of the Armour Agricultural Chemical Company located at or near Selma, Mo.

No. M C–107496 (Sub-No. E40), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Nebraska on and east of U.S. Highway 83 to points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Nebraska on and west of U.S. Highway 83.

No. MC–107496 (Sub-No. E41), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish oil*, in bulk, in tank vehicles, from Menominee, Mich., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E42), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish oil*, in bulk, in tank vehicles, from Menominee, Mich., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E43), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish oil*, in bulk, in tank vehicles, from Menominee, Mich., to points in Kansas. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E45), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, from points in Wyoming to points in Illinois. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E46), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent silica gel catalyst*, in bulk, from Casper, Wyoming, to points in Texas. The purpose of this filing is to eliminate the gateway of Cheyenne, Wyo.

No. MC–107496 (Sub-No. E47), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk in tank vehicles, from points in Wyoming to points in Missouri. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E48), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Wyoming (except Crook, Campbell, and Weston, and Niobrara Counties), to points in South Dakota on and west of South Dakota Highway 45 to Platte and thence through Fairfax to the Nebraska-South Dakota State line (except points in and west of Perkins, Meade, Pennington, and Shannon Counties). The purpose of this filing is to eliminate the gateways of Cheyenne, Wyo., and points within 10 miles thereof, and the site of the Texaco, Inc., refinery near Casper, Wyo.

No. MC–107496 (Sub-No. E49), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's rep-

resentative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Wyoming to points in Iowa. The purpose of this filing is to eliminate the gateway of Norfolk, Nebr.

No. MC–107496 (Sub-No. E50), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, from points in Wyoming to Illinois on and east of a line beginning at the Illinois-Wisconsin State line, thence over Illinois Highway 26 to Dixon, thence over Illinois Highway 2 to Sterling, thence over Illinois Highway 88 to Peoria, thence over U.S. Highway 51 to Cairo. The purpose of this filing is to eliminate the gateways of points in Nebraska, the pipeline outlet of Williams Brothers Pipeline Company in Doniphan County, Kans., Alexandria, Mo., and the plant site of Ashland Chemical Company at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E76), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Sugar Creek, Mo., and Kansas City, Kans., to points in Illinois on and north of Interstate Highway 80 and on and west of U.S. Highway 51. The purpose of this filing is to eliminate the gateways of points in Iowa, points in Wapello County, Iowa, and Bettendorf, Iowa.

No. MC–107496 (Sub-No. E77), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant site of the Missouri Portland Cement Company at St. Louis, Mo., to points in Illinois in and north of Henderson, Warren, Knox, Peoria, Woodford, McLean, Champaign, and Vermilion Counties. The purpose of this filing is to eliminate the gateway of Burtonville, Ill.

No. MC–107496 (Sub-No. E78), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles (except those requiring heat in transit), from Harrison County, Mo., to points in Illinois. The purpose of this filing is to eliminate the gateway of Palmyra, Mo., and points within 10 miles thereof.

No. MC–107496 (Sub-No. E79), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Ia. 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lacquer, paint thinners, and paint removers*, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company at or near Valley Park, Mo., to points in Texas (except points east of U.S. Highway 271 and north of U.S. Highway 80). The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC–107496 (Sub-No. E80), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Ia. 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemical insecticide* in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Tennessee. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Co., at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E81), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Minnesota on and east of U.S. Highway 169 to points in Colorado. The purpose of this filing is to eliminate the gateway of Minneapolis, and Mankato, Minn., and the plantsite of Archer-Daniels-Midland Company at or near Lincoln, Nebr.

No. MC–107496 (Sub-No. E82), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from St. Paul, Minn., to points in St. Louis and St. Charles Counties, Mo. The purpose of this filing is to eliminate the gateway of Eau Claire, Wis., and points within 20 miles thereof, Ottumwa, Iowa, Quincy, Ill., and the terminal of Williams Brothers Pipeline Co., at Rochester, Minn.

No. MC–107496 (Sub-No. E 87), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except liquid nitrogen, liquid oxygen, and liquid hydrogen), in bulk, in tank or hopper-type vehicles, from the terminal and warehouse sites of Dow Chemical Co., to Jefferson County, Colo., to points in Missouri on and north of a line beginning at the Kansas-Missouri State line, over U.S. Highway 160 to Springfield, thence over U.S. Highway 60 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E 88), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except liquid nitrogen, liquid oxygen, and liquid hydrogen), in bulk, in tank or hopper-type vehicles, from the terminal and warehouse sites of Dow Chemical Co., in Jefferson County, Colo., to points in Illinois. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E89), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except liquid nitrogen liquid oxygen, and liquid hydrogen), in bulk, in tank or hopper-type vehicles, from the terminal and warehouse sites of Dow Chemical Co., in Jefferson County, Colo., to points in Iowa. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E90), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except liquid nitrogen, liquid oxygen, and liquid hydrogen), in bulk, in tank or hopper-type vehicles, from the terminal and warehouse sites of Dow Chemical Co., in Jefferson County, Colo., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E91), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles from points in Colorado to points in Wisconsin. The

purpose of this filing is to eliminate the gateways of Norfolk, Nebr., and the terminal of Kaneb Pipeline Company at or near Milford, Iowa.

No. MC–107496 (Sub-No. E92), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals derived from coal tar*, in bulk, in tank vehicles, from Pueblo, Colo., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E93), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals derived from coal tar*, in bulk, in tank vehicles, from Pueblo, Colo., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the plant site of the Apple River Chemical Company, at or near East Dubuque, Ill.

No. MC–107496 (Sub-No. E94), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals derived from coal tar*, in bulk, in tank vehicles, from Pueblo, Colo., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the plant site of the Apple River Chemical Company at or near East Dubuque, Ill.

No. MC–107496 (Sub-No. E95), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Tulsa, Okla., to points in Illinois north of Interstate Highway 80. The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Company at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E96), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Tulsa, Okla., to points in Illinois south of Interstate Highway 80 and north of Illinois Highway 116. The purpose of this filing is to eliminate the gateway of Ft. Madison, Iowa, and points within 10 miles thereof, and Alexandria, Mo.

No. MC–107496 (Sub-No. E97), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Tulsa, Okla., to points in Wisconsin. The purpose of the filing is to eliminate the gateway of the plant site of Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E98), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Milan, Ill., to points in Kentucky. The purpose of this filing is to eliminate the gateway of the plant site of Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E100), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Milan, Ill., to all points in Ohio. The purpose of this filing is to eliminate the gateway of the plant site of Hawkeye Co., at or near Clinton, Iowa.

No. MC–111545 (Sub-No. E195), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 11 to Watertown, thence along New York Highway 12 to Clayton, on the one hand, and, on the other, points in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 259 to junction U.S. Highway 59, thence along U.S. Highway 59 to Lufkin, thence along U.S. Highway 69 to Zavalla, thence along Texas Highway 63 to the Texas-Louisiana State line. The purpose of this filing is to eliminate the gateways of (1) Ringgold, Ga., and (2) Hugo and Oklahoma City, Okla.

No. MC–111545 (Sub-No. E196), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Tennessee, within 175 miles of Chattanooga, Tenn., which are on and east of the line beginning at the Tennessee-Kentucky State line, thence along Tennessee Highway 56 to McMinnville, thence along Tennessee Highway 55 to Tullahoma, thence along Tennessee Highway 55/50 to junction U.S. Highway 64, thence along U.S. Highway 64 to Fayetteville, thence along U.S. Highway 231 to the Tennessee-Alabama State line, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC 111545 (Sub-No. E197), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Michigan on and south of the line beginning at East Tawas, thence along U.S. Highway 23 to its junction with Michigan Highway 61, thence along Michigan Highway 61 to its junction with U.S. Highway 27, thence along U.S. Highway 27 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to Ledington, on the one hand, and, on the other, points in that part of Minnesota on and south of a line beginning at Duluth, thence along U.S. Highway 61 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Minnesota Highway 28, thence along Minnesota Highway 28 to the Minnesota-North Dakota State line. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC–111545 (Sub-No. E198), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Kentucky on and east of a line beginning at Kosmosdale, thence along U.S. Highway 31W to Elizabethtown, thence along Kentucky Highway 61 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in Missouri on, north, and west of a line beginning at the Missouri-Kansas State line, thence along Missouri Highway 2 to its junction with Missouri Highway 13, thence along Missouri Highway 13 to the Missouri-Iowa State line. The purpose

of this filing is to eliminate the gateway of Keokuk, Iowa.

No. MC–111545 (Sub-No. E199), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except commodities to be used in, or in connection with, main or trunk pipelines), the transportation of which, because of size or weight, requires the use of special equipment, from points in Missouri to points in Utah. The purpose of this filing is to eliminate the gateway of Ft. Scott, Kans.

No. MC–111545 (Sub-No. E202), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Alabama within 175 miles of Chattanooga, Tenn., which are on and east of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 72 to Scottsboro, thence along Alabama Highway 79 to Birmingham, thence along U.S. Highway 11 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Piedmont, Ala.

No. MC–111545 (Sub-No. E203), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in Maine, on the one hand, and, on the other, points in that part of Wyoming on, south, and west of a line beginning at the Wyoming-Montana State line, thence along Interstate 90 to its junction with Interstate 25, thence along Interstate Highway 25 to its junction with Interstate 80, thence along Interstate 80 to the Wyoming-Nebraska State line. The purpose of this filing is to eliminate the gateways of (1) Charlotte, N.C., and Ringgold, Ga., and (2) Cairo, Ill.

No. MC–111545 (Sub-No. E204), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machine), the transportation of which, because of size or weight, requires the use of special equipment, between points in Tennessee, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateways of (1) Ringgold, Ga., and Asheville, N.C., and (2) Clinton, and Keokuk, Iowa.

No. MC–113459 (Sub-No. E5), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which, because of size or weight, require the use of special equipment, between points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along Ohio Highway 34 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 18, thence along U.S. Highway 18 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in that part of Illinois west of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 51 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 100, thence along U.S. Highway 100 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Illinois-Missouri State line. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E11), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, between points in that part of Michigan on and south of Michigan Highway 55, on the one hand, and, on the other, points in that part of Illinois on and west of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 90 to junction Illinois Highway 23, thence along Illinois Highway 23 to junction Illinois Highway 18, thence along Illinois Highway 18 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 161, thence along Illinois Highway 161 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction Illinois Highway 146, thence along Illinois Highway 146 to junction Illinois Highway 3, thence along Illinois Highway 3 to Gale. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural trailers. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E12), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof; (2) *Commodities*, the transportation of which by reason of size or weight require the use of special equipment or handling (except those commodities described in (1) above); and (3) parts of commodities described in (2) above either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, between points in Illinois, on the one hand, and, on the other, points in Colorado and Wyoming. The purpose of this filing is to eliminate the gateway of points in Kansas.

No. MC–113459 (Sub-No. E16), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which, because of size or weight, require the use of special equipment, (1) between points in that part of Illinois on and north of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 20 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in that part of Minnesota on and west of U.S. Highway 63; (2) between points in that part of Illinois on and west of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 67 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Illinois Highway 107, thence along Illinois Highway 107 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Illinois-Missouri State line, on the one hand, and, on the other, points in that part of Minnesota north of U.S. Highway 12 (except Minneapolis-St. Paul); and (3) between points in that part of Illinois on and east of a line beginning at the Illinois-Missouri State line, thence along U.S. Highway 54 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 107, thence along Illinois Highway 107 to junction U.S. Highway 24,

thence along U.S. Highway 24 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Illinois-Iowa State line, and south of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 20 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in Minnesota. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E18), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINES, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal tubing and pipes*, the transportation of which, by reason of size or weight, requires the use of special equipment, from points in Oklahoma to points in Kentucky and Michigan. The purpose of this filing is to eliminate the gateway of Tulsa, Okla.

No. MC–113459 (Sub-No. E21), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINES. INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in Minnesota and Nebraska. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E23), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment, between points in that part of Indiana on, north, and east of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 24 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Ohio State line, on the one hand, and, on the other, points in that part of Iowa on and north of a line beginning at the Iowa-Illinois State line, thence along Iowa Highway 92 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Iowa Highway 78, thence along Iowa Highway 78 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Iowa-Nebraska State line. The purpose of this filing is to eliminate the gateway of Sterling, Ill. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural tractors.

No. MC–113459 (Sub-No. E24), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in that part of Iowa on and north of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 61 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction Iowa Highway 48, thence along Iowa Highway 48 to junction U.S. Highway 34, thence along U.S. Highawy 34 to the Iowa-Nebraska State line. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural products. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E26), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heavy machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or use in, or in connection with, the construction, operation, repair, servicing maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipe lines; (2) *Commodities*, the transportation of which, by reason of size or weight, requires the use of special equipment (except those commodities described in (1) above); and (3) *parts* of commodities authorized in (2) above, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, between points in Indiana, on the one hand, and, on the other, points in Utah. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC–113459 (Sub-No. E27), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINES, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith; (2) *earth drilling machinery and equipment and materials, supplies, and pipe* incidental to, used, in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; (3) *heavy machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or use in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipe lines; (4) *commodities*, the transportation of which, by reason of size or weight, require the use of special equipment (except those commodities described in (3) above, those used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipe lines, and farm machinery); and (5) *parts* of commodities authorized in (4) above, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, between points in Arkansas, on the one hand, and, on the other, points in Utah, Colorado, Wyoming, South Dakota, Montana, Nebraska, and North Dakota. RESTRICTION: The operations authorized in (1) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC–113843 (Sub-No. E339), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., to points in that part of Kansas on, south, and west of a line beginning at the Oklahoma-Kansas State line and extending along U.S. Highway 83 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E340), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Sum-

mer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., to points in Colorado. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E341), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, meat products, and meat by-products*, as defined by the Commission, from Cleveland and Sandusky, Ohio to Memphis, Tenn. The purpose of this filing is to eliminate the gateway of Detroit, Mich.

No. MC–113843 (Sub-No. E342), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, meat products, and meat by-products*, as defined by the Commission, from Sandusky, Ohio to points in that part of Missouri on, north, and west of a line beginning at the Mississippi River and extending along U.S. Highway 61 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Missouri-Arkansas State line. The purpose of this filing is to eliminate the gateway of Detroit, Mich.

No. MC–113843 (Sub-No. E343), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., to points in that portion of Iowa on, north, and west of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 75 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction Iowa Highway 4, thence along Iowa Highway 4 to the Iowa-Minnesota State line. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC–113843 (Sub-No. E344), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Frozen food*, from points in Marysville, Pa., to points in Iowa. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC–113843 (Sub-No. E345), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Marysville, Pa., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E346), filed May 23, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Marysville, Pa., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E347), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Illinois to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E348), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Illinois to points in that part of New York on and east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E367), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Washington, D.C., to points in that portion of Nebraska on, north, and west of a line beginning at the Missouri River and extending along U.S. Highway 81 to junction Nebraska Highway 12, thence along Nebraska Highway 12 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-Kansas State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E368), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Richmond, Va., to points in Colorado on and west of Interstate Highway 25. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC–113843 (Sub-No. E369), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Richmond, Va., to points in that part of Iowa on and west of a line beginning at the Minnesota-Iowa State line and extending along Iowa Highway 4 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC–113843 (Sub-No. E370), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Richmond, Va., to Fergus Falls, Minn., and points in that part of Minnesota on, north, and west of a line beginning at the North Dakota-Minnesota State line and extending along U.S. Highway 75 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction Minnesota Highway 9, thence along Minnesota Highway 9 to junction U.S. Highway 10, thence along U.S. Highway 10 to Detroit Lakes, thence along Minnesota Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E371), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the District of Columbia to Fergus Falls, Minn., and points in that part of Minnesota on, north, and west of a line beginning at the North Dakota-Minnesota State line and extending along U.S. Highway 75 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Interstate Highway 94, thence along

Interstate Highway 94 to junction Minnesota Highway 9, thence along Minnesota Highway 9 to junction U.S. Highway 10, thence along U.S. Highway 10 to Detroit Lakes, thence along Minnesota Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line.

No. MC–113843 (Sub-No. E372), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Hampton, Va., to points in that part of Minnesota on, north, and west of a line beginning at the Minnesota-Iowa State line and extending along Minnesota Highway 60 to U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E373), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by *motor vehicle*, over irregular routes, transporting: *Frozen foods*, from Huntington, W. Va., to Scranton, Moosic, and Wilkes-Barre, Pa., and points in that part of Pennsylvania on and north of a line beginning at the New Jersey-Pennsylvania State line at or near Dingmans Ferry and extending along unnumbered highway to junction Pennsylvania Highway 402, thence along Pennsylvania Highway 402 to junction U.S. Highway 6, thence along U.S. Highway 6 to Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–116273 (Sub-No. E82), filed May 31, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission, to points in Michigan, that part of Illinois on, north, and east of a line beginning near Chicago Heights, thence along U.S. Highway 30 to junction Illinois Highway 31, thence along Illinois Highway 31 to the Illinois-Wisconsin State line, that part of Indiana on and north of U.S. Highway 30, that part of Minnesota on and north of a line beginning at the Minnesota-Wisconsin State line, thence along Minnesota Highway 210 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-North Dakota State line, and that part of Wisconsin on, north, and east of Interstate Highway 90, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anyhydrous ammonia and petroleum aromatic compounds) as defined in The Maxwell Co., Extension—Addyston, 63 M.C.C. 677, and further restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of the Flexi-Flo Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E83), filed May 31, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Hannibal, Mo., to points in Michigan, that part of Illinois on, north, and east of a line beginning near Chicago Heights, thence along U.S. Highway 30 to junction Illinois Highway 31, thence along U.S. Highway 31 to the Illinois-Wisconsin State line, that part of Indiana on and north of a line beginning at the Illinois-Indiana State line, thence along Indiana Highway 10 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Indiana-Ohio State line, and that part of Wisconsin on and east of a line beginning near Walworth, thence along Wisconsin Highway 67 to junction Wisconsin Highway 115, thence along Wisconsin Highway 115 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anhydrous ammonia and petroleum aromatic compounds) as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, and further restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of the Flexi-Flo Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E86), filed May 31, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such dry plastics* as are petroleum products, in bulk, in tank vehicles, from Dubuque, Iowa, to points in Ohio, restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of the Flexi-Flo Terminal of the Penn Central Transportation Company at Hammond, Ind.

No. MC–117883 (Sub-No. E18), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy Products*, as described in Section B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in refrigerated equipment, restricted to the transportation of such commodities moving to or from warehouses, plants, or other facilities of meat packinghouses, from Mishawaka, Ind., to points in Connecticut, Maryland, Massachusetts, New Jersey, Rhode Island, West Virginia, and points in New York on and east of a line beginning at the New York-Pennsylvania State line, and extending along New York Highway 17 to its junction with New York Highway 21, thence along New York Highway 21 to junction with New York Highway 36, thence along New York Highway 36 to its junction with New York Highway 104, thence along New York Highway 104 to its junction with New York Highway 261, thence along New York Highway 261 to Lake Ontario, and points in Pennsylvania on and south of a line beginning at the Ohio-Pennsylvania State line, and extending along U.S. Highway 22 to its junction with Pennsylvania Highway 28, thence along Pennsylvania Highway 28 to its junction with U.S. Highway 219, thence along U.S. Highway 219 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with Pennsylvania Highway 446, thence along Pennsylvania Highway 446 to the Pennsylvania-New York State line. The purpose of this filing is to eliminate the gateway of Covington, Ohio.

No. MC–118831 (Sub-No. E2), filed April 11, 1974. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 5044, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petrochemicals), in bulk, in tank vehicles, from points in Cherokee, York, Chester, Lancaster, and Chesterfield Counties, S.C., to points in Florida. The purpose of this filing is to eliminate the gateway of Charlotte, N.C.

No. MC–119443 (Sub-No. E3), filed May 15, 1974. Applicant: P. E. KRAMME, INC., Main Street, Monroeville, N.J. 08343. Applicant's representative: Gerald A. Kramme (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate, liquid chocolate products, and liquid cocoa butter*, in bulk, in tank vehicles, from Dover, Del., to points in Minnesota and Wisconsin. The purpose of this filing is to eliminate the gateway of Elizabethtown, Pa.

No. MC–119443 (Sub-No. E5), filed May 17, 1974. Applicant: P. E. KRAMME, INC., Main Street, Monroeville, N.J. 08343. Applicant's representative: Gerald A. Kramme (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate, liquid chocolate coating, liquid chocolate liquor, and liquid cocoa butter*, in bulk, in tank vehicles, from Jersey City, N.J., to points in (1) Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and Wisconsin and Buffalo, N.Y., and the District of Columbia; (2) points in that part of West Virginia on and south of a line beginning at the West Virginia-Virginia State line on U.S. Highway 50, thence west over U.S. Highway 50 to the junction of West Virginia Highway 50 and the West Virginia-Maryland State line, thence south and north along the West Virginia-Maryland State line to the junction of the West Virginia-Maryland State line and U.S. Highway 50, thence west over U.S. Highway 50 to the junction of U.S. Highway 50 and West Virginia Highway 18, thence north over West Virginia Highway 18 to the West Virginia-Ohio State line; (3) points in that part of Ohio on and west of a line beginning at the Ohio-West Virginia State line and West Virginia Highway 800, thence north over West Virginia Highway 800 to junction West Virginia Highway 800 and West Virginia Highway 78, thence west over West Virginia Highway 78 to junction West Virginia Highway 78 and West Virginia Highway 146, thence north on West Virginia Highway 146 to junction West Virginia Highway 146 and West Virginia Highway 285, thence north over West Virginia Highway 285 to junction West Virginia Highway 285 and West Virginia Highway 265, thence west over West Virginia Highway 265 to junction West Virginia Highway 265 and U.S. Highway 40, thence west over U.S. Highway 40 to junction U.S. Highway 40 and Interstate Highway 77, thence north over Interstate Highway 77 to junction U.S. Highway 250 and Interstate Highway 77, thence north over Interstate Highway 77-U.S. Highway 250 to junction Interstate Highway 77-U.S. Highway 250 and U.S. Highway 250-Ohio Highway 21, thence north over U.S. Highway 250-Ohio Highway 21 to junction U.S. Highway 250-Ohio Highway 21 and Ohio Highway 21, thence north over Ohio Highway 21 to junction Ohio Highway 21 and U.S. Highway 30, thence west over U.S. Highway 30 to junction U.S. Highway 30 and Ohio Highway 93, thence north over Ohio Highway 93 to junction Ohio Highway 93 and unnumbered Ohio Highway 2 miles south of U.S. Highway 21, thence west over unnumbered Ohio Highway to junction unnumbered Ohio Highway and Ohio Highway 94.

Thence north over Ohio Highway 94 to Marshallville and junction unnumbered Ohio Highway, thence west over unnumbered Ohio Highway to junction unnumbered Ohio Highway and Ohio Highway 585, thence south over Ohio Highway 585 to Smithville and junction Ohio Highway 585 and unnumbered Ohio Highway, thence west over unnumbered Ohio Highway to junction unnumbered Ohio Highway and Ohio Highway 3, thence south over Ohio Highway 3 to Madisonburg and junction Ohio Highway 30 and unnumbered Ohio Highway, thence west over unnumbered Ohio Highway through Overton to junction unnumbered Ohio Highway and Ohio Highway 539, thence north over Ohio Highway 539 to junction Ohio Highway 539 and Ohio Highway 604, thence west over Ohio Highway 604 to junction Ohio Highway 604 and Ohio Highway 302, thence west over Ohio Highway 302 to junction U.S. Highway 250, thence north over U.S. Highway 250 to junction U.S. Highway 250 and Ohio Highway 162, thence west over Ohio Highway 162 to junction Ohio Highway 162 and Ohio Highway 19, thence north over Ohio Highway 19 to Green Springs and junction Ohio Highway 19 and unnumbered Ohio Highway, thence east over unnumbered Ohio Highway to junction unnumbered Ohio Highway and Ohio Highway 101, thence north over Ohio Highway 101 to junction Ohio Highway 101 and Ohio Highway 269, thence north over Ohio Highway 269 to Castalia and junction Ohio Highway 269 and unnumbered Ohio Highway, thence east over unnumbered Ohio Highway to junction unnumbered Ohio Highway and Ohio Highway 4, thence over Ohio Highway 4 to Sandusky and Lake Erie. The purpose of this filing is to eliminate the gateways of Philadelphia, Hershey, Elizabethtown, and Lititz, Pa., and Dover, Del.

No. MC–119864 (Sub-No. E1), filed May 25, 1974. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs, cooking oil, shortening, and matches* (except commodities in bulk, in tank vehicles), from Toledo, Ohio, to points in Illinois, and St. Louis, Mo. The purpose of this filing is to eliminate the gateways of Chicago, Ill., and Gary and Indianapolis, Ind.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–16471 Filed 7–17–74;8:45 am]

[Notice 56]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

JULY 12, 1974.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by § 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and on or before September 16, 1974, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except

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[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC-409 (Sub-No. 55), filed June 5, 1974. Applicant: SCHROETLIN TANK LINE, INC., P.O. Box 511, Sutton, Nebr. 68979. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, in bulk or in bags, from the plantsite and storage facilities of Cooperative Farm Chemicals Association, located at or near Lawrence, Kans., to points in Colorado, Iowa, Nebraska, Missouri, Oklahoma, Illinois, Texas, Minnesota, North Dakota, South Dakota, Arkansas, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC-409 (Sub-No. 56), filed June 7, 1974. Applicant: SCHROETLIN TANK LINE, INC., P.O. Box 511, Sutton, Nebr. 68979. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and feed supplements*, from Blair, Nebr., to points in Iowa, Illinois, Missouri, Kansas, Minnesota, Wisconsin, North Dakota, South Dakota, Colorado, Wyoming, Oklahoma, and ports of entry on the International Boundary line between the United States and Canada located in North Dakota and Minnesota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC-1239 (Sub-No. 4), filed May 24, 1974. Applicant: PONY TRUCKING, INC., 501 Star Route 7, Steubenville, Ohio 43952. Applicant's representative: Maxwell A. Howell, 1100 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel, and iron and steel articles*, between the plantsites of Wheeling-Pittsburgh Steel Corporation, at or near Follansbee, Beech Bottom, and Benwood, W. Va.; Allenport and Monessen, Pa.; Martins Ferry, Yorkville, and Steubenville, Ohio, on the one hand, and, on the other, points in Minnesota, Nebraska Iowa, Michigan, and New Jersey under contract with Wheeling-Pittsburgh Steel Corporation, restricted to a transportation service to be performed under a continuing contract or contracts with Pittsburgh Steel Corporation, or a division thereof; and (2) *iron and steel and iron and steel articles*, between the plantsites of the Weirton Steel Division of National Steel Corporation, at or near Weirton, W. Va., and Steubenville, Ohio, on the one hand, and, on the other, points in Minnesota, Nebraska, Iowa, and New Jersey, under contract with Weirton Steel Company, Division of National Steel Corporation, restricted to a transportation service to be performed under a continuing contract or contracts with the Weirton Steel Division of National Steel Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 2229 (Sub-No. 184), filed June 19, 1974. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, P.O. Box 47407, Dallas, Tex. 75247. Applicant's representative: Douglas Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Claiborne County, Miss., as off-route points in connection with carriers' authorized route operations from and to Natchez, Vicksburg, or Jackson, Miss.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Washington, D.C.

No. MC 2900 (Sub-No. 263), filed June 17, 1974. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical transformers, and parts thereof*, (1) from Waukesha, Wis., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Arkansas, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Washington, and Oregon; and (2) from Portland, Oreg., to points in Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Nevada, and California, restricted to the transportation of shipments originating at named origins and destined to points in the above named states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 3854 (Sub-No. 26), filed June 13, 1974. Applicant: BURTON LINES, INC., P.O. Box 11306, East Durham Station, Durham, N.C. 27703. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioning, air filtration, refrigeration, and humidifying equipment, and materials, supplies, and tools* incidental thereto, from Winston-Salem, N.C., to points in Florida, Kentucky, Indiana, Illinois, Ohio, Michigan, and Louisiana; (2) *used and surplus air conditioning, air filtration, refrigeration, and humidifying equipment, and materials, supplies, and tools* incidental thereto, from points in Florida, Kentucky, Indiana, Illinois, Ohio, Michigan, and Louisiana to Winston-Salem, N.C.; and (3) *used air conditioning equipment, supplies and tools* incidental thereto, from points in West Virginia, New York, Connecticut, Massachusetts, Rhode Island, and the District of Columbia, to Winston-Salem, N.C., restricted in paragraphs (1), (2), and (3) to traffic originating at and destined to the origins and destinations named above.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either (1) Greensboro, N.C.; (2) Raleigh, N.C.; or (3) Washington, D.C.

No. MC 19945 (Sub-No. 47), filed June 10, 1974. Applicant: BEHNKEN TRUCK SERVICE, INC., Route No. 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, from the plantsite and storage facilities of Hawkeye Chemical Company located at or near Clinton, Iowa, to points in Indiana, Kentucky, and Illinois.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC-20783 (Sub-No. 102), filed June 17, 1974. Applicant: TOMPKINS MOTOR LINES, INC., P.O. Box 1830, Gadsden, Ala. 35902. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin, restricted to the transportation of traffic having a prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-29910 (Sub-No. 145), filed May 28, 1974. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Don A. Smith, P.O. Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite of Mississippi Power & Light Company at or near Grand Gulf, Miss., as an off-route point in connection with carrier's regular-route operations between Port Gibson and Washington, Miss.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Jackson, Miss.

No. MC–40915 (Sub-No. 47), filed June 19, 1974. Applicant: BOAT TRANSIT, INC., P.O. Box 1403, Newport Beach, Calif. 92663. Applicant's representative: David R. Parker, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dust and air polluton control equipment* (except commodities in bulk, in tank vehicles), from Baldwinsville, N.Y., to points in the United States including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC–42487 (Sub-No. 822), filed May 28, 1974. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: V. R. Oldenburg, P.O. Box 5138, Chicago, Ill. 60680. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric Company located at or near Goddard, Kans., as an off-route point in connection with the carrier's presently authorized regular route operations over U.S. Highway 54.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 43448 (Sub-No. 2), filed June 17, 1974. Applicant: SAM BERTUCCI, 2235 Ross Way, Tacoma, Wash. 98421. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), between Tacoma, Wash., and Vail, Wash.: From Tacoma, Wash., over Washington Highway 7 to junction Washington Highway 507, thence over Washington Highway 507 to Tenino, Wash., and return over the same route, serving the intermediate points of Roy, McKenna, Yelm, and Rainier, Wash., and serving the off-route points of Vail and Wilcox Farm, Wash.

NOTE.—Applicant holds similar authority in MC–43448. Applicant will file for revocation of MC–43448, upon the granting of the requested authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 48374 (Sub-No. 9), filed June 6, 1974. Applicant: FERNSTROM STORAGE AND VAN COMPANY, a corporation, 5600 North River Road at Kennedy Expressway, Rosemont, Ill. 60018. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Displays and exhibits*, between points in the United States (except Alaska and Hawaii).

NOTE.—It is applicant's position that it holds the authority requested herein in MC 48374 (Sub-No. 7), applicant has therefore concurrently filed a notice to dismiss the instant application. If a hearing is deemed necessary, the applicant does not specify a location.

No. MC–51146 (Sub-No. 380), filed June 6, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. Du Jardin, P.O. Box 2298, Green Bay, Wis. 54304. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Corrugated products and corrugating paper board*, from Coloma, Mich., to Mobile, Ala.; Memphis, Tenn., points in Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Mississippi, Louisiana, Arkansas, Texas, New Mexico, Colorado, Oklahoma, Kansas, Missouri, Kentucky, Illinois, Indiana, Ohio, and those points in Alabama on and north of U.S. Highway 78 and those points in New York (except points on and south of Interstate Highway 84) and the District of Columbia; and (B) *returned shipments* of the commodities specified in (A) above, and *materials, equipment, and supplies* used in the manufacture and distribution of the products authorized in (A) above, from the above described destination points to Coloma, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC–52921 (Sub-No. 26), filed June 3, 1974. Applicant: RED BALL, INC., P.O. Box 520, Sapulpa, Okla. 74066. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 Northwest 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC–63417 (Sub-No. 66), filed June 13, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., P.O. Box 2888, Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 15th Street NW., Suite 420, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters, and parts and accessories* therefor, from Dallas, Tex., to points in Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC–63838 (Sub-No. 6), filed June 10, 1974. Applicant: BOLUS MOTOR LINES, INC., 700 North Keyser Avenue, Scranton, Pa. 18508. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Television bulbs and glass parts* thereof, from points in Pittston Township, Pa., to points in New York west of U.S. Highway 11; and (2) *used packing materials and rejected shipments* on return.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC–73165 (Sub-No. 345), filed June 7, 1974. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Ronald B. Natalie, 1660 L Street NW., Suite 1100, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling towers and accessories, materials and supplies for cooling towers*, between the plantsite and facilities of the E. D. Goodfellow Company, Inc., at or near Memphis, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–73165 (Sub-No. 346), filed June 7, 1974. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Ronald B. Natalie, 1660 L Street NW., Suite 1100, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boilers, accessories, materials, and supplies*, from Kewanee, Ill., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–78400 (Sub-No. 40), filed June 14, 1974. Applicant: BEAUFORT TRANSFER COMPANY, a corporation, P.O. Box 151, Gerald, Mo. 63037. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, wood chips, vermiculite, lighter fluid*, from the plantsites and warehouse facilities of the Kingsford Company located in Maries, Osage, and Gasconade Counties, Mo., to points in Iowa, Minnesota, Nebraska, Illinois, Kansas, Wisconsin, Oklahoma, Colorado, North Dakota, and South Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC–83539 (Sub-No. 390), filed May 28, 1974. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and particleboard*, from Silsbee and Bon Wier, Tex., to points in the United States including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC–94265 (Sub-No. 242), filed June 18, 1974. Applicant: BONNEY MOTOR EXPRESS, INC., Route 460, P.O. Box 305, Windsor, Va. 23487. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs*, not frozen (except in bulk, in tank vehicles), from the plantsites and facilities of the Kraftco Corporation and its Division, Kraft Foods, at or near Kendallville, Ind., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC–94350 (Sub-No. 350), filed May 21, 1974. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Haywood Road at Transit Drive, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from points in McCurtain County, Okla., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC–94350 (Sub-No. 351), filed June 10, 1974. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Haywood Road at Transit Drive, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pickup campers and truck campers*, from points in Lancaster County, Pa., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

NOTE.—Common control was approved in Docket No. MC–F–11670. If a hearing is deemed necessary applicant requests it be held at Philadelphia, Pa.

No. MC–95084 (Sub-No. 104), filed May 29, 1974. Applicant: HOVE TRUCK LINE, a corporation, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, P.O. Box 279, 611 Church Street, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Yeast culture* (except in bulk), from Des Moines, Iowa, to points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming; and (2) *soil products* (except in bulk), from Mason City, Iowa, and the plantsite of Cinagro, Inc., at or near Garner, Iowa, to points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Chicago, Ill.

No. MC–95540 (Sub-No. 907), filed June 17, 1974. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive, P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., located at or near Amarillo, Tex., to points in Arizona, Arkansas, California, Colorado, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Nevada, Ohio, South Dakota, Texas, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC–103051 (Sub-No. 313), filed June 13, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Liquid caustic soda*, in bulk, in tank vehicles, from points in Transylvania County, N.C., to points in Bartow County, Ga.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC–103051 (Sub-No. 314), filed June 13, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue, North, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Mulberry, Fla., to points in Arkansas, Georgia, Illinois, Iowa, Mississippi, North Carolina, Tennessee, Texas, Alabama, and Louisiana.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC–104421 (Sub-No. 15), filed June 14, 1974. Applicant: FREEMAN TRANSFER, INC., P.O. Box 623 D.T.S., Omaha, Nebr. 68101. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, trailers, mobile homes, and prefabricated buildings), (1) between points in Burt, Butler, Cass, Colfax, Cuming, Dodge, Douglas, Lancaster, Platte, Sarpy, Stanton, Saunders, Seward, Thurston, Washington, and Wayne Counties, Nebr.; and (2) between points named in (1) above, on the one hand, and, on the other, points in Nebraska.

NOTE.—Common control may be involved. Applicant states it presently holds authority to transport the above commodities between points in Nebraska within a 50-mile radius of Nickerson on the one hand, and, on the other, points in Nebraska. The primary purpose of this application is to more clearly define those points served within the base radial and more clearly defined the service permitted under said authority. If an oral hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC–106644 (Sub-No. 186), filed June 17, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., P.O. Box 916, Atlanta, Ga. 30301. Applicant's representative: Hubert Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical switches, electrical bus bar systems, electrical iron and steel hardware;* (2) *electrical parts, attachments, and accessories;* and (3) *materials, components, and supplies* used in

connection with the commodities described in (1) and (2) above (except commodities in bulk), between the plant site of General Electric Company, located at or near Selmer, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC–106943 (Sub-No. 111), filed June 10, 1974. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47808. Applicant's representative: Peter M. Witham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, grain, petroleum products, in bulk, household goods as defined by the Commission and commodities requiring special equipment), serving the plant site of Hiram Walker & Sons, Inc., located at or near Delavan, Ill., as an off-route point in connection with carrier's authorized regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Peoria, Ill.

No. MC–107107 (Sub-No. 437), filed June 14, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC. 12805 Northwest 42d Avenue (Le Jeune Road), Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Maine, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont; and (2) *articles distributed by meat packinghouses*, as described in Section C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Connecticut, Delaware, Maryland, Massachusetts, Rhode Island, Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC–107460 (Sub-No. 49), filed May 20, 1974. Applicant: WILLIAM Z. GETZ, INC., 3055 Yellow Goose Road, Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter, materials, supplies, and equipment* used in the manufacture of printed matter, between the plantsites of Donnelley Printing Co., subsidiary of R. R. Donnelley Co., located at or near Lancaster, Pa., on the one hand, and, on the other, the plantsites of R. R. Donnelley Co., located at or near Williard, Ohio, Crawfordsville, Ind., Warsaw, Ind., Mattoon, Ill., Dwight, Ill., Chicago, Ill., Glasgow, Ky., Gallatin, Tenn., and Old Saybrook, Conn., under a continuing contract with R. R. Donnelley Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC–109064 (Sub-No. 29), filed May 29, 1974. Applicant: TEX-O-KA-N TRANSPORTATION COMPANY, INC., 3301 Southeast Loop 820, P.O. Box 8367, Fort Worth, Tex. 76112. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron or steel articles*, from the plantsite and storage facilities of Chaparral Steel Company, Inc., in Ellis County, Tex., to points in Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, and (2) *scrap iron and steel, including scrap automobile bodies*, from points in Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, to the plantsite and storage facilities of Chaparral Steel Company, Inc., in Ellis County, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex., or Oklahoma City, Okla.

No. MC–109397 (Sub-No. 302), filed June 7, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, P.O. Box 113, Business Route I–44 East, Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Switchgears, circuit breakers, rectifiers, and bus bar systems*, and (2) *parts* of the commodities in (1), from Camden, N.J., to points in the United States including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC–110525 (Sub-No. 1101), filed June 17, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, P.O. Box 200, Downington, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Spent methanol*, in bulk, in tank vehicles from Pittsfield, Mass., to Waterford, N.Y.; and (2) *fertilizer*, dry, in bulk, in tank vehicles, from Belle, W. Va., to Washington, D.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC–110988 (Sub-No. 312), filed June 12, 1974. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, P.O. Box 280, Neenah, Wis. 54956. Applicant's representative: Neil A. Du Jardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acid*, in bulk, from Depue, Ill., to points in Indiana, Iowa, Wisconsin, Michigan, Minnesota, and Missouri.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC–110988 (Sub-No. 313), filed June 17, 1974. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54946. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modified soybean oil*, in bulk, from Blooming Prairie, Minn., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Maryland, Delaware, Virginia, North Carolina, South Carolina, Florida, Iowa, Missouri, and those points in Tennessee east of U.S. Highway 27.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC–111045 (Sub-No. 118), filed June 17, 1974. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Tampa, Fla. 33601. Applicant's representative: J. V. McCoy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral spirits*, in bulk, in tank vehicles, between Douglasville, Ga., on the one hand, and, on the other, Orlando, Tampa, Largo, Pompano Beach, and Jacksonville, Fla.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Tampa, Fla.

No. MC–111045 (Sub-No. 119), filed June 17, 1974. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Tampa, Fla. 33601. Applicant's representative: J. V. McCoy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from Mobile, Ala., to Tampa, Fla.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or Tampa, Fla.

No. MC–111320 (Sub-No. 60), filed June 19, 1974. Applicant: KEEN TRANSPORT, INC., 2001 Barlow Road, P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: James E. Wilson, Suite 1032, Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building, earth moving, construction equipment, and*

cranes, in driveaway and truckaway service, from points in Horry County, S.C., to points in the United States including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–111401 (Sub-No. 429), filed June 12, 1974. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600, Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, (1) between the plantsites and facilities of C. E. Natco located at or near Tulsa, Okla., Liberal, Kans., Bakersfield, Calif., and Casper, Wyo., and C. E. Cast Co., located at or near Muse, Pa., and (2) between plantsites and facilities in (1) above, on the one hand, and, on the other, points in the United States.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas or Houston, Tex.

No. MC 111729 (Sub-No. 445), filed May 17, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pharmaceuticals, specimens, serums, test kits, glassware, laboratory samples, and supplies of all kinds, business papers, and documents* related thereto, restricted against the transportation of packages or articles weighing in the aggregate more than 50 pounds from one consignor to one consignee on any one day; (b) between Birmingham and Mobile, Ala., on the one hand, and, on the other, Daytona Beach, Ft. Walton, Gainesville, Jacksonville, Lake City, Miami, Orlando, Panama City, Pensacola, Tallahassee, Tampa, Fla.; Albany, Athens, Atlanta, Augusta, Columbus, Dalton, La Grange, Marietta, Marion, Savannah, Valdosta, Waycross, Ga.; Alexandria, Algiers, Eunice, Hammond, Houma, Jackson, Lafayette, Lake Charles, Marrero, Metairie, Monroe, New Orleans, Shreveport, Slidell, West Wego, La.; Biloxie, Columbus, Corinth, Greenville, Greenwood, Gulf Port, Hattiesburg, Jackson, Laurel, Meridian, Natchez, Tupelo, and Vicksburg, Miss.; (b) between points in Iowa, on the one hand, and, on the other, Omaha, Nebr., Shawnee Mission and Wichita, Kans.; (2) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising material* related thereto (excluding motion picture film used primarily for commercial theatre and television exhibition), *business papers, records audit, and accounting media* of all kinds; (a) between Omaha, Nebr., on the one hand, and, on other other, points in Minnesota and South Dakota; (3) *ophthalmic goods, business papers, records, audit, and accounting media* of all kinds; (a) between St. Louis, Mo., and points in Illinois (except points in Cook County, Ill.); (b) between Chicago, Ill., on the one hand, and, on the other, Cedar Rapids, Clinton, Des Moines, Iowa City, and Waterloo, Iowa; and (4) *ophthalmic goods;* (a) between Detroit, Mich., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, and Wisconsin, and (b) between points in Illinois, Indiana (except between Weir-Cook Airport, Indiana, on the one hand, and, on the other, points in Indiana), Kentucky, New York, Ohio, Pennsylvania, and Wisconsin, on traffic having an immediately prior or subsequent movement by air.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 446), filed May 29, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Critical replacement parts* for copying and duplicating machines, between Charlotte, N.C., on the one hand, and, on the other, points in South Carolina, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day; (2) *business papers, records, audit and accounting media, and advertising materials:* (a) between North Brunswick, N.J., on the one hand, and, on the other, Alexandria, Va., Beltsville and Brentwood, Md.; Bridgeport, Conn.; Fall River and Seekonk, Mass.; Farmingdale, Rochester, Schenectady, Syracuse, and Tonawanda, N.Y.; and Nazareth, West Hazelton, and Williamsport, Pa.; (b) between Austin, Minn., and Lacrosse, Wis.; (c) between points in Wayne County, Mich., on the one hand, and, on the other, Anderson, Fort Wayne, Kokomo, and Richmond, Ind.; and Lexington, Ky.; and (d) between Cleveland, Ohio, and Beaver Falls, Pa.; (3) *proofs, cuts, copy, layouts, printing plates, and advertising materials, and business papers, records, audit and accounting media of all kinds:* (a) between Indianapolis, Ind., on the one hand, and, on the other, Grand Rapids, Mich., and Peoria, Ill.; and (b) between Elkhart, Ind., on the one hand, and, on the other, Battle Creek, Berrien Springs, Grand Rapids, Muskegon and Niles, Mich., restricted in 3(a) and 3(b) above against packages or articles weighing in the aggregate no more than 75 pounds from one consignor to one consignee on any one day.

NOTE.—Common control may be involved. Dual operations may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–113843 (Sub-No. 211), filed June 10, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: William J. Boyd, 29 South La Salle Street, Suite 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, foodstuffs, and food products*, from points in Aroostook County, Maine, and Portland, Maine, to points in North Dakota, South Dakota, Nebraska, Colorado, Texas, Oklahoma, Missouri, Kansas, Arkansas, Iowa, Minnesota, Wisconsin, Illinois, Kentucky, Tennessee, Indiana, Michigan, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Boston, Mass.

No. MC–114284 (Sub-No. 62), filed June 10, 1974. Applicant: FOX-SMYTHE TRANSPORTATION COMPANY, a corporation, P.O. Box 82307, Stockyards Station, Oklahoma City, Okla. 73108. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., located at or near Amarillo, Tex., to points in Arizona, Arkansas, California, Colorado, Illinois, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Nevada, Oklahoma, South Dakota, Utah, Minnesota, Oregon, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC–115322 (Sub-No. 106), filed June 17, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: J. V. McCoy, P.O. Box 426, Tampa, Fla. 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs*, from Cade and Lozes, La., to points in Alabama, Florida, and Georgia.

NOTE.—Common control was approved in Docket No. MC–F–8864. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Tampa, Fla.

No. MC–115654 (Sub-No. 28), filed May 24, 1974. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 1193, Nashville, Tenn. 37202. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Frozen foods and materials, supplies, equipment, and ingredients* used in the manufacturing, packaging, and distribution of frozen foods (except in bulk), between the plant and warehouse facilities of The Quaker Oats Co., located at or near Jackson, Tenn., on the one hand, and, on the other, points in Alabama, Georgia, Indiana, Kentucky, Michigan, and Ohio, restricted to traffic originating at or destined to the plant and warehouse facilities of The Quaker Oats at or near Jackson, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC–115654 (Sub-No. 29), filed May 24, 1974. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 1193, Nashville, Tenn. 37202. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hospital solutions, drugs, toilet preparations, soaps and cleaning compounds, and pet foods*, moving in vehicles equipped with mechanical refrigeration, from Cincinnati, Ohio, to points in Kentucky on and east of U.S. Highway 231.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 116273 (Sub-No. 182), filed June 17, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Mineral seal oil*, in bulk and in tank vehicles, from West Branch, Mich., to points in Illinois, Iowa, Kansas, Missouri, Nebraska, and Oklahoma, and (2) *spent petroleum oils*, in bulk, in tank vehicles, from Iowa, Kansas, Missouri, Nebraska, Michigan, and Oklahoma, to Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC–116544 (Sub-No. 151), filed May 21, 1974. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 700 East Fairview Avenue, P.O. Box 636, Carthage, Mo. 64836. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Omaha, Nebr., to points in Alabama, Arkansas, Georgia, Florida, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC–117883 (Sub-No. 194), filed June 14, 1974. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products* produced or distributed by manufacturers and converters of paper and paper products, from Franklin, Ohio, to St. Louis, Mo., and points in Illinois and Indiana on and north of U.S. Highway 40, restricted to the transportation of traffic originating at the plant sites and storage facilities of Stone Container Corp. and Colorpac, Inc., located at or near Franklin, Ohio, and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC–117883 (Sub-No. 195), filed June 14, 1974. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler, P.O. Box 62, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and liquid commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Connecticut, the District of Columbia, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, appplicant requests it be held at Dallas, Tex.

No. MC 118151 (Sub-No. 4), filed May 24, 1974. Applicant: R. L. LETSON, P.O. Box 57, Weatherford, Tex. 76086. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulations under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Idaho, Minnesota, Montana, North Dakota, South Dakota, Washington, and Wyoming and the International Boundary line between the United States and Canada, located in Minnesota, Montana, North Dakota, and Washington, restricted to the transportation of traffic having a prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or Fort Worth, Tex.

No. MC–118202 (Sub-No. 37), filed May 28, 1974. Applicant: SCHULTZ TRANSIT, INC., P.O. Box 503, Winona, Minn. 55987. Applicant's representative: Stanley C. Olsen, Jr., 1000 First National Bank Building, Minneapolis, Minn. 55042. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured mulch*, from Detroit, Mich., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds motor contract carrier authority in No. MC–134631 (Sub-No. 4) and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC–118292 (Sub-No. 35), filed June 7, 1974. Applicant: BALLENTINE PRODUCE, INC., Box 312, Alma, Ark. 72921. Applicant's representative: Lester M. Bridgeman, 1030 15th Street NW., Suite 420, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, preserved, or prepared, in metal cans, glass jars, or packages, from the plantsites and storage facilities of Gerber Products Company at or near Ft. Smith, Ark., to points in Colorado, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Tennessee, and Texas, and Alton, Cairo, Carbondale, East St. Louis, Eldorado, Granite City, Marion, Mt. Vernon, Murphysboro, Staunton, Litchfield, Quincy, and Scott Air Force Base, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC–118520 (Sub-No. 10), filed March 25, 1974. Applicant: ALASKA TRUCK TRANSPORT, INC., Box 1994, Anchorage, Alaska 99510. Applicant's representative: John M. Stern, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which requires special equipment because of size or weight, *and related machinery parts and related contractors' materials, equipment, and supplies* when their transportation is incidental to the transportation of commodities which require special equipment because of size or weight, between points in Washington and Oregon, on the one hand, and, on the other, points in Alaska on the trans-Alaska Pipeline and ten miles thereof and on any road system between Livengood, Alaska, and Prudhoe Bay, Alaska, and ten miles thereof.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fairbanks, Alaska, or Seattle, Wash.

No. MC–119670 (Sub-No. 24), filed June 12, 1974. Applicant: THE VICTOR TRANSIT CORPORATION, 5250 Este Avenue, Cincinnati, Ohio 45232. Applicant's representative: Robert H. Kinker, P.O. Box 464, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers, caps, and closures* therefore, and *corrugated boxes* knocked down flat, from the plantsite of Universal Glass Products, Star City Glass Division of National Bottle Corp., located at Vienna, W. Va., to

points in Ohio and the lower peninsula of Michigan; and (2) *rejected shipments* on return.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC–119738 (Sub-No. 4), filed May 31, 1974. Applicant: HAGGARD HEAVY HAULING, INC., 2100 Guinotte, Kansas City, Mo. 64120. Applicant's representative: Louis J. Amato, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fencing; and* (2) *parts, materials, and accessories* used in the installation of fencing, from Kansas City, Mo., to points in Nebraska and Iowa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Kansas City, Kans.

No. MC–119789 (Sub-No. 208), filed June 6, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 1612 East Irving Boulevard, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Melba toast and ice cream cones*, from New Orleans, La., to points in California and Arizona.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Dallas, Tex.

No. MC–119988 (Sub-No. 64), filed June 7, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Mert Starnes, P.O. Box 2207, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Amarillo or Dallas, Tex.

No. MC 119988 (Sub-No. 65), filed June 10, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except in bulk), from Baltimore, Md., and Miami, Fla., to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC–119988 (Sub-No. 66), filed June 21, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood pulp*, in bales, and *waste or scrap paper*, from points in the United States (except Alaska and Hawaii), to points in Montgomery County, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC–121281 (Sub-No. 9), filed May 28, 1974. Applicant: BIG MAC TRUCKING COMPANY, a corporation, 1335 Boyles, P.O. Box 15069, Houston, Tex. 77020. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron or steel articles*, from the plantsite and storage facilities of Chaparral Steel Company, Inc., located at Ellis County, Tex., to points in Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee; and (2) *scrap iron and steel, including automobile bodies*, from points in Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, or Houston, Tex.

No. MC–121664 (Sub-No. 5), filed June 3, 1974. Applicant: G. A. HORNADY, CECIL M. HORNADY, AND B. C. HORNADY, a partnership, doing business as HORNADY BROTHERS TRUCK LINE, P.O. Box 846, Monroeville, Ala. 36460. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Monroe County, Ala., to points in Kentucky and Mississippi, restricted to traffic originating at the named origin and destined to the named destination states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Montgomery or Mobile, Ala.

No. MC–123407 (Sub-No. 180), filed June 11, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel buildings, knocked down, and steel mesh products*, from the plantsite of Behlen Manufacturing Company in Platte County, Nebr., to points in South Dakota, North Dakota, and Montana.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC–124170 (Sub-No. 39), filed June 7, 1974. Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities*, exempt from economic regulations under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Massachusetts, Maryland, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC–124170 (Sub-No. 40), filed June 17, 1974. Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South La Salle Street, Suite 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Smithsburg, Md., to Greenville, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124711 (Sub-No. 31), filed June 12, 1974. Applicant: BECKER AND SONS, INC., P.O. Box 1050, El Dorado, Kans. 67042. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, from the plantsite and storage facilities of Cooperative Farm Chemicals Association located at or near Lawrence, Kans., to points in Iowa, Missouri, Nebraska, Oklahoma, Colorado, Texas, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Oklahoma City, Okla.

No. MC–125996 (Sub-No. 49), filed June 3, 1974. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Suite 1133, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., located at or near Amarillo, Tex., to points in Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Idaho, Maine, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Jersey, New

Mexico, New York, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Amarillo, Tex., or Washington, D.C.

No. MC–126276 (Sub-No. 99), filed May 31, 1974. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers and container ends*, from the plantsite of American Can Company, at Shelbyville, Tenn., to points in Iowa, Ohio, Missouri, Illinois, Indiana, and Kentucky, under contract with American Can Company, at Shelbyville, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128375 (Sub-No. 112), filed June 14, 1974. Applicant: CRETE CARRIER CORP., P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Duane W. Ackle, P.O. Box 81228, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pet food, and those commodities used in the manufacture and distribution of pet food* (except in bulk), between Chicago, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under contract with Liggett & Myers, Incorporated, and its Allen Products Co. Division.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Allentown, Pa., or Lincoln, Nebr.

No. MC 128616 (Sub-No. 14), filed June 7, 1974. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representative: Warren W. Wallin, 330 South Jefferson Street, Chicago, Ill. 60606. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments* (except coins, currency, and negotiable securities), as are used in the conduct and operation of banks and banking institutions, between Fremont, Ohio, on the one hand, and, on the other, points in Wayne, Oakland, Macomb, Monroe, Lenawee, Washtenaw, Calhoun, Hillsdale, Ingham, Branch, Kalamazoo, St. Joseph, and Jackson Counties, Mich., under a continuing contract or contracts with Financial Computer Services, Inc., of Fremont, Ohio.

NOTE.—Applicant holds common carrier authority in MC 114533 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC–133095 (Sub-No. 62), filed June 12, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol and alcoholic beverages* (except in bulk), (1) from Detroit, Mich., to Harahan, La.; and (2) from Pekin, Ill., to points in Louisiana and points in Texas on and east of U.S. Highway 277.

NOTE.—Applicant holds contract carrier authority in MC–136032, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC–133655 (Sub-No. 75), filed June 10, 1974. Applicant: TRANSNATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil Du Jardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Carthage, Mo., to points in Georgia and Florida, restricted to the plantsite of the L. D. Schreiber Cheese Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC–134806 (Sub-No. 24), filed June 17, 1974. Applicant: B–D–R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tennis shoes*, from Roberts Shoe Division, Somersworth Manufacturing Co., at Somersworth, N.H., to Talcottville, Conn., and the plantsite and warehouse facilities of Head Division of AMF, Inc., in Boulder County, Colo., under contract with Head Division of AMF, Incorporated.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC–135082 (Sub-No. 9), filed June 16, 1974. Applicant: BURSCH TRUCKING, INC., doing business as ROADRUNNER TRUCKING, INC., 415 Rankin Road NE., Albuquerque, N. Mex. 87107. Applicant's representative: Edwin E. Pier, Jr., 1115 Sandia Savings Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), *agricultural implements and farm machinery, attachments for tractors, implement and tractor parts* (except truck tractor parts), from Grandview, Mo., to points in Colorado, New Mexico, and Utah, restricted to the transportation of traffic originating at the facilities of the Ford Motor Company.

NOTE.—Applicant holds contract carrier authority in MC–115524, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver or Pueblo, Colo.

No. MC–135185 (Sub-No. 19), filed June 13, 1974. Applicant: COLUMBINE CARRIERS, INC., 5925 East Evans Avenue, P.O. Box 22198, Denver, Colo. 80222. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning, scouring, and washing compounds, polishing and buffing compounds, disinfectants, deodorants, drugs and toilet preparations, insecticides, other household cleaning supplies, chemicals, hydraulic cement, sand, coal tar, adhesive tape, plastic synthetics, paint solvents, rubber cement, caulking and brazing compounds, varnish, paints, liquid paint, paste paint and dry paint, phosphoric acid and titanium dioxide, and materials, equipment, and supplies* used in the manufacture and distribution of the above-described commodities, (1) between the plantsites and storage facilities of Lehn & Fink Products Co., a Division of Sterling Drug, Inc., at or near Lincoln, Ill.; Toledo and Fostoria, Ohio; and Belle Mead, N.J.; (2) from points in Connecticut, New York, New Jersey, Pennsylvania, North Carolina, Maryland, Illinois, Massachusetts, South Carolina, and Missouri, to the plantsites and storage facilities named in part (1) above; and (3) from the plantsites and storage facilities named in part (1) above, to Houston, Tex., and points in Colorado, Idaho, and Utah, under a continuing contract or contracts with Lehn & Fink Products Co., a Division of Sterling Drug, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 136008 (Sub-No. 30), filed May 28, 1974. Applicant: JOE BROWN COMPANY, INC., P.O. Box 1669, Ardmore, Okla. 74301. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum coke* in open dump trailers, from Texas City, Tex., to Kremlin, Okla., and Port Arthur, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC–136008 (Sub-No. 34), filed May 29, 1974, Applicant: JOE BROWN COMPANY, INC., P.O. Box 1669, Ardmore, Okla. 74301. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ore*, from Port of Catoosa, Okla., to Coffeyville, Kans., and Bartlesville, Okla.

NOTE.—If a hearing is deemed necessary, the applicant reqeusts it be held at Oklahoma City, Okla.

No. MC–136008 (Sub-No. 35), filed June 12, 1974. Applicant: JOE BROWN

COMPANY, INC., P.O. Box 1669, Ardmore, Okla. 74301. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aggregate*, from points in McPherson, Saline, Franklin, and Anderson Counties, Kans., and points in Navarro and Freestone Counties, Tex., to pints in Canadian, Carter, Kay, Oklahoma, and Pontotoc Counties, Okla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC–136032 (Sub-No. 2), filed June 7, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hair care toiletries and equipments*, (1) between Stamford, Conn., Brooklyn, N.Y., and Lakewood, N.J., on the one hand, and, on the other, points in Tennessee; (2) from Stamford, Conn., Brooklyn, N.Y., and Lakewood, N.J., to points in Georgia and Michigan; and (3) from Brooklyn, N.Y., and Lakewood, N.J., to points in and west of Illinois, Wisconsin, Missouri, Arkansas, and Mississippi, under a continuing contract with Clairol, Inc.

NOTE.—Applicant holds common carrier authority in MC–133095 Sub 1 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC–136032 (Sub-No. 3), filed June 12, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Textiles and textile products*, (1) from points in North Carolina, South Carolina, New York, N.Y., and Philadelphia, Pa., to points in the United States in and west of Indiana, Michigan, Illinois, Missouri, Arkansas, and Louisiana, and (2) from Dallas, Tex., to Charlotte, N.C., under a continuing contract with Coit International.

NOTE.—Applicant holds common carrier authority in MC–133095 Sub 1 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC–136916 (Sub-No. 10), filed May 28, 1974. Applicant: LENAPE TRANSPORTATION CO., INC., P.O. Box 227, Lafayette, N.J. 07848. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, stone, and gravel*, from points in Sussex County, N.J., to points in New York, Pennsylvania, and Connecticut.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC–138018 (Sub-No. 13), filed June 6, 1974. Applicant: REFRIGERATED FOODS, INC., 1420 33d Street, Denver, Colo. 80205. Applicant's representative: Donald L. Stern, 7100 West Center Road, Suite 530, Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Sterling, Denver, and Greeley, Colo., to points in New York, Pennsylvania, New Jersey, Massachusetts, Maryland, Virginia, Michigan, Minnesota, Wisconsin, Illinois, Ohio, Connecticut, Rhode Island, Kansas, Nebraska, Missouri, West Virginia, Iowa, Kentucky, District of Columbia, Indiana, South Dakota, Vermont, Delaware, Maine, and New Hampshire.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC–138328 (Sub-No. 13), filed June 3, 1974. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Avenue, P.O. Box 831, Council Bluffs, Iowa 51501. Applicant's representative: D. L. Ehrlich (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed and feed ingredients*, from Buhl, Idaho, to points in Arizona, Idaho, Iowa, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Boise or Pocatello, Idaho.

No. MC–138398 (Sub-No. 5) filed June 12, 1974. Applicant: CHARTER EXPRESS, INC., 1959 East Turner, Springfield, Mo. 65804. Applicant's representative: Warren H. Sapp, Suite 910, Fairfax Building, 101 West 11th Street, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Earthenware*, from Aspers, Pa., to Hannibal, Kansas City, Sedalia, and Sweet Springs, Mo., under a continuing contract or contracts with Rival Manufacturing Company, of Kansas City, Mo.

NOTE.—Applicant holds common carrier authority in MC–134755 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City or Springfield, Mo.

No. MC–138807 (Sub-No. 3), filed May 17, 1974. Applicant: TOM ALEXANDER, doing business as TOM ALEXANDER & SON, P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Facing and flooring tile, and such materials and supplies* as are used in the preparation and installation thereof; and (2) *bathroom and lavatory fixtures*, from Jackson, Miss., to points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, Utah, Washington, and Wyoming, under contract with Oxford Tile Co., at Jackson, Miss.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or New Orleans, La.

No. MC–139023 (Sub-No. 2), filed May 31, 1974. Applicant: GERALD GORDON GOGIN, doing business as GOGIN TRUCKING, North 16th West 24990, Highway JJ, Pewaukee, Wis. 53072. Applicant's representative: Stanley C. Olsen, Jr., 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers and closures* thereof, from the plantsite and storage facilities of Midland Glass Company located at or near Shakopee, Minn., to points in Wisconsin and Illinois, and (2) *materials, equipments, and supplies* used in the manufacture of glass containers and closures, from points in Illinois and Wisconsin, to the plantsite and storage facilities of Midland Glass Company located at or near Shakopee, Minn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC–139468 (Sub-No. 3), filed May 28, 1974. Applicant: INTERNATIONAL CONTRACT CARRIERS, INC., 14628 Hempstead Highway, Houston, Tex. 77040. Applicant's representative: Arlyn L. Westergren, Suite 530, Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings and related parts and equipment*, from the plantsite of Stran-Steel Corp. at or near Terre Haute, Ind., to points in Illinois, Wisconsin, Minnesota, Missouri, Iowa, Nebraska, North Dakota, South Dakota, Oklahoma, Kansas, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, California, Nevada, Idaho, Oregon, Washington, Kentucky, West Virginia, and Virginia, under a continuing contract or contracts with Stran-Steel Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Omaha, Nebr.

No. MC–139623 (Sub-No. 2), filed May 24, 1974. Applicant: ADKINS TRANSFER, INC., 2537 Eighth Avenue, Huntington, W. Va. 25701. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Supplies, stock, parts, and fixtures*, uncrated, used by riverboats, between Huntington, W. Va., on the one hand, and, on the other, points in Cincinnati and Kanauga, Ohio, Paducah, Ky., St. Louis, Mo., Mapleton, Ill., and Pittsburgh, Pa., under contract with the Ohio River Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Charleston, W. Va., or Columbus, Ohio.

No. MC–139723 (Sub-No. 2), filed May 17, 1974. Applicant: FARISH R. THOMPSON, doing business as THOMPSON TRUCKING, P.O. Box 733, 345 East Sixth Street, Afton, Wyo. Applicant's representative: Dennis M. Olsen, 485 E. Street, Idaho Falls, Idaho 83401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, and wood shavings*, from the facilities of Star Studs Co., a division of New Idria Mining and Chemical Company, near Afton (Lincoln County), Wyo., to the railroad yards in Cokeville (Lincoln County), Wyo., having subsequent movement by rail.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Idaho Falls, Idaho, or Salt Lake City, Utah.

No. MC 139750, filed April 19, 1974. Applicant: A. I. D., INC., Terminal Building (Air-Freight), Ryan Airport, Baton Rouge, La. 70815. Applicant's representative: Leonard Cole, P.O. Box 53134, Baton Rouge, La. 70815. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except automobiles, dangerous explosives, articles of unusual value, livestock and those items requiring special equipment or handling), between points in Assumption, East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana, Iberville, Pointe Coupee, St. Helena, St. James, St. John the Baptist, Livingston, Tangipahoa, St. Martin, St. Landry, and Ascension Parishes and Moissant International Airport, located at or near New Orleans, La., in nonradial movements, restricted to shipments having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Baton Rouge, La.

No. MC–139766, filed April 26, 1974. Applicant: EAST-WEST TRANSPORT, INC., 624 East Constance Road, P.O. Box 1147, Suffolk, Va. 23434. Applicant's representative: Daniel B. Johnson, Suite 1123, Munsey Building, 1329 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and storage facilities of or utilized by Iowa Beef Processors, Inc., located at or near Sioux City, Iowa, Dakota City, Nebr., and Emporia, Kans., to points in Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee (except Memphis), West Virginia, and the District of Columbia, under contract with Iowa Beef Processors.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–139792 (Sub-No. 2), filed May 28, 1974. Applicant: J. A. COFFEY, doing business as C & M GARAGE & WRECKER SERVICE, 3601 West 70th, Shreveport, La. 71108. Applicant's representative: William D. Lynch, P.O. Box 912, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles and trailers*, wrecked, disabled, or abandoned; *replacement vehicles or trailers* for the above named commodities (excluding mobile homes and house trailers designed to be drawn by passenger automobiles) in truckaway service, when moving in wrecker service, between points in Arkansas, Louisiana, Mississippi, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., or Dallas, Tex.

No. MC–139826 (Sub-No. 1), filed May 30, 1974. Applicant: COLUMBINE TRANSPORTATION, INC., 4155 Laurel Road, Brunswick, Ohio 44212. Applicant's representative: Thomas Bolan, 83 South Fourth, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus (Moore County), Tex., to points in California, Mississippi, Alabama, Florida, Georgia, Tennessee, North Carolina, South Carolina, Illinois, Indiana, Kentucky, Michigan, Ohio, Virginia, Maryland, District of Columbia, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, and Massachusetts, restricted to traffic originating at, and destined to, the named points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC–139833 (Sub-No. 1), filed June 11, 1974. Applicant: TASCO, INC., P.O. Box 1072, Dumas, Tex. 79029. Applicant's representative: William L. Slover, 1224 17th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus (Moore County), Tex., to points in California, Mississippi, Alabama, Georgia, Florida, Tennessee, North Carolina, South Carolina, Illinois, Indiana, West Virginia, Virginia, Maryland, District of Columbia, Kentucky, Delaware, New Jersey, New York, Michigan, Pennsylvania, Connecticut, Rhode Island, Vermont, New Hampshire, Ohio, Massachusetts, and Maine, restricted to traffic originating at, and destined to, the named points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Washington, D.C.

No. MC 139837 (Sub-No. 2), filed May 28, 1974. Applicant: K & I DISTRIBUTORS, INC., 911 Schnelker Court, New Haven, Ind. 46774. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is distributed by Amway Corporation, including but not limited to cosmetics, toiletries, fire extinguishers and component parts, cookware, dishes, soaps, cleaning compounds, and solvents* (except commodities in bulk), *and advertising materials*, (1) from Huntington, Ind., to points in Indiana on and north of Indiana State Highway 46; (2) from Columbus and Vincennes, Ind., to points in Indiana on and south of a line beginning at the point where the Indiana-Illinois State Boundary line extends easterly along U.S. Highway 36 to Indianapolis, Ind., thence along U.S. Highway 40 to the Indiana-Ohio State Boundary line, and points in Kentucky on and west of U.S. Highway 431; and (3) from Louisville, Ky., to points in Kentucky on and east of U.S. Highway 431, and points in Indiana on and south of Interstate Highway 64 under contract with Amway Corporation, restricted to a transportation service to be performed under a continuing contract, or contracts, with Amway Corporation, at Ada, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC–139912, filed May 22, 1974. Applicant: ANTHONY PETTOLINA & SONS, INC., Turner and Mascher Streets, Philadelphia, Pa. 19122. Applicant's representative: Alan Kahn, 1920 Two Penn Central Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor coverings and materials* used in the installation of flood coverings, from the facilities of Anthony Pettolina & Sons, Inc., at Philadelphia, Pa., to points in

New Jersey south of the northern boundaries of Mercer and Monmouth Counties.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

PASSENGER APPLICATION

No. MC-3647 (Sub-No. 452) (Partial Correction), filed May 9, 1974, published in the FEDERAL REGISTER issue of July 5, 1974, and republished, as corrected, in part, this issue. Applicant: TRANSPORT OF NEW JERSEY, a corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: John F. Ward (same address as applicant).

NOTE.—The purpose of this partial republication is to indicate the correct Docket No. assigned to this proceeding as MC-3647 (Sub-No. 452) in lieu of MC-3647 (Sub-No. 352) as previously published. The rest of the notice remains as originally published.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-16375 Filed 7-17-74;8:45 am]

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THURSDAY, JULY 18, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 139

PART II

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Government Financial Operations

■

CIRCULAR 570; 1974 REVISION

Surety Companies Acceptable on Federal Bonds

DEPARTMENT OF THE TREASURY

FISCAL SERVICE, BUREAU OF GOVERNMENT FINANCIAL OPERATIONS

[Dept. Circular 570; 1974 Rev.]

COMPANIES HOLDING CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETIES ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANIES

JULY 1, 1974.

This circular is published annually, as of July 1, solely for the information of Federal bond-approving officers and persons required to give bonds to the United States. Copies of this circular may be obtained from: Audit Staff, Bureau of Government Financial Operations, Treasury Department, Washington, D.C. 20226. Telephone: (202) 964-5284. Interim changes in this circular are published in the FEDERAL REGISTER as they occur.

The following companies, except where otherwise noted, have complied with the law and the regulations of the Treasury Department and are acceptable as sureties on Federal bonds, to the extent and with respect to the localities indicated opposite their respective names.

[SEAL]

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM SECRETARY OF THE TREASURY UNDER SECTIONS 6 TO 13 OF TITLE 6 OF THE UNITED STATES CODE AS ACCEPTABLE SURETIES ON FEDERAL BONDS, INCLUDING REINSURANCE [SEE NOTE (a)]

Names of companies and locations of principal executive offices.	Underwriting limitations (net limit on any one risk) in thousands of dollars. [See note (b)]	States and other areas in which licensed to transact surety business. [See note (c)]	State or other area in which incorporated (in capitals), and judicial districts in which process agents have been appointed (letters preceding names of States indicate judicial districts). [See note (d)]
AID Insurance Company (Mutual), Des Moines, Iowa.	3,182	Ariz., Ark., Cal., Colo., Idaho, Ill., Ind., Iowa, Kans., Minn., Mo., Mont., Nebr., N. Mex., N. Dak., Okla., Oreg., S. Dak., Tex., Utah, Wash., Wis., Wyo.	IOWA—Ariz., Colo., D.C., Idaho, Ill., Kans., Minn. Nebr., N. Dak., Okla., S. Dak., Utah, Wis., Wyo.
The Aetna Casualty and Surety Company, Hartford, Conn.	35,340	All	CONN.—All.
Aetna Fire Underwriters Insurance Company, Hartford, Conn.	726	All except Ala., C.Z., Guam, La., Oreg., Puerto Rico, S.C., Virgin Islands.	CONN.—D.C., Md., wPa.
Aetna Insurance Company, Hartford, Conn.	17,093	All except C.Z., Guam	CONN.—All except C.Z., Guam, Hawaii, Virgin Islands.
Aetna Life and Casualty Company, Hartford, Conn.	113,958	Conn	CONN.—D.C., Mont.
Allegheny Mutual Casualty Company, Meadville, Pa.	124	Alaska, Fla., Ill., Ind., La., Md., Mich., N.J., Ohio, Pa., Wis.	PA.—D.C., sFla., nIll., Ind., Md., eMich., N.J., Ohio eVa., eWis.
Allied Fidelity Insurance Co., Indianapolis, Ind.	128	Alaska, Colo., Del., Ind., Ky., La., Mass., Minn., Mont., N. Mex., N. Dak., Okla., Oreg., Tex., Utah.	IND.—Ariz., D.C.
Allied Insurance Company, Philadelphia, Pa.	438	All except Hawaii, La., Puerto Rico, Vt., Virgin Islands	CAL.—D.C., Tex.
Allied Surety Company, Portland, Me.	40	Pa	PA.—D.C.
Allstate Insurance Company, Northbrook, Ill.	93,560	All except C.Z., Guam, Virgin Islands	ILL.—eCal., Colo., Conn., D.C., mFla., nGa., sInd., Kans., eMich., sMiss., N.J., eN.Y., wN.C., nOhio, ePa., sTex., wVa., eWis.
American Agricultural Insurance Company, Park Ridge, Ill.	1,471	Ariz., Colo., Fla., Ga., Idaho, Ill., Ind., Iowa, Mo., N. Mex., N.C., N. Dak., Oreg., Pa., S.C., Tex., Wash., Wis., Wyo. (Reinsurance only in Kans., Mass., N.Y., Va.)	IND.—D.C.
American Automobile Insurance Company, San Francisco, Cal.	9,152	All except C.Z., Guam, Puerto Rico, Virgin Islands	MO.—All except C.Z., Guam, Virgin Islands.
American Bonding Company, Los Angeles, Cal.	83	Alaska, Ariz., Ark., Cal., Colo., D.C., Idaho, Iowa, Kans., Mo., Mont., Nebr., Nev., N. Mex., Oreg., Utah.	NEBR.—Alaska, Ariz., Ark., nesCal., Colo., D.C., Idaho, Iowa, Mo., Mont., Nev., N. Mex., Oreg., Utah, wWash.
American Casualty Company of Reading, Pennsylvania, Chicago, Ill.	5,084	All except C.Z., Guam, Virgin Islands	PA.—All except Guam, Virgin Islands.
American Credit Indemnity Company of New York, Baltimore, Md.	2,427	Cal., Colo., Conn., Del., Ill., Ind., Iowa, Me., Md., Mass., Minn., Mo., N.H., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Pa., R.I., Vt., Wash., W. Va.	N.Y.—D.C.
The American Druggists' Insurance Company, Cincinnati, Ohio.	340	Ala., Ark., Cal., Colo., Conn., Del., Fla., Ga., Ill., Ind., Ky., La., Me., Md., Mass., Mich., Minn., Miss., Mo., N.Y., N.C., Ohio, S.C., Tenn., Va., Wis.	OHIO—
American Economy Insurance Company, Indianapolis, Ind.	2,396	All except C.Z., Conn., Guam, Hawaii, Mass., N.J., N.Y., Puerto Rico, R.I., Va., Virgin Islands.	IND.—All except C.Z., Guam, Mass., Puerto Rico, Virgin Islands.
American Empire Insurance Company, Watertown, N.Y.	2,118	All except Alaska, C.Z., Guam, Puerto Rico, Virgin Islands.	N.Y.—Ariz., Cal., Colo., Conn., Del., D.C., eIll., sInd., nIowa, Ky., Me., Md., Mich., Minn., Mont., Nebr., N.H., N.J., N. Mex., N. Dak., nOhio, Pa., R.I., S. Dak., Tenn., Utah, Vt., wWis.
American Employers' Insurance Company, Boston, Mass.	6,290	All except Guam	MASS.—All except Guam.
American Fidelity Company, Manchester, N.H.	447	Conn., Iowa., Me., Mass., Miss., N.H., R.I., Vt	VT.—All except C.Z., Guam, Kans., Puerto Rico, Virgin Islands.
American Fidelity Fire Insurance Company, Woodbury, N.Y.	687	All except Alaska, Ark., C.Z., Colo., Guam, Hawaii, Kans., Mo., Nebr., N.H., Virgin Islands.	N.Y.—Ariz., Cal., D.C., nGa., Idaho. nIll., La., Mich., Mont., Nev., N. Mex., Oreg., Puerto Rico, Utah, eVa., Wash., wWis.
American Fire and Casualty Company, Hamilton, Ohio.	732	Ala., Ark., Colo., D.C., Fla., Ga., Kans., Ky., La., Md., Miss., Mo., N.C., Okla., S.C., Tenn., Tex., Va.	FLA.—Ala., Ark., Colo., D.C., Ga., Kans., Ky., La., Md., Miss., Mo., N.C., Okla., S.C., Tenn., Tex., Va.
American and Foreign Insurance Company, New York, N.Y.	1,734	All except C.Z., Del., Guam, La., Oreg., Puerto Rico, S.C., Va., Virgin Islands.	N.Y.—D.C., Tex.
American General Insurance Company, Houston, Tex.	35,552	Mich., Pa., Tex	TEX.—All except Guam, Puerto Rico, Virgin Islands.
American Guarantee and Liability Insurance Company, Chicago, Ill.	1,470	All except Ala., C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—Alaska, Cal., Conn., D.C., nFla., nsGa., nsIll., nInd., Me., Md., Mass., eMich., Minn., Mo., N.H., N.J., N. Mex., Ohio, Pa., nswTex., Vt.
American Home Assurance Company, New York, N.Y.	3,495	All except Ark., C.Z	N.Y.—D.C.
American Indemnity Company, Galveston, Tex.	842	Ala., Cal., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Miss., Mo., Mont., N. Mex., N.C., Ohio, Okla., S.C., Tenn., Tex., Va., Wis., Wyo.	TEX.—All except Alaska, wArk., C.Z., Guam, Hawaii, wMich., nOkla., Puerto Rico, Virgin Islands, wVa.
The American Insurance Company, Principal Office: Newark, N.J. Home Office: San Francisco, Cal.	19,919	All except C.Z., Guam, Virgin Islands	N.J.—All except C.Z., Guam, Virgin Islands.
American International Insurance Company, New York, N.Y.	296	All except C.Z., Del., Guam, Hawaii, N.H., Puerto Rico, Virgin Islands.	N.Y.—D.C.
American Liberty Insurance Company, Birmingham, Ala.	215	All except Alaska, Ariz., Ark., C.Z., Colo., Conn., Del., D.C., Guam, Hawaii, Kans., Me., Mass., Mich., Nev., N.H., N.J., N. Mex., N. Dak., Ohio, Oreg., Puerto Rico, R.I., S.C., S. Dak., Vt., Virgin Islands, W. Va., Wis.	ALA.—

*See footnotes at end of table.

Names of companies and locations of principal executive offices.	Underwriting limitations (net limit on any one risk) in thousands of dollars. [See note (b)]	States and other areas in which licensed to transact surety business. [See note (c)]	State or other area in which incorporated (in capitals), and judicial districts in which process agents have been appointed (letters preceding names of States indicate judicial districts). [See note (d)]
American Manufacturers Mutual Insurance Company, Long Grove, Ill.	2,176	All except C.Z., Guam, Okla., Puerto Rico, Virgin Islands.	N.Y.—All except C.Z., Guam, Virgin Islands.
American Motorists Insurance Company, Long Grove, Ill.	3,853	All except Del., Guam, N.H., Virgin Islands.	ILL.—All except C.Z., Guam, Virgin Islands.
American Mutual Liability Insurance Company, Wakefield, Mass.	1,983	All except C.Z., Guam, Hawaii, Virgin Islands.	MASS.—D.C.
American National Fire Insurance Company, Los Angeles, Cal.	573	All except C.Z., Conn., Guam, La., Me., Mich., N.J., Puerto Rico, S.C., Virgin Islands.	N.Y.—All.
American Re-Insurance Company, New York, N.Y.	11,206	All except C.Z., Guam, Virgin Islands.	N.Y.—All except Guam.
American States Insurance Company, Indianapolis, Ind.	8,294	All except C.Z., Conn., Guam, Mass., N.Y., Puerto Rico, Va., Virgin Islands.	IND.—All except C.Z., Guam, Mass., Puerto Rico, Virgin Islands.
Argonaut Insurance Company, Menlo Park, Cal.	9,825	All except C.Z.	CAL.—All except Mass., Virgin Islands, wWis., Wyo.
Associated Indemnity Corporation, San Francisco, Cal.	2,088	All except C.Z., Guam, Virgin Islands.	CAL.—All except C.Z., Colo., Guam, Virgin Islands.
Atlantic Insurance Company, Dallas, Tex.	1,202	All except C.Z., Colo., Conn., Del., Guam, Hawaii, Idaho, Iowa, La., Me., Mass., Nebr., N.H., N.Y., N. Dak., Oreg., Puerto Rico, R.I., Vt., Va., Virgin Islands, Wash., Wis., Wyo.	TEX.—All except Alaska, C.Z., Guam, Hawaii, eN.Y., Puerto Rico, Virgin Islands.
Atlantic Mutual Insurance Company, New York, N.Y.	3,864	All except Ala., C.Z., Guam, Hawaii, Virgin Islands.	N.Y.—D.C.
Auto-Owners Insurance Company, Lansing, Mich.	7,585	Ala., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Mich., Minn., Mo., Nebr., N.C., N. Dak., Ohio, S.C., S. Dak., Tenn., Wis.	MICH.—D.C., nsFla., Ill., Ind., Iowa, Minn., Mo., N. Dak., Ohio, S. Dak.
Balboa Insurance Company, Newport Beach, Cal.	1,144	All except Ala., Ark., C.Z., Kans., La., Mass., Miss., Nebr., N.H., N.J., N.C., N. Dak., Puerto Rico, R.I., S.C., S. Dak., Tenn., Vt., Va., Virgin Islands, W. Va., Wis.	CAL.—D.C., wWash.
Bankers Fire & Casualty Insurance Company, St. Petersburg, Fla.	76	Fla.	FLA.—D.C.
Bankers Multiple Line Insurance Company, Chicago, Ill.	1,241	All except C.Z., Del., Ga., Guam, Idaho, Kans., La., Me., Mont., Oreg., Puerto Rico, S.C., Tenn., Virgin Islands.	IOWA—D.C.
Bankers and Shippers Insurance Company of New York, Burlington, N.C.	353	All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—mAla., Ariz., Ark., Del., D.C., nFla., nGa., sInd., sIowa, eKy., Me., Mass., Mich., Minn., sMiss., wMo., N.H., N.J., sOhio, wOkla., R.I., S. Dak., nwTex., Wyo.
Boston Old Colony Insurance Company, New York, N.Y.	1,080	All except C.Z., Guam	MASS.—Ala., Alaska, Ark., neCal., Conn., Del., D.C., sFla., Ga., Hawaii, Idaho, Kans., La., Me., Md., Minn., Miss., eMo., Mont., Nebr., N. Mex., wseN.Y., N.C., S.C., Wyo.
The Buckeye Union Insurance Company, Columbus, Ohio.	10,515	D.C., Fla., Ill., Ind., Kans., Ky., Mich., Mo., N.Y., Ohio, Pa., Va., W. Va.	OHIO—D.C., Ill., Ind., Ky., Mich., Minn., Pa., eTenn. Va., W. Va.
The Camden Fire Insurance Association, Philadelphia, Pa.	5,744	All except Ark., C.Z., Del., Ga., Guam, Hawaii, Idaho, La., Me., Miss., Mont., Nebr., N.H., Oreg., Puerto Rico, S. Dak., Tenn., Tex., Virgin Islands, Wash.	N.J.—D.C.
Capitol Indemnity Corporation, Madison, Wis.	354	Ariz., Fla., Idaho, Ill., Ind., Iowa, La., Mich., Minn., Mo., Mont., N. Mex., N. Dak., Okla., S. Dak., Tex., Wis., Wyo.	WIS.—D.C., Fla., nGa., Idaho, Ill., Ind., Iowa, La., Mich, Minn., wMo., Mont., N. Dak., wOkla., S. Dak.
Cascade Insurance Company, Philadelphia, Pa.	225	Alaska, Ariz., Cal., Colo., D.C., Hawaii, Idaho, Ind., Minn., Mont., Nev., Oreg., Utah, Wash.	WASH.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
The Celina Mutual Insurance Company, Celina, Ohio.	569	Ill., Ind., Kans., Ky., Mich., Ohio, Pa., W. Va.	OHIO—D.C.
Centennial Insurance Company, New York, N.Y.	1,279	All except Ala., C.Z., Guam, Virgin Islands.	N.Y.—D.C.
The Central National Insurance Company of Omaha, Omaha, Nebr.	721	All except C.Z., Guam, Hawaii, N.Y., Virgin Islands.	NEBR.—
Century Indemnity Company, Hartford, Conn.	612	All except Ala., C.Z., Del., Guam, Hawaii, Kans., La., Oreg., Puerto Rico, Virgin Islands.	CONN.—D.C., Md., wPa.
The Charter Oak Fire Insurance Company, Hartford, Conn.	2,300	All except C.Z., Guam, Virgin Islands.	CONN.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
The Cincinnati Insurance Company, Cincinnati, Ohio.	2,752	Ala., Ariz., Fla., Ga., Ill., Ind., Ky., Mich., N.C., Ohio, Pa., S.C., Tenn.	OHIO—mAla., D.C., sFla., nGa., sInd., Ky.
Colonial Surety Company, Philadelphia, Pa.	218	Del., N.J., Pa.	PA.—D.C.
Commercial Insurance Company of Newark, N.J., New York, N.Y.	5,102	All except C.Z., Guam, Puerto Rico, Virgin Islands.	N.J.—All except Guam.
Commercial Standard Insurance Company, Fort Worth, Tex.	401	All except C.Z., Conn., Del., Guam, Hawaii, Me., Mass., Mich., N.H., N.J., N.Y., Pa., Puerto Rico, R.I., Vt., Virgin Islands, W. Va.	TEX.—All except Alaska, C.Z., Guam, Hawaii, Minn., Miss., Puerto Rico., S. Dak., Virgin Islands.
Commercial Union Insurance Company, Boston, Mass.	22,776	All except C.Z., Guam.	MASS.—All except C.Z., Guam.
The Connecticut Indemnity Company, Hartford, Conn.	817	All except Alaska, C.Z., Del., Guam, Hawaii, Oreg., Puerto Rico, S.C., Virgin Islands.	CONN.—All except Alaska, esCal., C.Z., Guam, Hawaii, Oreg., Virgin Islands, Wash.
Consolidated Insurance Company, Indianapolis, Ind.	450	Ill., Ind., Ky., Mich., Ohio, Wash., Wis.	IND.—D.C., Ill., Ky., Mich., Ohio.
Consolidated Mutual Insurance Company, Brooklyn, N.Y.	878	All except Ala., Alaska, C.Z., Del., Guam, La.	N.Y.—D.C.
Continental Casualty Company, Chicago, Ill.	29,857	All except Guam.	ILL.—All except C.Z., Guam, Virgin Islands.
The Continental Insurance Company, New York, N.Y.	22,642	All.	N.Y.—All except Guam.
Continental Western Insurance Company, Des Moines, Iowa.	868	Iowa, Minn., Nebr., N. Dak., S. Dak., Wis.	IOWA—
Cornhusker Casualty Company, Omaha, Nebr.	179	Colo., Iowa, Nebr., S. Dak., Wyo.	NEBR.—D.C.
Cosmopolitan Mutual Insurance Company, New York, N.Y.	834	Ala., Cal., Conn., D.C., Fla., Ga., Ill., Ind., Md., Mass., N.J., N.Y., N.C., Pa., R.I., S.C., Vt., Va., W. Va.	N.Y.—D.C.
Cotton States Mutual Insurance Company, Atlanta, Ga.	782	Ala., Fla., Ga., N.C.	GA.—Ala., D.C., Fla.
Covenant Mutual Insurance Company Hartford, Conn.	1,151	Cal., Conn., N.H., Oreg., Wash.	CONN.—cesCal., D.C.
Cumis Insurance Society, Inc., Madison, Wis.	622	All.	WIS.—nsAla., Colo., D.C., Fla., Ill., Md., Mich., Nev., Utah.
Dependable Insurance Company, Inc. Jacksonville, Fla.	94	Ala., Fla., Ga., Miss., Va.	FLA.—D.C.

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Empire Fire and Marine Insurance Company, Omaha, Nebr.	705	All except Ark., Cal., C.Z., Conn., Del., D.C., Guam, Ky., La., Me., Md., Mass., N.H., N.J., N.Y., Oreg., Pa., Puerto Rico, R.I., S.C., Tenn., Tex., Va., Virgin Islands, W. Va.	NEBR.—D.C.
The Employers' Fire Insurance Company, Boston, Mass.	2,656	All except C.Z., Guam	MASS.—All except C.Z., Guam.
Employers Mutual Casualty Company, Des Moines, Iowa.	3,590	All except Ala., C.Z., Guam, La., Puerto Rico, Virgin Islands.	IOWA—Alaska, Colo., D.C., Ill., Ind., Kans., Md., Minn., Miss., Mo., Nebr., N.C., N. Dak., Ohio, Okla., Oreg., Pa., S.C., S. Dak., Wis.
Employers Mutual Liability Insurance Company of Wisconsin, Wausau, Wis.	14,397	All except C.Z., Virgin Islands	WIS.—All except C.Z., Del., nFla., sGa., Guam, Md., Mass., Nev., eOkla., Pa., Puerto Rico, Va. Virgin Islands, W. Va.
Employers Reinsurance Corporation, Kansas City, Mo.	5,355	All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.	MO.—All except Guam.
Farmers Alliance Mutual Insurance Company, McPherson, Kans.	1,227	Ark., Colo., Idaho, Ill., Iowa, Kans., Md., Mass., Mich., Mo., Nebr., N.H., N.J., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., S.C., S. Dak., Tex., Vt., Wyo.	KANS.—Colo., D.C., Mo., Nebr., N. Mex., N. Dak,., Okla., S. Dak., Tex.
Farmers Elevator Mutual Insurance Company, Des Moines, Iowa.	612	Colo., Ill., Iowa, Kans., Minn., Mo., Nebr., N. Dak., Okla., S. Dak., Tex., Wyo.	IOWA—Colo., D.C., Ill., Kans., Nebr., Okla., S. Dak.
Farmers Home Mutual Insurance Company, Minneapolis, Minn.	1,089	Ariz., Cal., Colo., Idaho, Iowa, Minn., Mont., Nev., N. Dak., Oreg., S. Dak., Utah, Wash., Wis.	MINN.—Alaska, Ariz., Cal., D.C., Nev., Utah.
Farmers Mutual Hail Insurance Company of Iowa, Des Moines, Iowa.	2,373	Iowa	IOWA—D.C.
Federal Insurance Company, New York, N.Y.	21,332	All	N.J.—All.
Federated Mutual Insurance Company, Owatonna, Minn.	3,671	All except Alaska, C.Z., Del., Guam, Me., Puerto Rico, Virgin Islands.	MINN.—Ala., Ark., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Miss., Mo., Mont., Nebr., N.C., N. Dak., Okla., S.C., S. Dak., Tenn., Va., W. Va., Wis.
The Fidelity and Casualty Company of New York, New York, N.Y.	8,807	All except Guam, Virgin Islands	N.Y.—All except Guam, Hawaii, Virgin Islands.
Fidelity and Deposit Company of Maryland, Baltimore, Md.	7,047	All except Guam	MD.—All except Guam.
Financial Indemnity Company, Los Angeles, Cal.	901	Ariz., Cal., Colo., Mo., Oreg., Wash	CAL.—Ariz., Colo., D.C., wMo., Oreg., wWash.
Fireman's Fund Insurance Company, San Francisco, Cal.	47,281	All except C.Z	CAL.—All.
Firemen's Insurance Company of Newark, New Jersey, New York, N.Y.	32,306	All except C.Z., Guam, Puerto Rico, Virgin Islands	N.J.—All except C.Z.
First General Insurance Company, Trevose, Pa.	318	Ariz., Ark., Cal., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., Md., Miss., Mo., Nev., N.J., N.C., Pa., R.I., Tex., Utah., Wash., Wis.	GA.—D.C.
First Insurance Company of Hawaii, Ltd., Honolulu, Hawaii.	919	Alaska, Ariz., Cal., Colo., Guam, Hawaii, Ill., Ind., La., Minn., Mo., N.Y., Oreg., Utah, Wash.	HAWAII—D.C.
First National Insurance Company of America, Seattle, Wash.	1,355	All except C.Z., Guam, Hawaii, Me., N.H., Puerto Rico, Vt., Virgin Islands.	WASH.—All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Fremont Indemnity Company, Los Angeles, Cal.	401	Cal	CAL.—D.C.
General Fire and Casualty Company, Carle Place, N.Y.	829	All except C.Z., Puerto Rico	N.Y.—D.C.
General Insurance Company of America, Seattle, Wash.	5,213	All	WASH.—All.
General Reinsurance Corporation, New York, N.Y.	21,744	All except C.Z., Guam, Hawaii, Virgin Islands	DEL.—All except C.Z., Guam, Virgin Islands.
The Glens Falls Insurance Company, New York, N.Y.	8,508	All except C.Z., Guam, Virgin Islands	N.Y.—D.C.
Globe Indemnity Company, New York, N.Y.	7,713	All except C.Z., Guam, Puerto Rico, Virgin Islands	N.Y.—All except Alaska, Guam, Virgin Islands.
Grain Dealers Mutual Insurance Company, Indianapolis, Ind.	1,092	All except Ala., Alaska, C.Z., Conn., Del., D.C., Fla., Guam, Hawaii, Idaho, Me., Md., Mass., Mont., N.H., N.J., N. Dak., Pa., Puerto Rico, Utah, Vt., Virgin Islands.	IND.—eArk., Colo., D.C., Ill., Iowa, Kans., Nebr., Ohio, wOkla.
Granite State Insurance Company, Manchester, N.H.	406	All except C.Z., Conn., Del., Guam, Hawaii, Idaho, Puerto Rico, Virgin Islands.	N.H.—All except Guam, Puerto Rico.
Great American Insurance Company, Los Angeles, Cal.	14,695	All except C.Z	N.Y.—All.
Great Northern Insurance Company, Minneapolis, Minn.	1,097	Ariz., Colo., Ill., Ind., Iowa, Minn., Mo., Mont., Nebr., Nev., N. Mex., N.Y., N. Dak., S. Dak., Vt., Wis., Wyo.	MINN.—D.C., nsIll., Iowa, Mo., Mont., N. Dak., S. Dak., Wis.
Greater New York Mutual Insurance Company, New York, N.Y.	4,207	All except Alaska, Ark., C.Z., Del., Guam, Hawaii, La., S.C., Virgin Islands.	N.Y.—D.C.
Gulf American Fire and Casualty Company, Montgomery, Ala.	329	Ala., Fla., Ga., La., Miss., S.C., Tenn	ALA.—Alaska, D.C., mnGa., sMiss.
Gulf Insurance Company, Dallas, Tex.	5,671	All except C.Z., Del., Guam, Idaho, Puerto Rico, R.I., Virgin Islands.	MO.—All except C.Z., Guam, Hawaii, N.J., eN.Y., Puerto Rico, Virgin Islands.
Hallmark Insurance Company, Inc., Madison, Wis.	161	Alaska, D.C., Ind., La., Mont., N. Dak., Oreg., Va., W. Va., Wis.	WIS.—D.C.
The Hamilton Mutual Insurance Company of Cincinnati, Ohio, Cincinnati, Ohio.	529	Ind., Ky., Mich., Ohio	OHIO—D.C.
The Hanover Insurance Company, Worcester, Mass.	6,134	All except C.Z., Guam, Puerto Rico, Virgin Islands	N.H.—All except Guam.
Harleysville Mutual Insurance Company, Harleysville, Pa.	3,828	Cal., Colo., Del., D.C., Ga., Ill., Ind., Iowa, Kans., Md., Mich., Minn., Miss., Mo., N.J., N. Mex., N.C., Ohio, Okla., Pa., S.C., Tex., Utah, Va., W. Va.	PA.—
Hartford Accident and Indemnity Company, Hartford, Conn.	22,238	All except Guam	CONN.—All except Guam, Virgin Islands.
Hartford Casualty Insurance Company, Hartford, Conn.	4,095	All except C.Z., Guam, Puerto Rico, Virgin Islands	N.J.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
Hartford Fire Insurance Company, Hartford, Conn.	61,714	All except C.Z	CONN.—Ariz., Cal., D.C., Guam, Hawaii, La., N.Y., Va.
Hawkeye-Security Insurance Company, Des Moines, Iowa.	1,322	Ariz., Colo., D.C., Idaho, Ill., Ind., Iowa, Kans., Md., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Ohio, Pa., S. Dak., Tex., Utah, Va., Wis., Wyo.	IOWA—Colo., D.C., nsFla., Ill., sInd., Kans., wMich., Mo., Nebr., N. Mex., S. Dak., Wyo.
Heritage Insurance Company of America, Lincolnwood, Ill.	222	Ill	ILL.—

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Highlands Insurance Company, Houston, Tex.	4,484	All except C.Z., Guam, Virgin Islands	TEX.—All except nsAla., wArk., esCal., C.Z., Conn., Del., nsFla., msGa., Guam, Hawaii, esIll., nInd., nIowa, Ky., Mass., wMich., nMiss., wMo., Nev., N.H., nweN.Y., N.C., neOkla., mPa., Puerto Rico, R.I., wmTenn., wVa., Virgin Islands, eWash., nW.Va., eWis.
Highlands Underwriters Insurance Company, Houston, Tex.	463	Ark., Cal., Fla., La., Okla., Tex	TEX.—D.C.
The Home Indemnity Company, New York, N.Y.*	5,020	All except C.Z., Guam, Puerto Rico, Virgin Islands	N.H.—
The Home Insurance Company, New York, N.Y.	15,370	All	N.H.—Alaska, D.C., Guam, Oreg., wPa., Puerto Rico, S.C., wWash.
Houston General Insurance Company, Fort Worth, Tex.	779	All except Alaska, C.Z., Conn., Del., Guam, Hawaii, Me., Md., Mass., Mich., Mont., N.H., N.J., N.Y., N.C., Oreg., R.I., S.C., Vt., Virgin Islands, W. Va., Wyo.	TEX.—Ala., Ariz., Ark., Cal., Colo., D.C., Fla., Ga., Idaho, Ill., Ind., Iowa, Kans., Ky., La., Minn., Miss., Mo., Nebr., Nev., N. Mex., N. Dak., Ohio, Okla., Pa., S. Dak., Tenn., Utah, Va., Wash.
Hudson Insurance Company, New York, N.Y.	580	Iowa, N.Y., Utah	N.Y.—D.C.
INA Reinsurance Company, Philadelphia, Pa.	2,640	All except Ariz., C.Z., Guam, Ill., Kans., Me. N.Y., Virgin Islands, Wash., Wyo.	DEL.—All except C.Z., Guam, mLa., Mass., ePa., Virgin Islands.
Illinois National Insurance Co., Springfield, Ill.	732	Ill., Ind., Iowa, Kans., Ky., Minn., Mo., Nebr., N. Mex., Ohio, Tex.	ILL.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
Imperial Insurance Company, Los Angeles, Cal.	1,126	Ala., Ariz., Ark., Cal., Hawaii, Idaho, Ind., Iowa, La., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N.Y., N. Dak., Okla., Oreg., S.C., Tenn., Utah, Va., Wash.	CAL.—D.C.
Indiana Bonding and Surety Company, Indianapolis, Ind.	102	Ind	IND.—D.C.
Indiana Insurance Company, Indianapolis, Ind.	2,900	Fla., Ill., Ind., Ky., Mich., Ohio, Wash., Wis	IND.—D.C., Ill., Ky., Mich, Ohio.
Indiana Lumbermens Mutual Insurance Company, Indianapolis, Ind.	835	Cal., Ga., Ill., Ind., Iowa, Kans., Ky., Mich., Miss., Mo., N.C., Ohio, Okla, Pa., S.C., Tenn., Tex., Wash.	IND.—
Industrial Indemnity Company, San Francisco, Cal.	3,851	All except Ala., C.Z., Conn., Puerto Rico, Virgin Islands, W. Va.	CAL.—Alaska, Ariz., eArk., Colo., D.C., sFla., nGa., Hawaii, Idaho, nIll., sInd., eLa., Md., eMich., eMo., Mont., Nebr., Nev., N.J., N.Mex., mN.C., wOkla., Oreg., S. Dak., eTenn., Tex., Utah, Wash., Wyo.
Inland Insurance Company, Lincoln, Nebr.	530	Colo., Iowa, Kans., Minn., Nebr., N. Dak., Okla., S. Dak., Wyo.	NEBR.—Ariz., Colo., D.C., Ill., Iowa, Kans., Minn. eMo., Mont., N. Mex., N. Dak., Okla., S. Dak., Utah, Wash., Wyo.
Insurance Company of North America, Philadelphia, Pa.	57,348	All	PA.—All.
The Insurance Company of the State of Pennsylvania, New York, N.Y.	543	Ala. (except official), Alaska, Ariz., Cal., Colo., Conn., Del., D.C., Fla., Ga., Hawaii, Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N.H., N.J., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., Pa., R.I., S. Dak., Tenn., Tex., Utah, Vt., Va., Wash., W. Va., Wis., Wyo.	PA.—D.C.
Integrity Mutual Insurance Company, Appleton, Wis.	207	Iowa, Minn., Wis	WIS.—D.C., Kans., Minn., wMo., N. Dak.
International Fidelity Insurance Company, Newark, N.J.	95	Alaska, Ariz., Del., Ill., Mass., Mich., Mo., Nev., N.J., N. Mex., N.Y., Okla., Oreg., Pa., Tex.	N.J.—Ariz., Del., D.C., Ga., nIll., sInd., nIowa, Md., Mass., Minn., Nev., seN.Y., N. Dak., nwOkla., Puerto Rico, S. Dak., nwTex., eVa., Wyo.
International Insurance Company, Morristown, N.J.	1,653	All except C.Z., Del., Guam, Hawaii, La., Miss., S.C., Virgin Islands.	ILL.—All except Alaska, C.Z., Conn., Del., Guam, Me., Md., Mass., N.H., N.J., Ohio, Pa., Puerto Rico, R.I. eTenn., Vt., Virgin Islands, W. Va.
International Service Insurance Company, Fort Worth, Tex.	1,130	Alaska, Cal., C.Z., Nebr., N. Mex., Tex	TEX.—D.C.
Investors Insurance Company of America, Teaneck, N.J.	274	N.J., N.Y	N.J.—D.C.
Iowa Mutual Insurance Company, DeWitt, Iowa.	1,187	Colo., Idaho, Ill., Iowa, Kans., Minn., Mo., Mont., Nebr., N.C., N. Dak., Okla., Oreg., S.C., S. Dak., Wash., Wis., Wyo.	IOWA—nAla., Colo., D.C., sIll., Kans., Minn., Mont., Nebr., wN.C., wOkla., Oreg., S. Dak.
John Deere Insurance Company, Moline, Ill.	651	All except C.Z., Del., Guam, Puerto Rico, Virgin Islands	N.Y.—All except Ala., C.Z., Del., Guam, Idaho, Puerto Rico, Virgin Islands, sW. Va.
The Kansas Bankers Surety Company, Topeka, Kans.	100	D.C., Kans	KANS.—D.C.
Kansas City Fire and Marine Insurance Company, New York, N.Y.	748	All except C.Z., Guam, Hawaii, Puerto Rico, Vigrin Islands.	MO.—Ala., Alaska, Ark., Colo., D.C., nsFla., Ga., Ill., Iowa, Kans., Minn., Nebr., Okla., S.C., Tex., Va., Wis., Wyo.
Lakeland Fire and Casualty Company, Minneapolis, Minn.	156	Minn., N. Dak	MINN.—D.C.
Lawyers Surety Corporation, Dallas, Tex.	182	Okla., Tex	TEX.—D.C.
Leatherby Insurance Company, Fullerton, Cal.	2,509	All except C.Z., Conn., D.C., Guam, Kans., Md., Mass., Nebr., N.H., Puerto Rico, R.I., S. Dak., Tenn., Tex., Vt., Virgin Islands, W. Va.	N.Y.—Ariz., Cal., Colo., D.C., msFla., nmGa., Hawaii, Idaho, nInd., Md., sMiss., Mont., Nev., N.J., N. Mex., eN.C., Ohio, Oreg., S.C., Utah, Va., Wash., Wyo.
Liberty Mutual Insurance Company, Boston, Mass.	32,820	All except Guam, Virgin Islands	MASS.—All except C.Z., Guam.
London Guarantee & Accident Company of New York, New York, N.Y.	1,666	All except Alaska, Ariz., C.Z., Conn., Guam, Idaho, Kans., La., N. Dak., Oreg., Puerto Rico, Virgin Islands.	N.Y.—D.C.
Lumbermens Mutual Casualty Company, Long Grove, Ill.	14,638	All except C.Z., Guam, Puerto Rico, Virgin Islands	ILL.—All except C.Z., Guam, Virgin Islands.
MGIC Indemnity Corporation, Milwaukee, Wis.	2,029	All except Ala., Ark., C.Z., Conn., Hawaii, Kans., La., N.H., Oreg., Puerto Rico, S.C., Virgin Islands.	N.Y.—D.C.
Maine Bonding and Casualty Company, Portland, Me.	736	Me., Mass., N.H., R.I., Vt	ME.—Conn., D.C., Mass., N.H., R.I., Vt.
The Manhattan Fire and Marine Insurance Company, Stamford, Conn.	553	All except Alaska, C.Z., Conn., Del., Guam, La., Oreg., S.C., Tenn., Virgin Islands.	N.Y.—D.C.
Martin Insurance Company, Los Angeles, Cal.	219	Cal	CAL.—
Maryland American General Insurance Company, Houston, Tex.	1,223	N. Mex., Tex	TEX.—D.C., La., N. Mex., Okla.
Maryland Casualty Company, Baltimore, Md.	15,271	All except Guam	MD.—All except Guam.
Massachusetts Bay Insurance Company, Worcester, Mass.	428	All except Ala., Alaska, Ariz., Ark., C.Z., Del., Guam, Hawaii, Idaho, Ky., La., Mont., Nev., N. Mex., N. Dak., Oreg., Puerto Rico, S. Dak., Utah, Virgin Islands, W. Va.	MASS.—Colo., D.C., nFla., Ga., Ind., Iowa, Kans., Ky., Me., Md., wMich., N.H., sOhio, Okla., wePa., R.I., S.C., Tenn., Tex., Vt., Wash., Wis., Wyo.

*See footnotes at end of table.

Names of companies and locations of principal executive offices.	Underwriting limitations (net limit on any one risk) in thousands of dollars. [See note (b)]	States and other areas in which licensed to transact surety business. [See note (c)]	State or other area in which incorporated (in capitals), and judicial districts in which process agents have been appointed (letters preceding names of States indicate judicial districts). [See note (d)]
Merchants Mutual Bonding Company, Des Moines, Iowa.	57	Ariz., Iowa, Kans., Mont., Nebr., N. Dak., Okla., S. Dak., Tex.	IOWA.—D.C., sIll., Nebr., wOkla.
Michigan Millers Mutual Insurance Company, Lansing, Mich.	2,069	All except Ala., Alaska, Ariz., C.Z., Ga., Guam, Hawaii, Idaho, La., Nev., N. Mex., Oreg., Puerto Rico., Virgin Islands, W. Va., Wyo.	MICH.—eArk., nsCal., Colo., D.C., Ill., Ind., Iowa, Kans., eKy., Minn., Miss., Mo., Mont., Nebr., nwN.Y., N. Dak., Ohio, wOkla., S. Dak., wmTenn., Utah, wWash.
Mid-Century Insurance Company, Los Angeles, Cal.	1,382	All except Ala., Alaska, C.Z., Conn., Del., D.C., Guam, Hawaii, Ky., La., Me., Md., Mass., Miss., N.H., N.J., N.Y., N.C., Pa., Puerto Rico, R.I., S.C., Tenn., Va., Virgin Islands, W. Va.	CAL.—Ariz., Ark., Colo., D.C., Idaho, Ill., Ind., Iowa, Kans., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Okla., Oreg., S. Dak., Tex., Utah, Wash., Wis., Wyo.
Midland Insurance Company, New York, N.Y.	811	All except C.Z., Guam,Virgin Islands	N.Y.—Alaska, D.C., Kans., Nebr., NJ., nOkla., wePa.
Mid-States Insurance Company, Chicago, Ill.	240	Ala., Ariz., Cal., Colo., Ga., Idaho, Ill., Ind., Ky., La., Mich., Minn., Miss., Nebr., Nev., N. Mex., N.C., Ohio, Okla., S.C., Tenn., Tex., Utah, Wash., Wis.	ILL.—All except sCal., C.Z., Guam, Kans., Mass. nwN.Y., mN.C., eOkla., Puerto Rico, S. Dak., sTex., Virgin Islands.
Midwestern Casualty & Surety Company, West Des Moines, Iowa.	76	Iowa	IOWA—D.C.
The Millers Casualty Insurance Company of Texas, Fort Worth, Tex.	233	Ark., Colo., D.C., Idaho, La., Miss., Mo., Mont., N. Mex., Okla., Tex., Wyo.	TEX.—Ark., D.C., Fla., La., Miss., Mo., N. Mex., Okla.
The Millers Mutual Fire Insurance Company of Texas, Fort Worth, Tex.	1,191	All except Alaska, C.Z., Conn., Del., Guam, Hawaii, Kans., Me., Md., Mich., Nev., N.H., N.C., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va.	TEX.—All except Ala., Alaska, C.Z., Conn., Del., Guam, Hawaii, Idaho, Me., Md., Nev., N.H., N.C., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, eWash., W. Va., Wyo.
Millers' Mutual Insurance Association of Illinois, Alton, Ill.	2,671	All except Alaska, Ariz., Cal., C.Z., Conn., Del., D.C., Guam, Hawaii, Idaho, Ky., La., Me., Mass., Nebr., Nev., N.H., N. Mex., Oreg., Puerto Rico, R.I., Utah, Virgin Islands.	ILL.—nmAla., Ark., Colo., D.C., Ind., Iowa, Kans., Minn., Mo., Mont., N. Dak., S. Dak.
Millers National Insurance Company, Chicago, Ill.	650	All except Alaska, C.Z., Colo., Conn., Del., Guam, Hawaii, La., Me., Miss., Nev., N.H., Puerto Rico, Vt., Virgin Islands.	ILL.—Ariz., sCal., Colo., D.C., Ind., Iowa, Kans., Ky., Mass., Mich., Minn., Mo., Mont., Nev., N. Mex., N. Dak., R.I., S. Dak., nwsTex., Utah, wWis., Wyo.
Mission Insurance Company, Los Angeles, Cal.	1,681	All except Ark., C.Z., Conn.. D.C., Fla., Guam, Ind., Kans., Me., Md., Mass., Nebr., N.H., N.J., Ohio, Pa., Puerto Rico, R.I., S. Dak., Vt., Va., Virgin Islands, W. Va.	CAL.—Ariz., D.C., Idaho, Oreg., wWash.
Mohawk Insurance Company, Allentown, Pa.	279	All except Ariz., C.Z., Conn., Del., Guam, Hawaii, Mo., N. Mex., Puerto Rico, Virgin Islands, Wyo.	N.Y.—D.C.
National Automobile and Casualty Insurance Company, Los Angeles, Cal.	291	Alaska, Ariz., Cal., Colo., Hawaii, Idaho. Ill., Ind., Kans., Ky., La., Mo., Mont., Nev., N. Mex., Okla., Oreg., Tenn., Tex., Utah, Wash., Wyo.	CAL.—All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
National-Ben Franklin Insurance Company of Illinois, New York, N.Y.	4,374	D.C., Ill., Ind., Iowa, Ky., Minn., N.Y., N. Dak., Wis.	ILL.—D.C.
National Bonding and Accident Insurance Company, St. Louis, Mo.	183	Ala., Ariz., Cal., Colo., Del., D.C., Idaho, Ind., Iowa, Kans., La., Minn., Miss., Mo., Mont., N. Mex., N.Y., N. Dak., Oreg., R.I., S.C., S. Dak., Tex., Utah, Va., Wyo.	N.Y.—D.C., eMo.
National Fire Insurance Company of Hartford, Chicago, Ill.	11,962	All except C.Z., Guam, Virgin Islands	CONN.—All except Ariz., C.Z., Guam, Nev., Virgin Islands.
National Grange Mutual Insurance Company, Keene, N.H.	3,704	Conn., Del., D.C., Ill., Ind., Iowa, Me., Md., Mass., Mich., N.H., N.J., N.Y., N.C., Ohio, Pa., R.I., S.C., Tenn., Vt., Va., W. Va., Wis.	N.H.—All except Alaska, C.Z., Guam, Hawaii, Virgin Islands.
National Indemnity Company, Omaha, Nebr.	3,414	All except C.Z., Guam, Hawaii, Mass., N.J., N.Y., Puerto Rico, Vt., Virgin Islands.	NEBR.—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
The National Reinsurance Corporation, New York, N.Y.	4,301	All except Ala., C.Z., Conn., Fla., Ga., Guam, La., Me., Miss., Mo., N.C., Oreg., Puerto Rico, S.C., S. Dak., Tenn., Va., Virgin Islands.	N.Y.—D.C., sOhio
National Standard Insurance Company, Houston, Tex.	343	La., N. Mex., Tex.	TEX.—D.C.
National Surety Corporation, Chicago, Ill.	10,246	All except Guam, Puerto Rico, Virgin Islands	ILL.—All except Guam, mLa., Mass., nOhio, Puerto Rico, nTex., Virgin Islands.
National Union Fire Insurance Company of Pittsburgh, Pa., New York, N.Y.	1,213	All except C.Z., Guam, Puerto Rico, Virgin Islands	PA.—All except Alaska, C.Z., Guam, Puerto Rico, Virgin Islands.
Nationwide Mutual Insurance Company, Columbus, Ohio.	22,848	All except C.Z., Guam, Hawaii	OHIO—D.C.
New Hampshire Insurance Company, Manchester, N.H.	7,646	All except C.Z., Guam, Puerto Rico, Utah	N.H.—All except Guam.
New York Underwriters Insurance Company, Hartford, Conn.	2,800	All except C.Z., Puerto Rico, Va., Virgin Islands	N.Y.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
Newark Insurance Company, New York, N.Y.	2,239	All except C.Z., Guam, Oreg., Puerto Rico, Virgin Islands	N.J.—All except Alaska, nCal., C.Z., Guam, Hawaii, Idaho, Virgin Islands, Wyo.
Niagara Fire Insurance Company, New York, N.Y.	1,862	All except C.Z., Guam	N.Y.—All except C.Z., Guam.
North American Reinsurance Corporation, New York, N.Y.	5,370	All	N.Y.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
The North River Insurance Company, Morristown, N.J.	5,411	All except C.Z., Guam, Virgin Islands	N.J.—All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Northeastern Insurance Company of Hartford, Des Moines, Iowa.	1,529	Cal., Colo., Conn., Ill., Iowa, Kans., N.H., N.J., N.Y., Ohio, Tex., W. Va.	CONN.—D.C.
The Northern Assurance Company of America, Boston, Mass.	1,941	All except C.Z., Guam	MASS.—All except C.Z., Guam, Virgin Islands, sW. Va.
Northern Insurance Company of New York, Baltimore, Md.	1,783	All except C.Z., Guam, La., Puerto Rico, Virgin Islands	N.Y.—D.C., Me.
Northwestern National Casualty Company, Milwaukee, Wis.	1,047	All except Alaska, Ark., C.Z., Conn., Del., Guam, Hawaii, Idaho, La., Me., Mass., Miss., Nev., N.H., N.J., N.Y., N.C., Oreg., Puerto Rico., S.C., Utah, Vt., Va., Virgin Islands.	WIS.—nsAla., Ariz., Cal., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Md., Mich., Minn., Mo., Mont., Nebr., N. Mex., Ohio, Okla., Pa., R.I., S. Dak., nesTex., Wash., W. Va., Wyo.
Northwestern National Insurance Company of Milwaukee, Wisconsin, Milwaukee, Wis.	2,621	All except C.Z., Guam, Virgin Islands	WIS.—All except C.Z., Guam, Virgin Islands.
The Ohio Casualty Insurance Company, Hamilton, Ohio.	10,449	All except C.Z., Guam, Puerto Rico, Virgin Islands	OHIO—All except C.Z., Guam.
Ohio Farmers Insurance Company, Westfield Center, Ohio.	3,697	All except Alaska, C.Z., Conn., Guam, Hawaii, Kans., La., Me., Puerto Rico, Virgin Islands.	OHIO—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Oklahoma Surety Company, Tulsa, Okla.	119	Okla.	OKLA.—D.C.
The Omaha Indemnity Company, Omaha, Nebr.	511	All except C.Z., Conn., Guam, Kans., La., N.H., N.J., N.Y., Virgin Islands.	WIS.—D.C., Nebr., eVa.

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Oregon Automobile Insurance Company, Portland, Oreg.	1,260	Cal., Idaho, Nev., Oreg., Utah, Wash.	OREG.—Cal., D.C., Hawaii, Idaho, Nev., Utah, Wash.
Pacific Employers Insurance Company, Los Angeles, Cal.	2,904	All except C.Z., Guam, Puerto Rico, Virgin Islands	CAL.—Ariz., Conn., Del., D.C., sFla., wKy., Md., Mass., N. Mex., N.Y., Ohio, R.I., wTex., W. Va., Wis.
Pacific Indemnity Company, Los Angeles, Cal.	6,319	All except C.Z., Guam, Virgin Islands	CAL.—All except Conn., Guam, Me., N.H., Vt., Virgin Islands.
Pacific Insurance Company, New York, N.Y.	13,093	Alaska, Ariz., Ark., Cal., Colo., D.C., Fla., Hawaii, Idaho, Ill., Ind., Iowa, Mich., Mont., Nev., N.J., N. Mex., N.Y., N.C., Okla., Oreg., Tex., Utah, Va., Wash., Wyo.	CAL—D.C.
Pacific Insurance Company, Limited, Honolulu, Hawaii.	1,498	Guam, Hawaii	HAWAII—D.C.
Parliament Insurance Company, Chicago, Ill.	316	Ariz., Cal., Fla., Ill., Ky., Mo.	ILL.—D.C., Md., eMich., ePa.
Peerless Insurance Company, Keene, N.H.	1,380	All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.	N.H.—All except Guam, Hawaii, Virgin Islands.
Pekin Insurance Company, Pekin, Ill.	228	Ill., Ind., Iowa	ILL.—D.C., Ind., Iowa.
Pennsylvania Manufacturers' Association Insurance Company, Philadelphia, Pa.	4,064	Del., D.C., Md., Mass., N.J., N.Y., Ohio, Pa., W. Va.	PA.—D.C.
Pennsylvania Millers Mutual Insurance Company, Wilkes-Barre, Pa.	1,422	D.C., Pa.	PA.—D.C.
Pennsylvania National Mutual Casualty Insurance Company, Harrisburg, Pa.	2,545	All except Alaska, Ariz., Cal., C.Z., Conn., Guam, Hawaii, Idaho, Ill., Me., Mass., Nev., N.H., N.Y., N. Dak., Puerto Rico, S. Dak., Virgin Islands, Wash., Wyo.	PA.—D.C., Kans., Md., Mo., N.J., N.C., Okla., Tenn., Va.
Phoenix Assurance Company of New York, New York, N.Y.	3,811	All except C.Z., Guam, Virgin Islands	N.Y.—All except Alaska, C.Z., Guam, Puerto Rico, Virgin Islands.
The Phoenix Insurance Company, Hartford, Conn.	19,500	All except C.Z., Guam, Puerto Rico	CONN.—All except C.Z., Guam, Puerto Rico, Virgin Islands.
Planet Insurance Company, Philadelphia, Pa.	477	All except C.Z., Conn., Guam, Hawaii, Md., Mich., Puerto Rico, Virgin Islands.	WIS.—All except C.Z., Guam, Virgin Islands.
Potomac Insurance Company, Philadelphia, Pa.	11,018	All except Alaska, Ark., C.Z., Del., Guam, Hawaii, Idaho, Me., Mont., Nev., N.H., N. Dak., Puerto Rico, S. Dak., Vt., Virgin Islands.	PA.—All except Ala., Alaska, Ark., C.Z., Del., Guam Hawaii, Idaho, Me., Mont., Nev., N.H., N. Dak., Oreg., Puerto Rico, S. Dak., Vt., Virgin Islands.
Progressive Casualty Insurance Company, Cleveland, Ohio.	1,829	All except Ariz., C.Z., Conn., Del., D.C., Guam, Hawaii, Ill., Kans., La., Md., Nebr., N.H., N.Y., Pa., Puerto Rico, S.C., Tex., Utah, Va., Virgin Islands, W. Va., Wis.	OHIO—D.C.
The Progressive Mutual Insurance Company, Cleveland, Ohio.	537	N.J., Ohio	OHIO—D.C.
Protective Insurance Company, Indianapolis, Ind.	1,257	All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.	IND.—D.C.
The Prudential Insurance Company of Great Britain Located in New York, New York, N.Y.	974	Cal., D.C., N.Y., Ohio, Pa., Wis.	N.Y.—D.C.
Public Service Mutual Insurance Company, New York, N.Y.	2,601	Conn., Del., D.C., Fla., Ga., Idaho, Ill., Ind., Iowa, Me., Md., Mass., Mich., Minn., N.H., N.J., N.Y., N.C., Pa., R.I., Vt., Va., W. Va., Wis.	N.Y.—D.C., sFla., N.J., ePa., wTex.
Puerto Rican-American Insurance Company, San Juan, Puerto Rico.	751	Puerto Rico, Virgin Islands	PUERTO RICO—D.C.
The Reinsurance Corporation of New York, New York, N.Y.	3,382	All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands (in Fla., Mass., Va., licensed for co-surety only).	N.Y.—D.C.
Reliance Insurance Company, Philadelphia, Pa.	18,983	All except Guam	PA.—All.
Republic Insurance Company, Dallas, Tex.	5,215	All except Ala., C.Z., Fla., Guam, Hawaii, Me., Mass., Mont., N.H., N. Dak., R.I., S. Dak., Vt., Virgin Islands.	TEX.—D.C.
Reserve Insurance Company, Chicago, Ill.	2,270	All except C.Z., Conn., Guam, N.Y., Puerto Rico, Virgin Islands.	ILL.—All except C.Z., Conn., Guam, Hawaii, N.Y., Puerto Rico, Virgin Islands.
Resolute Insurance Company, Hartford, Conn.	930	All except C.Z., Guam, La., N.Y., Puerto Rico, Virgin Islands.	R.I.—All except wArk., C.Z., mGa., Guam, Hawaii, La., Me., wMich., nMiss., nwN.Y., N.C., Oreg., Puerto Rico, S.C., S. Dak., weTenn., Utah, Vt., wVa., Virgin Islands, nW. Va., wWis.
Royal Globe Insurance Company, New York, N.Y.	5,809	All except C.Z., D.C., Guam, Puerto Rico, Virgin Islands	ILL.—D.C., N.C., S.C., Va.
Royal Indemnity Company, New York, N.Y.	6,064	All	N.Y.—All except Guam, Virgin Islands.
Rural Mutual Insurance Company, Madison, Wis.	750	D.C., Wis.	WIS.—D.C.
Safeco Insurance Company of America, Seattle, Wash.	9,149	All except C.Z., Puerto Rico, Vt., Virgin Islands	WASH.—All except C.Z., Puerto Rico, Virgin Islands.
Safeguard Insurance Company, New York, N.Y.	2,125	All except C.Z., Del., Guam, Puerto Rico, Virgin Islands	CONN.—All except C.Z., Guam, nMiss., wOkla., Puerto Rico, Virgin Islands, W. Va.
St. Paul Fire and Marine Insurance Company, St. Paul, Minn.	22,497	All except C.Z., Guam	MINN.—All except Guam.
Seaboard Surety Company, New York, N.Y.	3,202	All	N.Y.—All.
Security Insurance Company of Hartford, Hartford, Conn.	4,462	All except C.Z., Guam, Virgin Islands	CONN.—All except Alaska, esCal., C.Z., Guam, Hawaii, seIll., sIowa, eTenn., Virgin Islands, eWash., sW. Va.
Security Mutual Casualty Company, Chicago, Ill.	584	All except Alaska, C.Z., Conn., Guam, Hawaii, Puerto Rico, S.C., Virgin Islands.	ILL.—D.C.
Security National Insurance Company, Dallas, Tex.	446	Ark., Cal., Colo., Ga., Ind., Kans., Ky., Minn., N. Mex., N. Dak., Okla., S. Dak., Tex., Wash., Wis.	TEX.—All except C.Z., Guam, Mont.
Select Insurance Company, Dallas, Tex.	817	All except Ariz., C.Z., Conn., Del., Guam, Hawaii, Kans., La., Me., Md., Mass., N.H., N.Y., N. Dak., Pa., Puerto Rico, R.I., Tenn., Utah, Va., Virgin Islands.	TEX.—All except C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Selected Risks Insurance Company, Branchville, N.J.	2,222	Del., D.C., Md., N.J., Pa., Va.	N.J.—Del., D.C., Md., Pa., Va.
Sentry Indemnity Company, Stevens Point, Wis.	589	All except Alaska, C.Z., Conn., Del., D.C., Guam, Hawaii, Kans., Me., Mass., Mich., Nebr., N.H., N.J., N.Y., Pa., Puerto Rico, R.I., Vt., Va., Virgin Islands, W. Va., Wyo.	WIS.—Cal., D.C., msFla., eLa., eVa., wWash.

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Sentry Insurance a Mutual Company, Stevens Point, Wis.	9,659	All except C.Z., Guam, Puerto Rico, Virgin Islands	WIS.—Cal., D.C., msFla., nGa., nIll., eLa., Me., Mass., Mich., sN.Y., sTex., wWash.
Signal Insurance Company, Los Angeles, Cal.	1,110	Ariz., Cal., Fla., Iowa, Mont., Nev., N. Mex., N.C., Oreg., Utah, Wash.	CAL.—D.C.
South Carolina Insurance Company, Columbia, S.C.	1,367	Ala., Alaska, Ariz., Cal., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Ky., Md., Mich., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N.Y., N.C., N. Dak., Ohio, Okla., Pa., R.I., S.C., S. Dak., Tenn., Tex., Utah, Va. (reinsurance only in Conn., N.J., and W. Va.).	S.C.—nmAla., D.C., Fla., Ga., N.C., Va.
The Standard Fire Insurance Company, Hartford, Conn.	3,243	All except C.Z., Guam, N.J., Puerto Rico, Virgin Islands	CONN.—All.
State Automobile Mutual Insurance Company, Columbus, Ohio.	3,949	Ala., Fla., Ga., Ill., Ind., Ky., Md., Mich., Miss., Mo., N.J., N.C., Ohio, Pa., S.C., Tenn., Va., W. Va.	OHIO—Ala., D.C., Fla., Ga., Ky., Md., Mich., Miss., eMo., N.C., Pa., S.C., Tenn., Va., W. Va.
State Farm Fire and Casualty Company, Bloomington, Ill.	21,899	All except C.Z., Guam, Puerto Rico, Virgin Islands	ILL.—eCal., Colo., D.C., mGa., Md., Minn., nMiss., Mont., eN.Y., wOkla., mPa., sTex., Utah.
State Surety Company, Des Moines Iowa.	102	Colo., D.C., Iowa, Kans., Minn., Mo., Mont., Nebr., N. Dak., S. Dak.	IOWA—eArk., Colo., D.C., sFla., Ill., Kans., eLa., wMich., Minn., sMiss., Mo., Nebr., sN.Y., N. Dak., nOhio, wnOkla., S. Dak.
Statesman Insurance Company, Indianapolis, Ind.	294	Ala., D.C., Fla., Ill., Ind., Iowa, Kans., Ky., La., Md., Minn., Miss., Mont., N. Mex., N. Dak., Pa., S. Dak., Tenn.	IND.—Ariz., eCal., Colo., D.C., Ill., nIowa, Kans., eLa., Minn., wMo., Mont., Nebr., N. Mex., N. Dak., nwOkla., wmPa., S. Dak., nesTex., Wyo.
The Stuyvesant Insurance Company, Allentown, Pa.	674	All except C.Z., Guam, Virgin Islands	N.Y.—All except Alaska, C.Z., Guam, Hawaii, Virgin Islands.
Summit Insurance Company of New York, Houston, Tex.	941	All except C.Z., Conn., D.C., Guam, Iowa, Kans., Md., Nebr., N.H., Puerto Rico, R.I., Virgin Islands.	N.Y.—Alaska, Ariz., Ark., nCal., Colo., D.C., Fla., Ga., nIll., sInd., Ky., wLa., Mass., Minn., Mo., Mont., Nev., N.J., N. Mex., wN.Y., N.C., N. Dak., Ohio, Okla., wPa., S.C., S. Dak., Tenn., nweTex., Utah, eVa., sW. Va., wWis., Wyo.
Sun Insurance Company of New York, New York, N.Y.	1,030	All except Ala., Alaska, Ariz., Ark., C.Z., Colo., Fla., Ga., Guam, Hawaii, Idaho, Ind., Kans., Miss., Nebr., Nev., N.C., N. Dak., Puerto Rico, S.C., S. Dak., Utah, Virgin Islands, W. Va.	N.Y.—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Surety Company of the Pacific, Los Angeles, Cal.	87	Cal.	CAL.—D.C.
Surety Insurance Company of California, La Habra, Cal.	50	Alaska, Cal., Colo., N. Mex., Tex.	CAL.—Alaska, Colo., D.C., N. Mex., Tex.
Traders & General Insurance Company, Fort Worth, Tex.	541	Colo., Kans., La., Miss., Mo., N. Mex., Okla., Tex.	TEX.—D.C.
Transamerica Insurance Company, Los Angeles, Cal.	9,165	All except Guam	CAL.—All except C.Z., Guam, Virgin Islands.
Transcontinental Insurance Company, Chicago, Ill.	2,731	All except C.Z., Del., Guam, Hawaii, La., Oreg., Virgin Islands.	N.Y.—All except Alaska, C.Z., Del., msGa., Guam, Hawaii, La., Miss., Oreg., S.C., Vt., Virgin Islands.
Transport Indemnity Company, Los Angeles, Cal.	1,024	All except C.Z., Guam, Virgin Islands	CAL.—All except Alaska, C.Z., Guam, eKy., eLa., Nev., nwN.Y., eOkla., Puerto Rico, mTenn., wVa., Virgin Islands, nW. Va.
Transportation Insurance Company, Chicago, Ill.	1,195	All except C.Z., Guam, Hawaii, Puerto Rico, S.C., Virgin Islands.	ILL.—All except Alaska, nCal., C.Z., Conn., sFla., Guam, Hawaii, eKy., Minn., wMo., Nev., N.H., wN.Y., Ohio, ePa., Puerto Rico, S. Dak., Virgin Islands, wWash., nW. Va., Wis.
The Travelers Indemnity Company, Hartford, Conn.	28,600	All	CONN.—All except Guam.
The Travelers Indemnity Company of Rhode Island, Hartford, Conn.	2,500	All except C.Z., Guam	R.I.—All except C.Z., Guam, eIll., wMo., Puerto Rico, Virgin Islands.
Trinity Universal Insurance Company, Dallas, Tex.	3,935	All except Alaska, C.Z., Conn., Del., Fla., Guam, Hawaii, Me., Md., Mass., Mont., Nev., N.H., N.J., N.Y., Puerto Rico, R.I., S.C., Tenn., Utah, Vt., Va., Virgin Islands, W. Va., Wyo.	TEX.—All except Guam.
Tri-State Insurance Company, Tulsa, Okla.	477	All except Alaska, Cal., C.Z., Conn., Del., D.C., Guam, Hawaii, Me., Md., Mass., Mich., Nev., N.H., N.J., N.Y., N.C., Ohio, Oreg., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.	OKLA.—All except Cal., C.Z., Conn., Del., Guam, Hawaii, Me., Md., Mass., Mich., N.H., N.J., N.Y., N.C., Ohio, Oreg., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.
Twin City Fire Insurance Company, Hartford, Conn.	1,036	All except C.Z., Guam, Puerto Rico, Virgin Islands	MINN.—seCal., Conn., D.C., La., Va.
Unigard Mutual Insurance Company, Seattle, Wash.	4,000	All except C.Z., Guam, Puerto Rico, Virgin Islands	WASH.—All except C.Z., Guam, Mass., Puerto Rico, Virgin Islands.
United Fire & Casualty Company, Cedar Rapids, Iowa.	578	Colo., Ill., Ind., Iowa, Kans., Minn., Mo., Nebr., N. Dak., S. Dak., Wis., Wyo.	IOWA—D.C., nsIll., Minn., Mo., Nebr., S. Dak., Wis.
United Pacific Insurance Company, Philadelphia, Pa.	4,320	All except C.Z., Guam, Puerto Rico, Virgin Islands	WASH.—All except C.Z., Puerto Rico, Virgin Islands.
United States Fidelity and Guaranty Company, Baltimore, Md.	53,655	All except Guam	MD.—All except Guam.
United States Fire Insurance Company, Morristown, N.J.	11,717	All except C.Z., Guam, N.H.	N.Y.—All except Alaska, C.Z., Guam, Hawaii, Virgin Islands.
Universal Surety Company, Lincoln, Nebr.	290	Ariz., Ark., Colo., Ill., Iowa, Kans., Minn., Mo., Mont., Nebr., N. Mex., N. Dak., Ohio, Okla., S. Dak., Utah, Wash., Wis., Wyo.	NEBR.—Ariz., eArk., Colo., D.C., nIll., Iowa, Kans., Minn., Mo., Mont., N. Mex., N. Dak., nOhio, wOkla., S. Dak., Utah, wWis., Wyo.
Utica Mutual Insurance Company, Utica, N.Y.	3,325	All except C.Z., Guam, Kans., Virgin Islands	N.Y.—All except Alaska, C.Z., Guam, Hawaii, Me., Puerto Rico, Virgin Islands.
Valley Forge Insurance Company, Chicago, Ill.	1,649	All except Alaska, Cal., C.Z., Del., Fla., Guam, Hawaii, Idaho, Kans., Ky., La., Nebr., N.H., N. Mex., N.C., Oreg., Puerto Rico, S. Dak., Tenn., Virgin Islands, Wyo.	PA.—All except Guam, Virgin Islands, Wis.
Vigilant Insurance Company, New York, N.Y.	2,248	All except Alaska, C.Z., Guam, Hawaii, Puerto Rico	N.Y.—All except Alaska, Guam, Hawaii, Puerto Rico, Virgin Islands.
West American Insurance Company, Hamilton, Ohio.	3,358	All except Alaska, C.Z., Conn., Guam, Hawaii, Idaho, Me., Mass., Mont., N.H., Puerto Rico, R.I., S. Dak., Vt., Virgin Islands, W. Va.	CAL.—Ala., Colo., D.C., nsFla., Ga., Ill., Ind., Iowa, Kans., Ky., eLa., Md., Mich., Minn., Mo., Nev., N. Mex., N. Dak., Ohio, nOkla., Oreg., Pa., mTenn., Tex., Utah, Va., Wash., Wis., Wyo.
Westchester Fire Insurance Company, Morristown, N.J.	5,244	All except C.Z., Guam, N.H., Virgin Islands	N.Y.—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
The Western Casualty and Surety Company, Fort Scott, Kans.	8,161	All except Alaska, C.Z., Conn., Guam, Hawaii, Me., Mass., N.H., N.Y., N.C., Puerto Rico, R.I., Vt., Va., Virgin Islands.	KANS.—All except Guam, Puerto Rico, Virgin Islands.
The Western Fire Insurance Company, Fort Scott, Kans.	5,012	All except Alaska, C.Z., Conn., Del., D.C., Ga., Guam, Hawaii, Idaho, La., Me., Md., Mass., Mont., N.H., N.J., N.C., Oreg., Pa., Puerto Rico, R.I., S.C., Tex., Vt., Va., Virgin Islands, W. Va.	KANS.—All except Guam, Puerto Rico, Virgin Islands.

*See footnotes at end of table.

Names of companies and locations of principal executive offices.	Underwriting limitations (net limit on any one risk) in thousands of dollars. [See note (b)]	States and other areas in which licensed to transact surety business. [See note (c)]	State or other area in which incorporated (in capitals), and judicial districts in which process agents have been appointed (letters preceding names of States indicate judicial districts). [See note (d)]
Western Surety Company, Sioux Falls, S. Dak.	1,660	All except Alaska, C.Z., Guam, Hawaii, N.Y., Puerto Rico, Virgin Islands.	S. DAK.—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Westfield Insurance Company, Westfield Center, Ohio.	1,568	All except Ala., Alaska, Ark., C.Z., Conn., Fla., Ga., Guam, Hawaii, La., Me., Miss., Mo., N.H., N. Mex., Puerto Rico, Virgin Islands.	OHIO—All except Alaska, C.Z., Guam, Hawaii, Puerto Rico, Virgin Islands.
Wilshire Insurance Company, Los Angeles, Cal.	341	Ariz., Cal., Colo., Hawaii, Idaho, Iowa, Mont., Nev., N. Mex., Oreg., Utah, Wash.	CAL.—D.C., Idaho, Mont., N. Mex., Oreg., wWash.
Wisconsin Surety Corporation, Madison, Wis.	52	Ala., Cal., Colo., D.C., Ill., Ind., Iowa, Minn., Mo., Nev., N. Mex., Pa., S. Dak., Tex., Wis.	WIS.—D.C., Iowa, Minn., eMo., wmPa., S. Dak., nTex.
Wolverine Insurance Company, Battle Creek, Mich.	2,663	Ark., Cal., Ga., Ill., Ind., Iowa, Kans., Mich., Minn., Nebr., N. Mex., N. Dak., Ohio, Pa., S. Dak., Vt., W. Va., Wyo.	MICH.—D.C., Ga., Ill., Ind., Iowa, Minn., Ohio, S. Dak

COMPANIES HOLDING CERTIFICATES OF AUTHORITY FROM THE SECRETARY OF THE TREASURY AS ACCEPTABLE REINSURING COMPANIES UNDER TREASURY CIRCULAR NO. 297, REVISED AUGUST 24, 1973 [SEE NOTE (a)]

Names of companies	Underwriting limitations (net limit on any one risk) in thousands of dollars. [See note (b)]	Judicial districts in which process agents have been appointed.
Accident and Casualty Insurance Company of Winterthur, Switzerland (U.S. Office, New York, N.Y.)	2,392	D.C.
Alliance Assurance Company, Limited, London, England (U.S. Office, New York, N.Y.)	884	D.C.
Atlas Assurance Company, Limited, London, England (U.S. Office, New York, N.Y.)	1,425	D.C.
Constellation Reinsurance Company, New York, N.Y.	2,401	D.C.
General Accident Fire and Life Assurance Corporation, Limited, Perth, Scotland (U.S. Office, Philadelphia, Pa.)	14,471	D.C.
The London Assurance, London, England (U.S. Office, New York, N.Y.)	1,681	D.C.
The London & Lancashire Insurance Company, Limited, London, England (U.S. Office, New York, N.Y.)	1,189	D.C.
Metropolitan Fire Assurance Company, Hartford, Conn.	779	D.C.
Munich Reinsurance Company, Munich, Germany (U.S. Office, New York, N.Y.)	1,850	D.C.
The Netherlands Insurance Company, Est. 1845, The Hague, Holland (U.S. Office, Keene, N.H.)	753	D.C.
Rochdale Insurance Company, New York, N.Y.	368	D.C.
Royal Insurance Company, Limited Liverpool England (U.S. Office New York N.Y.)	4,069	D.C.
The Sea Insurance Company, Limited Liverpool England (U.S. Office New York N.Y.)	955	D.C.
The Skandia Insurance Company, Stockholm, Sweden (U.S. Office, New York, N.Y.)	2,351	D.C.
Sun Insurance Office, Limited, London, England (U.S. Office, New York, N.Y.)	1,529	D.C.
Swiss Reinsurance Company, Zurich, Switzerland (U.S. Office, New York, N.Y.)	4,922	D.C.
Zurich Insurance Company, Zurich, Switzerland (U.S. Office, Chicago, Ill.)	7,572	D.C.

[1] The Home Indemnity Company, Inc.—Name changed to The Home Indemnity Company (see Federal Register of December 19, 1973, pg. 34824).

NOTES

(a) All certificates of authority expire June 30, and are renewable July 1, annually. Companies holding certificates of authority as acceptable sureties on Federal bonds are also acceptable as reinsuring companies.

(b) Figures are given in thousands of dollars: last "000" omitted. Treasury requirements do not limit the penal sum of bonds which surety companies may execute. The net retention, however, cannot exceed the underwriting limitation, and excess risks must be protected by coinsurance, reinsurance, or other methods in accordance with Treasury Circular 297, Revised August 24, 1973 (31 CFR §223.10, §223.11). When excess risks on bonds in favor of the United States are protected by reinsurance, such reinsurance is to be effected by use of a Treasury reinsurance form to be filed with the bond or within 45 days thereafter. Risks in excess of limit fixed herein must be reported for quarter in which they are executed. In protecting such excess, the rating in force on the date of the execution of the risk will govern absolutely. This limit applies until a new rating is established by the Treasury Department.

(c) A surety company must be licensed in the State or other area in which it executes (signs) a bond, but need not be licensed in the State or other area in which the principal resides or where the contract is to be performed [28 Op. Atty. Gen. 127, Dec. 24, 1909; 31 CFR §223.5(b)]. The term "other areas" includes the Canal Zone, District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

(d) State or other area in which company is incorporated shown in capitals. Process agents are required in the following districts: Where principal resides; where obligation is to be performed; and in the District of Columbia where the bond is returnable or filed. No process agent is required in the State or other area wherein the company is incorporated (31 CFR §224.2). Letters "n, s, e, m, c, and w" preceding names of States indicate respectively the Northern, Southern, Eastern, Middle, Central, and Western judicial districts of States indicated. If letters do not precede names of States, process agents have been appointed in all judicial districts of such States.

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PART III

FEDERAL COMMUNICATIONS COMMISSION

■

FAIRNESS DOCTRINE AND PUBLIC INTEREST STANDARDS

Handling of Public Issues

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19260; FCC 74-702]

FAIRNESS DOCTRINE AND PUBLIC INTEREST STANDARDS

Fairness Report Regarding Handling of Public Issues

In the matter of the handling of public issues under the Fairness Doctrine and the Public Interest Standards of the Communications Act, Docket No. 19260.

I. *Introduction.* 1. By notice issued June 11, 1971 (Docket No. 19260, 30 FCC 2d 26), we instituted a broad-ranging inquiry into the efficacy of the fairness doctrine and related public interest policies. Observing that almost 22 years had passed since we last gave comprehensive consideration to the fairness doctrine,[1] we stated that the time had come for a reassessment and clarification of basic policy. While we noted that in view of sections 315(a) and 3(h) of the Communications Act, the Commission could not "abandon the fairness doctrine or treat broadcasters as common carriers who must accept all material offered by any and all comers," we did emphasize that these statutory standards were broad in nature and that therefore "there can and must be considerable leeway in both policy formulation and application in specific cases." In this regard, we asked that interested parties formulate their specific comments in light of two general but fundamental considerations of Commission policy. First, in view of the profound, unquestioned national commitment embodied in the First Amendment, our goal in this area must be to foster "uninhibited, robust, wide-open" debate on public issues. "New York Times Co. v. Sullivan," 376 U.S. 254, 270 (1964). Our inquiry was therefore directed in primary part to the question of whether the Commission's application of the doctrine has indeed been consistent with that goal and has promoted it to the maximum extent. Secondly, we also stressed that any promotion of this objective must be compatible with the public interest in "the larger and more effective use of radio." 47 U.S.C. section 303(g). Noting that " * * * to a major extent, ours is a commercially-based broadcast system and that this system renders a vital service to the nation," we emphasized that "[a]ny policies adopted by this Commission * * * should be consistent with the maintenance and growth of that system and should, among other appropriate, standards, be so measured." These basic policy considerations have led the Commission to initiate this inquiry and have continued to guide us in the review and reformulation of the fairness doctrine set forth in this report.

2. To facilitate consideration of the many complex problems involved, we divided the inquiry into four parts, entitled: II. The Fairness Doctrine Generally; III. Application of the Fairness Doctrine to the Broadcast of Paid Announcements; IV. Access Generally to the Broadcast Media for the Discussion of Public Issues; and V. Application of the Fairness Doctrine to Political Broadcasts.[2] Interested parties were invited to comment on any issue or aspect of these subjects. We have received and reviewed the written comments of numerous parties representing the advertising and broadcasting industries, labor unions, public interest, environmental and consumer groups, law schools, and other interested individuals and organizations.[3] Finally, in March 1972, we devoted a full week to panel discussions and oral arguments on the issues raised in this inquiry. Some fifty persons participated in the panel discussions and about thirty additional persons presented oral argument to the Commission. While this Report does not specifically address every suggestion which has been raised in the proceeding, we have given them all careful consideration in reaching the conclusions and policy judgments set forth herein.

II. *The fairness doctrine generally—* A. *Broadcasting and free speech.* 3. We believe that it is appropriate to begin our evaluation of the fairness doctrine with a consideration of the underlying purposes of the doctrine and its relationship to freedom of speech. In 1949, we set forth the basic premises of the doctrine in these terms:

> It is axiomatic that one of the most vital questions of mass communication in a democracy is the development of an informed public opinion through the public dissemination of news and ideas concerning the vital public issues of the day * * *. The Commission has consequently recognized the necessity for licensees to devote a reasonable percentage of their broadcast time to the presentation of news and programs devoted to the consideration and discussion of public issues of interest in the community served by the particular station. And we have recognized, with respect to such programs, the paramount right of the public in a free society to be informed and to have presented to it for acceptance or rejection the different attitudes and viewpoints concerning these vital and often controversial issues which are held by the various groups which make up the community. It is this right of the public to be informed, rather than any right on the part of the Government, any broadcast licensee or any individual member of the public to broadcast his own particular views on any matter, which is the foundation stone of the American system of broadcasting. Report on Editorializing, 13 FCC 1246, 1249 (1949).

4. At first appearance, this affirmative use of government power to expand broadcast debate would seem to raise a striking paradox, for freedom of speech has traditionally implied an absence of governmental supervision or control. Throughout most of our history, the principal function of the First Amendment has been to protect the free marketplace of ideas by precluding governmental intrusion. However, the continuing evolution of the media of mass communications—both technologically and in terms of concentration of control—has led gradually to a different approach to the First Amendment. This approach—an affirmative one—recognizes the responsibility of government in maintaining and enhancing a system of freedom of expression. See generally T. Emerson, "The System of Freedom of Expression," chapter XVII (1970).

5. In the 1949 "Report on Editorializing," the Commission expressed the view that a requirement that broadcast licensees present contrasting views on public issues was "within both the spirit and letter of the first amendment." 13 FCC at 1956. This conclusion was based, in large measure, on the decision of the Supreme Court in "Associated Press v. United States," 326 U.S. 1 (1945), which concerned anti-competitive practices in the newspaper industry. In that decision, the Court emphasized the affirmative aspects of the First Amendment:

> It would be strange indeed however if the grave concern for freedom of the press which prompted adoption of the First Amendment should be read as a command that the government was without power to protect that freedom. The First Amendment, far from providing an argument against application of the Sherman Act, here provides powerful reasons to the contrary. That Amendment rests on the assumption that the widest possible dissemination of the information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of a free society. Surely a command that the government itself shall not impede the free flow of ideas does not afford non-governmental combinations a refuge if they impose restraints upon that constitutionally guaranteed freedom. 326 U.S. at 20.

6. In the field of broadcasting, the principal impediment to free expression arises not from any anti-competitive practices, but from the physical characteristics of the medium itself. Practical experience in the early years of radio

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[1] The Commission's first general statement on fairness doctrine principles was set forth in the Report on Editorializing by Broadcast Licensees, 13 FCC 1246 (1949). Briefly stated, "the doctrine imposes two affirmative responsibilities on the broadcaster: coverage of issues of public importance must be adequate and must fairly reflect differing viewpoints." Columbia Broadcasting System, Inc. v. Democratic National Committee, 412 U.S. 94, 111 (1973) (hereinafter cited as BEM).

[2] The Commission's First Report—Handling of Political Broadcast, 36 FCC 2d 40 (1972), was issued on June 22, 1972, and dealt with the issues raised in Part V of the inquiry. A copy of this First Report is attached hereto as Appendix A. We expedited consideration of this portion of the inquiry in order to clarify and treat the major questions presented therein prior to the 1972 general election campaign period. We believe, however, that it is desirable in the context of this report to supplement our treatment of the political fairness issues discussed in our First Report.

[3] A list of major contributors can be found in Appendix B. Some submitting comments after filing deadlines may not be included therein. Over 20 parties filed comments and/or replies in Part II; over 40 parties filed in Part III (an additional 71 comments were received in response to the statement of the Federal Trade Commission in Part III); more than 30 comments were filed in Part IV; and approximately 15 comments in Part V.

made it obvious that a complete laissez-faire policy on the part of the government would lead to the destruction of effective radio communication and thus to a frustration of the basic goals of the First Amendment. For a brief period during the nineteen twenties, government regulation of broadcasting was virtually non-existent, and broadcasters had the same freedom of action traditionally afforded the publishers of newspapers or magazines. The underlying policy was that "anyone who will may transmit." 67 Cong. Rec. 5479 (1926) (remarks of Congressman White). The results of this system were disastrous both for the broadcasting industry and for the listening public:

> From July 1926, to February 23, 1927, when Congress enacted the Radio Act of 1927 almost 200 new radio stations went on the air. These new stations used any frequency they desired, regardless of the interference thereby caused to others. Existing stations changed to other frequencies and increased their power and hours of operation at will. The result was confusion and chaos. With everybody on the air, nobody could be heard. FCC Office of Network Study, Second Interim Report on Television Network Procurement, 65–66 (1965).

7. In 1927, Congress acted to end the crisis by establishing an effective system of government licensing. It would have been unthinkable, of course, for the government to have been in the business of deciding who could publish newspapers and magazines and who could not. In purely practical terms, however, it was obvious that licensing was essential to the development of an effective system of broadcasting. In the case of "National Broadcasting Co. v. United States," 319 U.S. 190 (1943), the Supreme Court concluded that, because of the scarcity of available frequencies, the licensing system established by Congress did not violate the First Amendment. In an opinion written by Justice Frankfurter, the Court found that the freedom of speech did not include "the right to use the facilities of radio without a license." Id. at 227. It made it clear, furthermore, that the Commission was not limited to the role of a "traffic officer, policing the wave lengths to prevent stations from interfering with each other." Id. at 215. "[T]he Act," the Court held, "does not restrict the Commission merely to supervision of the traffic. It puts upon the Commission the burden of determining the composition of that traffic." Id. at 215–16. But, while the NBC case did establish an expansive view of Commission powers, it still left a great many First Amendment questions unanswered.

8. Some twenty-six years later, in the landmark decision in "Red Lion Broadcasting Co. v. FCC", 395 U.S. 367 (1969), the Court set forth a comprehensive First Amendment theory which vindicated both the licensing system and the Commission's fairness doctrine. Justice White, writing for a unanimous Court, reaffirmed Justice Frankfurther's thesis that because of the scarcity factor, licensing was permissible.[4] The First Amendment, in the Court's opinion, did not confer upon anyone the right to operate a radio station:

> [I]f there is to be any effective communication by radio, only a few can be licensed and the rest must be barred from the airways. It would be strange if the First Amendment, aimed at protecting and furthering communications, prevented the government from making radio communication possible by requiring licenses to broadcast and by limiting the number of licenses so as not to overcrowd the spectrum Id. at 389.

It was thus concluded that the basic purposes of the First Amendment would be undermined if there were "an unabridgeable First Amendment right to broadcast comparable to the right of every individual to speak, write, or publish." Id. at 388.

9. While the licensing system was thus designed to further First Amendment interests in the broadcast medium, it was necessary to define those interests and identify their focus and means of implementation.[5] Should the licensees chosen by the government be accorded an absolute and unrestricted right to advance their own views to the exclusion of those of their less privileged fellow citizens? Or should there be some provision made to insure the recognition of the First Amendment interests of those citizens who are of necessity denied the opportunity to operate a broadcasting station? In language strikingly close to that found in our earlier "Report on Editorializing", the Red Lion Court stated that "[i]t is the right of the viewers and listeners, not the right of the broadcasters, which is paramount." Id. at 390. While private businessmen were licensed to operate radio stations, "[t]he people as a whole retain their interest in free speech by radio and their collective right to have the medium function consistently with the ends and purpose of the First Amendment." Ibid. (emphasis supplied). That Amendment, as it has long been recognized, "rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public * * *." Associated Press v. United States, 326 U.S. 1, 20 (1945). In this respect, the purpose of the First Amendment is not simply to protect the speech of particular individuals, but rather to preserve and promote the informed public opinion which is necessary for the continued vitality of our democratic society and institutions. As the Supreme Court has elsewhere stated, "speech concerning public affairs is more than self-expression; it is the essence of self-government," "Garrison v. Louisiana," 379 U.S. 64, 74–5 (1964), and "[t]hose guarantees [of the First Amendment] are not for the benefit of the press so much as for the benefit of all of us," "Time, Inc., v. Hill," 385 U.S. 374, 389 (1966).

10. In light of this fundamental purpose of the First Amendment and the paramount right of the public to have that purpose implemented in the broadcast medium, it became clear that the license granted by the government to a chosen few could not be considered as a privilege to "ignore the problems which beset the people or * * * exclude from the airways anything but their own views of fundamental questions." 395 U.S. at 394. As the Red Lion Court stated, "the First Amendment confers no right on licensees to prevent others from broadcasting on 'their' frequencies and no right to an unconditional monopoly of a scarce resource which the Government had denied others the right to use." 395 U.S. at 391. Rather, the constitutional status of the broadcast licensee was identified in the following terms:

> [A]s far as the First Amendment is concerned those who are licensed stand no better than those to whom licenses are refused. A license permits broadcasting, but the licensee has no constitutional right to be the one who holds the license or to monopolize a radio frequency to the exclusion of this fellow citizens. There is nothing in the First Amendment which prevents the Government from requiring a licensee to share his frequency with others and to conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community and which would otherwise, by necessity, be barred from the airwaves. Id. at 389.

11. Thus, in the context of the scarcity of broadcast frequencies and the resulting necessity for government licensing, the First Amendment impells, rather than prohibits, governmental promotion of a system which will ensure that the public will be informed of the important issues which confront it and of the competing viewpoints on those issues which may differ from the views held by a particular licensee. The purpose and foundation of the fairness doctrine is therefore that of the First Amendment itself; "to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail, rather than to countenance monopolization of that market, whether it be by the Government itself or a private licensee." 395 U.S. at 390. In accordance

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[4] This scarcity principle is not predicated upon a comparison between the number of broadcast stations and the number of daily newspapers in a given market. The true measure of scarcity is in terms of the number of persons who wish to broadcast and, in Justice White's language, there are still "substantially more individuals who want to broadcast than there are frequencies to allocate." 395 U.S. at 388.

[5] Professor Emerson has outlined this problem in the following terms: "[o]nce it is assumed that a scarcity of broadcasting facilities exists the next question becomes, what follows from that? * * * In purely commonsense terms it would seem to follow that, if the government must choose among applicants for the same facilities, it should choose on some sensible basis. The only sensible basis is the one that best promotes the system of freedom of expression." T. Emerson, The System of Freedom of Expression 663 (1970).

with this view and theory, the Court in Red Lion held that

> It does not violate the First Amendment to treat licensees given the privilege of using scarce radio frequencies as proxies for the entire community, obligated to give suitable time and attention to matters of great public concern. To condition the granting or renewal of licenses on a willingness to present representative community views on controversial issues is consistent with the ends and purposes of those constitutional provisions forbidding the abridgment of freedom of speech and freedom of the press. 395 U.S. at 394.

12. That the government should act affirmatively to preserve and promote the greater listening and viewing public's First Amendment interests in broadcasting is a concept which some quarters still find difficult to accept. But while arguments have been and will continue to be made as to the wisdom of the fairness doctrine and its application in particular cases, its statutory support[6] and constitutionality are firmly established. BEM, 412 U.S. 94 (1973); "Red Lion Broadcasting Co. v. FCC," 395 U.S. 367 (1969).

13. Although the legality of the fairness doctrine is thus well-established, Chief Judge Bazelon of the District of Columbia Circuit has suggested that the time has come for "the Commission to draw back and consider whether time and technology have so eroded the necessity for governmental imposition of fairness obligations that the doctrine has come to defeat its purposes in a variety of circumstances * * *." "Brandywine-Main Line Radio, Inc. v. FCC," 473 F. 2d 16, 80 (D.C. Cir. 1972) (dissenting opinion). We believe, however, that the problem of scarcity is still very much with us, and that despite recent advances in technology, there are still "substantially more individuals who want to broadcast than there are frequencies to allocate." "Red Lion Broadcasting Co. v. FCC," 395 U.S. at 388. The effective development of an electronic medium with an abundance of channels (through the use of cable, or otherwise) is still very much a thing of the future. For the present, we do not believe that it would be appropriate—or even permissible—for a government agency charged with the allocation of the channels now available to ignore the legitimate First Amendment interests of the general public. We recognize, however, that there exists within the framework of fairness doctrine administration and enforcement the potential for undue governmental interference in the processes of broadcast journalism, and the concomitant diminution of the broadcaster's and the public's legitimate First Amendment interests. It is with a real sensitivity to this potential danger and an equal awareness of our responsibilities to promote the ends and purposes of the First Amendment that we have confronted the task of restating and reformulating our approach to the fairness doctrine and the broadcasters' obligations thereunder.[7]

B. *Does the fairness doctrine inhibit broadcast journalism?* 14. A number of commentators have argued that, in spite of its worthy purposes, the actual effect of the fairness doctrine can only be to restrict and inhibit broadcast journalism. Far from inhibiting debate, however, we believe that the doctrine has done much to expand and enrich it.

15. We have already noted that, stripped to its barest essentials, the fairness doctrine involves a two-fold duty: (1) The broadcaster must devote a reasonable percentage of this broadcast time to the coverage of public issues; and (2) his coverage of these issues must be fair in the sense that it provides an opportunity for the presentation of contrasting points of view. It is impossible to believe that the first of these obligations could hamper broadcast news and commentary in any way. While such a requirement might be viewed as a restriction on the broadcaster as a businessman, there is no doubt that "it is a positive stimulus to broadcast journalism." Wood, Electronic Journalism 127 (1967).

16. We do not believe that the second part of the fairness doctrine should inhibit broadcast journalism any more than the first. It has frequently been suggested, however, that many broadcasters will avoid the coverage of controversial issues if they are required to present contrasting views. These broadcasters, it is argued, will find the opposing viewpoints too offensive, or their presentation too disruptive to their broadcast schedules, too expensive (assuming they are unable to find sponsorship for the presentation of contrasting views), or simply too much trouble. Our first response to this argument is that it represents an attitude which is completely inconsistent with the broadcaster's role as a public trustee.[8]

17. The Supreme Court in Red Lion considered the possibility that fairness principles might have a "chilling effect" on broadcast journalism, and found that this

> possibility is at best speculative. The communications industry, and in particular the networks, have taken pains to present controversial issues in the past, and even now they do not assert that they intend to abandon their efforts in this regard. It would be better if the FCC's encouragement were never necessary to induce the broadcasters to meet their responsibility. And if experience with the administration of those doctrines indicates that they have the net effect of reducing rather than enhancing the volume and quality of coverage, there will be time enough to reconsider the constitutional implications. The fairness doctrine in the past has had no such overall effect. 395 U.S. at 393.

In the years since Red Lion was decided, we have seen no credible evidence that our policies have in fact had "the net effect of reducing rather than enhancing the volume and quality of coverage."

18. In evaluating the possible inhibitory effect of the fairness doctrine, it is appropriate to consider the specifics of the doctrine and the procedures employed by the Commission in implementing it. When a licensee presents one side of a controversial issue he is not required to provide a forum for opposing views on that same program or series of programs. He is simply expected to make a provision for the opposing views in his overall programming. Further, there is no requirement that any precisely equal balance of views be achieved, and all matters concerning the particular opposing views to be presented and the appropriate spokesmen and format for their presentation are left to the licensee's discretion subject only to a standard of reasonableness and good faith.

19. As a matter of general procedure, we do not monitor broadcasts for possible violations, but act on the basis of complaints received from interested citizens. These complaints are not forwarded to the licensee for his comments unless they present prima facie evidence of a violation. Allen C. Phelps, 21 FCC 2d 12 (1969). Thus, broadcasters are not burdened with the task of answering idle

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[6] From the earliest days of radio regulation, it was recognized that a standard of fairness was an essential element of regulation in the "public interest." Great Lakes Broadcasting Co., 3 F.R.C. Ann. Rep. 32, 33 (1929), rev'd on other grounds, 59 App. D.C. 197, 37 F. 2d 993, cert. dismissed, 281 U.S. 706 (1930). In 1959, Congress specifically amended the Communications Act so as to vindicate the Commission's view that fairness inhered in the general public interest standard of the Act. 47 U.S.C. section 315(a); see Red Lion Broadcasting Co. v. FCC, 395 U.S. at 380–81.

[7] Judge Skelly Wright of the District of Columbia Circuit has made the following observations with regard to the difficulties inherent in fairness regulation:

"The problems of figuring out the right thing to do in this area—the system that will best serve the public's First Amendment interest—are enormous. In some areas of the law, constitutional values are clearly discernible, as where one is required to balance some right protected by the Constitution against an asserted countervailing governmental interest * * *. [I]n some areas of the law it is easy to tell the good guys from the bad guys. In the current debate over the broadcast media and the First Amendment, however, each debater claims to be the real protector of the First Amendment, and the analytical problems are much more difficult than in ordinary constitutional adjudication." Commencement address, National Law Center, George Washington University, Washington, D.C., June 3, 1973.

[8] We concur with the views expressed on this subject by former Commissioner Cox several years ago:

"[a]s a trustee for the public, a broadcaster must use his facilities to enlighten the public about the critical issues which it faces, and this obviously requires substantial effort and may involve presenting some viewpoints with which the licensee totally disagrees. But so long as he is permitted to express his own view editorially with respect to the matters discussed and is allowed to choose the formats to be employed and the spokesmen for the respective positions, he cannot, it seems to me, claim that his freedom to report and analyze the news has been impaired." Cox, The FCC and the Future of Broadcast Journalism in Survey of Broadcast Journalism 1969–1970 at 115.

or capricious complaints. By way of illustration, the Commission received some 2,400 fairness complaints in fiscal 1973, only 94 of which were forwarded to licensees for their comments.

20. While there may be occasional exceptions, we find it difficult to believe that these policies add significantly to the overall administrative burdens involved in operatng a broadcast station. It is obvious that any form of governmental regulation will impose certain costs or burdens of administration on the industry affected. The point is not whether some burden is involved, but rather whether that burden is justified by the public interest objective embodied in the regulation. Broadcasters are licensed to act as trustees for a valuable public resource and, in view of the public's paramount right to be informed, some administrative burdens must be imposed on the licensee in this area. These burdens simply "run with the territory." Furthermore, any licensee who might be discouraged by such a burden will have to take into account this Commission's requirement that he must provide a forum for the discussion of public issues. The Supreme Court has made it clear and it should be reemphasized here that "if present licensees should suddenly prove timorous, the Commission is not powerless to insist that they give adequate and fair attention to public issues. "Red Lion Broadcasting Co. v. FCC," 395 U.S. at 393.

C. *The specifics of the fairness doctrine.* 21. In developing and implementing the fairness doctrine it has never been our intention to force licensees to conform to any single, preconceived notion of what constitutes the "ideal" in broadcast journalism. Our purpose has merely been to establish general guidelines concerning minimal standards of fairness. We firmly believe that the public's need to be informed can best be served through a system in which the individual broadcasters exercise wide journalistic discretion, and in which government's role is limited to a determination of whether the licensee has acted reasonably and in good faith. Fairness Doctrine Primer 40 FCC 598, 599 (1964). In this regard, we are still convinced that

> there can be no one all embracing formula which licensees can hope to apply to insure the fair and balanced presentation of all public issues. Different issues will inevitably require different techniques of presentation and production. The licensee will in each instance be called upon to exercise his best judgment and good sense in determining what subjects should be considered, the particular format of the programs to be devoted to each subject, the different shades of opinion to be presented, and the spokesmen for each point of view. Report on Editorializing, 13 FCC 1246, 1251 (1949).

22. It is obvious that under this method of handling fairness, many questionable decisions by broadcast editors may go uncorrected. But, in our judgment, this approach represents the most appropriate way to achieve "robust, wide open debate" on the one hand, while avoiding "the dangers of censorship and pervasive supervision" by the government on the other. "Banzhaf v. FCC.," 405 F. 2d 1082, 1095 (D.C. Cir. 1968), cert. denied sub nom. "Tobacco Institute v. FCC," 396 U.S. 842 (1969). In this respect, we are not unmindful of the dangers alluded to by the Court in BEM:

> Congress appears to have concluded * * * that of these two choices—private or official censorship—Government censorship would be the most pervasive, the most self-serving, the most difficult to restrain and hence the one most to be avoided. 412 U.S. 94 at 105.

We therefore recognize that reaching a determination as to what particular policies will best serve the public's right to be informed is a task of "great delicacy and difficulty," and that the Commission must continually walk a "tightrope" between saying too much and saying too little. Id. at 102, 117. However, we also believe that this Commission has a clear responsibility and obligation to assume this task.

1. *Adequate time for the discussion of public issues.* 23. The first, and most basic, requirement of the fairness doctrine is that it establishes an "affirmative responsibility on the part of broadcast licensees to provide a reasonable amount of time for the presentation over their facilities of programs devoted to the discussion and consideration of public issues * * *" "Report on Editorializing," 13 FCC at 1249. Determining what constitutes a "reasonable amount of time" is—like so many other programming questions—a responsibility of the individual broadcast licensee. It is the individual broadcaster who, after evaluating the needs of his particular community, "must determine what percentage of the limited broadcast day should appropriately be devoted to news and discussion or consideration of public issues, rather than to other legitimate services of radio broadcasting * * *." Id. at 1247.

24. In reviewing the adequacy of the amount of a licensee's public issue programming, we will, of course, limit our inquiry to a determination of its reasonableness. We wish to make it plain, however, that we have allocated a very large share of the electromagnetic spectrum to broadcasting chiefly because of our belief that this medium can make a great contribution to an informed public opinion. See "Democratic National Committee," 25 FCC 2d 216, 222 (1970). We are not prepared to allow this purpose to be frustrated by broadcasters who consistently ignore their public interest responsibilities. Indeed, "we regard strict adherence to the fairness doctrine"—including the affirmative obligation to provide coverage of issues of public importance—"as the single most important requirement of operation in the public interest—the 'sine qua non' for grant of a renewal of license." "Committee for the Fair Broadcasting of Controversial Issues," 25 FCC 2d 283, 292 (1970).

25. The individual broadcaster is also the person "who must select or be responsible for the selection of the particular news items to be reported or the particular local, State, national or international issues or questions of public interest to be considered * * *." "Report on Editorializing," 13 FCC at 1247.[9] We have, in the past, indicated that some issues are so critical or of such great public importance that it would be unreasonable for a licensee to ignore them completely. See Gary Soucie (Friends of the Earth), 24 FCC 2d 743, 750–51 (1970). But such statements on our part are the rare exception, not the rule, and we have no intention of becoming involved in the selection of issues to be discussed, nor do we expect a broadcaster to cover each and every important issue which may arise in his community.

26. We wish to emphasize that the responsibility for the selection of program material is that of the individual licensee. That responsibility "can neither be delegated by the licensee to any network or other person or group, or be unduly fettered by contractual arrangements restricting the licensee in his free exercise of his independent judgments." "Report on Editorializing," 13 FCC at 1248. We believe that stations, in carrying out this responsibility, should be alert to the opportunity to complement network offerings with local programming on these issues, or with syndicated programming.

2. *A reasonable opportunity for opposing viewpoints.* 27. The usual fairness complaint does not involve an allegation that the licensee has not devoted sufficient time to the discussion of public issues. Rather, it concerns a claim that the licensee has presented one viewpoint on a "controversial issue of public importance" and has failed to afford a "reasonable opportunity for the presentation of contrasting viewpoints."

28. It has frequently been suggested that individual stations should not be expected to present opposing points of view and that it should be sufficient for the licensee to demonstrate that the opposing viewpoint has been adequately presented on another station in the market or in the print media. See WSOC Broadcasting Co., 17 P & F Radio Reg. 548, 550 (1958). While we recognize that citizens receive information on public issues from a variety of sources, other considerations require the rejection of this suggestion. First, in amending section 315(a) of the Communications Act in 1959, Congress gave statutory approval to the fairness doctrine, including the requirement that broadcasters themselves provide an opportunity for opposing viewpoints. See BEM, 412 U.S. at 110,

[9] Ordinarily, the problems which are identified by a station's ascertainment of its community's needs and interests would be featured prominently in the list of public issues selected by the station for program coverage. See generally, Primer on Ascertainment of Community Problems by Broadcast Applicants, 20 FCC 2d 650 (1971).

note 8.[10] Second, it would be an administrative nightmare for this Commission to attempt to review the overall coverage of an issue in all of the broadcast stations and publications in a given market. Third, and perhaps most importantly, we believe that the requirement that each station provide for contrasting views greatly increases the likelihood that individual members of the public will be exposed to varying points of view. The fairness doctrine will not insure perfect balance in debate and each station is not required to provide an "equal" opportunity for opposing views. Furthermore, since the fairness doctrine does not require balance in individual programs or series of programs, but only in a station's overall programming, there is no assurance that a listener who hears an initial presentation will also hear a rebuttal. Compare 47 U.S.C. 396(g)(1)(A). However, if all stations presenting programming relating to a controversial issue of public importance make an effort to round out their coverage with contrasting viewpoints, these various points of view will receive a much wider public dissemination. This requirement, of course, in no way prevents a station from presenting its own opinions in the strongest terms possible.

a. *What is a "controversial issue of public importance"?*. 29. It has frequently been suggested that the Commission set forth comprehensive guidelines to aid interested parties in recognizing whether an issue is "controversial" and of "public importance." However, given the limitless number of potential controversial issues and the varying circumstances in which they might arise, we have not been able to develop detailed criteria which would be appropriate in all cases. For this very practical reason, and for the reason that our role must and should be limited to one of review, we will continue to rely heavily on the reasonable, good faith judgments of our licensees in this area.

30. Some general observations however, are in order. First of all, it is obvious that an issue is not necessarily a matter of significant "public importance" merely because it has received broadcast or newspaper coverage. "Our daily papers and television broadcasts alike are filled with news items which good journalistic judgment would classify as newsworthy, but which the same editors would not characterize as containing important controversial public issues." Healey v. FCC, 460 F.2d 917, 922 (D.C. Cir. 1972). Nevertheless, the degree of media coverage is one factor which clearly should be taken into account in determining an issue's importance. It is also appropriate to consider the degree of attention the issue has received from government officials and other community leaders. The principal test of public importance, however, is not the extent of media or governmental attention, but rather a subjective evaluation of the impact that the issue is likely to have on the community at large.[11] If the issue involves a social or political choice, the licensee might well ask himself whether the outcome of that choice will have a significant impact on society or its institutions. It appears to us that these judgments can be made only on a case-by-case basis.

31. The question of whether an issue is "controversial" may be determined in a somewhat more objective manner. Here, it is highly relevant to measure the degree of attention paid to an issue by government officials, community leaders, and the media. The licensee should be able to tell, with a reasonable degree of objectivity, whether an issue is the subject of vigorous debate with substantial elements of the community in opposition to one another. It is possible, of course, that "programs initiated with no thought on the part of the licensee of their possible controversial nature will subsequently arouse controversy and opposition of a substantial nature which will merit presentation of opposing views." Report on Editorializing, 13 FCC at 1251. In such circumstances, it would be appropriate to make provision for opposing views when the opposition becomes manifest.

b. *What specific issue has been raised?* 32. One of the most difficult problems involved in the administration of the fairness doctrine is the determination of the specific issue or issues raised by a particular program. This would seem to be a simple task, but in many cases it is not. Frequently, resolution of this problem can be of decisional importance. See, e.g., David C. Green, 24 FCC 2d 171 (1970); WCBS-TV, 9 FCC 2d 921, 938 (1967).

33. This determination is complicated by the fact that it is frequently made without the benefit of a transcript or tape of the program giving rise to the complaint. Hence, it is necessary in such cases to rely on the recollections of station employees and listeners. While the availability of an accurate transcript would facilitate the determination of the issue or issues raised, it would not in many cases clearly point up those issues. This is true because a broadcast may avoid explicit mention of the ultimate matter in controversy and focus instead on assertions or arguments which support one side or the other on that ultimate issue. This problem may be illustrated by reference to a hypothetical broadcast which takes place during the course of a heated community debate over a school bond issue. The broadcast presents a spokesman who forcefully asserts that new school construction is urgently needed and that there is also a need for substantial increases in teachers' salaries, both principal arguments advanced by proponents of the bond issue. The spokesman, however, does not explicitly mention or advocate passage of the bond issue. In this case, the licensee would be faced with a need to determine whether the spokesman had raised the issue of whether the school bonds should be authorized (which is controversial), or whether he had merely raised the question of whether present school facilities and teacher salaries are adequate (which might not be at all controversial).

34. In answering this question, we would expect a licensee to exercise his good faith judgment as to whether the spokesman had in an obvious and meaningful fashion presented a position on the ultimate controversial issue of whether the school bond issue should be approved.[12] The licensee's inquiry should focus not on whether the statement bears some tangential relevance to the school bond question, but rather on whether that statement, in the context of the ongoing community debate, is so obviously and substantially related to the school bond issue as to amount to advocacy of a position on that question. If, for example, the arguments and views expressed over the air closely parallel the major arguments advanced by partisans on one side or the other of the public debate it might be reasonable to conclude that there had been a presentation on one side of the ultimate issue, i.e., authorization of the school bonds. Obviously, licensees in specific cases may differ in their answers to this inquiry. If a licensee's determination is reasonable and arrived at in good faith, however, we will not disturb it. Cf., Media Access Project (Georgia Power), 44 FCC 2d 755 (1973).

35. Before leaving this subject, we wish to make it clear that a fairness response is not required as a result of offhand or insubstantial statements. As we have stated in the past, "[a] policy of requiring fairness, statement by statement or inference by inference, with constant Governmental intervention to try to implement the policy, would simply be inconsistent with the profound national commitment to the principle that debate on public issues should be 'uninhibited, robust, wide-open' (New York Times Co. v. Sullivan, 376 U.S. 254, 270)." National Broadcasting Co. (AOPA complaint), 25 FCC 2d 735, 736-37 (1970).

c. *What is a "reasonable opportunity" for contrasting viewpoints?* 36. As noted above, the Commission's first task in

[10] One United States Senator has proposed that it might be desirable to apply the fairness doctrine only where less than four broadcast signals are received in a given area. See 119 Cong. Rec. S20358-62 (November 14, 1973) (remarks of Senator Ervin). We believe that such a proposal is clearly beyond our statutory authority. However, it may be appropriate at some future date to examine the possibility of a different application of the fairness doctrine to new technologies of electronic communication or of a different application in broadcast markets of varying size.

[11] In this regard, we note that the fairness doctrine was not designed for the purpose of providing a forum for the discussion of mere private disputes of no consequence to the general public. Rather, its purpose is to insure that the public will be adequately informed on matters of importance to major segments of the community.

[12] See discussion of the application of this standard to "editorial" advertising in Part III, infra.

handling a typical fairness complaint is to review the licensee's determination as to whether the issue specified in the complaint or the Commission's inquiry has actually been raised in the licensee's programming. Secondly, we must review the licensee's determination of whether that issue is "controversial" and of "public importance." If these questions are answered in the affirmative, either by admission of the licensee or by our determination upon review, we must then determine whether the licensee has afforded a "reasonable opportunity" in his overall programming for the presentation of contrasting points of view.

37. The first point to be made with regard to the obligation to present contrasting views is that it cannot be met "merely through the adoption of a general policy of not refusing to broadcast opposing views where a demand is made of the station for broadcast time." Report on Editorializing," 13 FCC at 1251. The licensee has a duty to play a conscious and positive role in encouraging the presentation of opposing viewpoints.[12]

We do not believe, however, that it is necessary for the Commission to establish a formula for all broadcasters to follow in their efforts to find a spokesman for an opposing viewpoint. As we stated in "Mid-Florida Television Corp.," 40 FCC 620 (1964):

> The mechanics of achieving fairness will necessarily vary with the circumstances, and it is within the discretion of each licensee, acting in good faith, to choose an appropriate method of implementing the policy to aid and encourage expression of contrasting viewpoints. Our experience indicates that licensees have chosen a variety of methods, and often combinations of various methods. Thus, some licensees, where they know or have reason to believe that a responsible individual or group within the community holds a contrasting viewpoint with respect to a controversial issue presented or to be presented, communicate to such an individual or group a specific offer of the use of their facilities for the expression of contrasting opinion, and send a copy or summary of material broadcast on the issue. Other licensees consult with community leaders as to who might be an appropriate individual or group for such a purpose. Still others announce at the beginning or ending (or both) of programs presenting opinions on controversial issues that opportunity will be made available for the expression of contrasting views upon request by responsible representatives of such views. Id. at 621.

If a licensee fails to present an opposing viewpoint on the ground that no appropriate spokesman is available, he should be prepared to demonstrate that he has made a diligent, good-faith effort to communicate to such potential spokesmen his willingness to present their views on the issue or issues presented. Columbia Broadcasting System, Inc., 34 FCC 2d 773 (1972). There may well be occasions, particularly in cases involving major issues discussed in depth, where such a showing should include specific offers of response time to appropriate individuals in addition to general over-the-air announcements.[14]

38. In making provision for the airing of contrasting viewpoints, the broadcaster should be alert to the possibility that a particular issue may involve more than two opposing viewpoints. Indeed, there may be several important viewpoints or shades of opinion which warrant broadcast coverage.[15]

39. In deciding which viewpoints or shades of opinion are to be presented, licensees should employ a standard similar to that used to decide which political parties or candidates represent a viewpoint of sufficient importance to deserve coverage. As we stated in Lawrence M. C. Smith, 40 FCC 549 (1963), the broadcaster (in programs not covered by the "equal time" requirement of 47 U.S.C. section 315) is not expected to present the views of all political parties no matter how small or insignificant, but rather:

> the licensee would be called upon to make a good faith judgment as to whether there can reasonably be said to be a need or interest in the community calling for some provision of announcement time to these other parties or candidates and, if so, to determine the extent of that interest or need and the appropriate way to meet it. 40 FCC at 550.

In evaluating a "spectrum" of contrasting viewpoints on an issue, the licensee should make a good faith effort to identify the major viewpoints and shades of opinion being debated in the community, and to make a provision for their presentation. In many, or perhaps most, cases it may be possible to find that only two viewpoints are significant enough to warrant broadcast coverage.[16] However, other issues may involve a range of markedly different and important policy alternatives. In such circumstances, the broadcaster must make a determination as to which shades of opinion are of sufficient public importance to warrant coverage, and also the extent and nature of that coverage.

40. The question of the reasonableness of the opportunity for opposing viewpoints goes considerably deeper, however, than a mere finding that some provision has been made for the opposing viewpoints. Indeed, it has frequently been suggested that the wide discretion afforded the licensee in selecting a reply spokesman and format may undermine any possibility that treatment of the opposition view will be either reasonable or fair. Accordingly, it has been argued that the Commission should promulgate regulations establishing standards for the selection of an appropriate reply spokesman and format. We believe, however, that it should be adequate to remind licensees that they have a duty not "'to stack the cards' by a deliberate selection of spokesmen for opposing points of view to favor one viewpoint at the expense of the other * * *" "Report on Editorializing," 13 FCC at 1253. In the final analysis, fairness must be achieved, "not by the exclusion of particular views because of * * * the forcefulness with which the view is expressed, but by making the microphone available, for the presentation of contrary views without deliberate restrictions designed to impede equally forceful presentation." Id. at 1253–54. (emphasis supplied); see also Brandywine-Main Line Radio, Inc., 24 FCC 2d 18, 23–24 (1970).

41. In providing for the coverage of opposing points of view, we believe that the licensee must make a reasonable allowance for presentations by geniune partisans who actually believe in what they are saying. The fairness doctrine does not permit the broadcaster "to pre-

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[12] This duty includes the obligation defined in Cullman Broadcasting Co., 40 FCC 576, 577 (1963):

> "where the licensee has chosen to broadcast a sponsored program which for the first time presents one side of a controversial issue, has not presented (or does not plan to present) contrasting viewpoints in other programming, and has been unable to obtain paid sponsorship for the appropriate presentation of the opposing viewpoint or viewpoints, he cannot reject a presentation otherwise suitable to the licensee—and thus leave the public uninformed—on the ground that he cannot obtain paid sponsorship for that presentation." (emphasis in original).

We do not believe that the passage of time since Cullman was decided has in any way diminished the importance and necessity of this principle. If the public's right to be informed of the contrasting views on controversial issues is to be truly honored, broadcasters must provide the forum for the expression of those viewpoints at their own expense if paid sponsorship is unavailable.

[14] In a notice of inquiry and notice of proposed rulemaking in Docket No. 18859, 23 FCC 2d 27, we proposed the adoption of specific procedures to be followed under certain circumstances in seeking an opposition spokesman. We believe, however, that the policy set forth above adequately covers all situations, and consequently that it is now appropriate to terminate that proceeding.

[15] One student commentator has outlined this problem in the following terms:

> "A principal purpose of the fairness doctrine is to educate the public on the major alternatives available to it in making social choices * * *. Acknowledging that there is a 'spectrum' of opinion on many issues, it is nonetheless true that there are often clearly definable 'colors' in the spectrum, even though the points at which they blend into one another may be unclear. The controversy concerning American policy in Indochina is illustrative. The alternatives (prior to America's withdrawal from the war) include[d] increasing military activity, maintaining the (then) present level of commitment, a phased withdrawal and an immediate withdrawal. It might be argued that any licensee who does not present some coverage of at least these views has failed to educate the public about the major policy alternatives available." Note, The FCC Fairness Doctrine and Informed Social Choice, 8 Harv. J. Legis. 333, 351–52 (1971).

[16] This is not to say that a broadcaster is barred from presenting the views of small minorities, but only that the government will not require the coverage of every possible viewpoint or shade of opinion regardless of its significance.

side over a 'paternalistic' regime," BEM, 412 U.S. at 130, and it would clearly not be acceptable for the licensee to adopt a "policy of excluding partisan voices and always itself presenting views in a bland, inoffensive manner * * *." "Democratic National Committee," 25 FCC 2d 216, 222 (1970). Indeed, this point has received considerable emphasis from the Supreme court:

[n]or is it enough that he should hear the arguments of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. That is not the way to do justice to the arguments, or bring them into real contact with his own mind. He must be able to hear them from persons who actually believe them; who defend them in earnest, and do their very utmost for them. Red Lion Broadcasting Co. v. FCC, 395 U.S. at 392, n. 18, quoting J. S. Mill, On Liberty 32 (R. McCallum ed. 1947).

42. This does not mean, however, that the Commission intends to dictate the selection of a particular spokesman or a particular format, or indeed that partisan spokesmen must be presented in every instance. We do not believe that it is either appropriate or feasible for a governmental agency to make decisions as to what is desirable in each situpation. In cases involving personal attacks and political campaigns, the natural opposing spokesmen are relatively easy to identify. This is not the case, however, with the majority of public controversies. Ordinarily, there are a variety of spokesmen and formats which could reasonably be deemed to be appropriate. We believe that the public is best served by a system which allows individual broadcasters considerable discretion in selecting the manner of coverage, the appropriate spokesmen, and the techniques of production and presentation.

43. Frequently, the question of the reasonableness of the opportunity provided for contrasting viewpoints comes down to weighing the time allocated to each side. Aside from the field of political broadcasting, the licensee is not required to provide equal time for the various opposing points of view. Indeed, we have long felt that the basic goal of creating an informed citizenry would be frustrated if for every controversial item or presentation on a newscast or other broadcast the licensee had to offer equal time to the other side. Our reasons for granting the licensee broad discretion with respect to the amount or nature of time to be afforded can be summarized as follows:

In our judgment, based on decades of experience in this field, this is the only sound way to proceed as a general policy. A contrary approach of equal opportunities, applying to controversial issues generally the specific equal opportunities requirements for political candidates would in practice not be workable. It would inhibit, rather than promote, the discussion and presentation of controversial issues in the various broadcast program formats (e.g., newscasts, interviews, documentaries). For it is just not practicable to require equality with respect to the large number of issues dealt with in a great variety of programs on a daily and continuing basis. Further, it would involve this Commission much too deeply in broadcast journalism; we would indeed become virtually a part of the broadcasting "fourth estate" overseeing thousands of complaints that some issue had not been given "equal treatment." We do not believe that the profound national commitment to the principle that debate on public issues should be "uninhibited, robust, wide-open" (New York Times v. Sullivan, 376 U.S. 254, 270) would be promoted by a general policy of requiring equal treatment on all such issues, with governmental intervention to insure such mathematical equality. Committee For the Fair Broadcasting of Controversial Issues, 25 FCC 2d 283, 292 (1970).

Similarly, we do not believe that it would be appropriate for this Commission to establish any other mathematical ratio, such as 3 to 1 or 5 to 1, to be applied in all cases. We believe that such an approach is much too mechanical in nature and that in many cases our pre-conceived ratios would prove to be far from reasonable. In the case of a 10-second personal attack, for example, fairness may dictate that more time be afforded to answer the attack than was given the attack itself. Moreover, were we to adopt a ratio for fairness programming, the "floor" thereby established might well become the "ceiling" for the treatment of issues by many stations, and such a ratio might also lead to preoccupation with a mathematical formula to the detriment of the substance of the debate. It appears to us, therefore, that no precise mathematical formula would be appropriate for all cases, and the licensee must exercise good faith and reasonableness in considering the particular facts and circumstances of each case.

44. While the road to predicting Commission decisions in this area is not fully and completely marked, there are, nevertheless, a number of signposts which should be recognizable to all concerned parties. We have made it clear, for example, that "it is patently unreasonable for a licensee consistently to present one side in prime time and to relegate the contrasting viewpoint to periods outside prime time. Similarly, there can be an imbalance from the sheer weight on one side as against the other." Committee for the Fair Broadcasting of Controversial Issues, 25 FCC 2d at 293. This imbalance might be a reflection of the total amount of time afforded to each side, of the frequency with which each side is presented, of the size of the listening audience during the various broadcasts, or of a combination of factors. It is incumbent upon a complainant to bring to the Commission's attention any specific factors which he believes point to a finding that fairness has not been achieved. From the standpoint of the licensee, however, the most important protection against arbitrary Commission rulings is the fact that we will not substitute our judgment for his. Our rulings are not based on a determination of whether we believe that the licensee has acted wisely or whether we would have proceeded as he did. Rather, we limit our inquiry to a determination of whether, in the light of all of the facts and circumstances presented, it is apparent that the licensee has acted in an arbitrary or unreasonable fashion.

45. The danger of an unwise Commission decision in this area is considerably reduced by the fact that no sanction is imposed on the broadcaster for isolated fairness violations during the course of the license term. The licensee is simply asked to make an additional provision for the opposing point of view, and this is certainly not too much to ask of a licensee who has been found to be negligent in meeting his fairness obligations. Indeed, it is to the benefit of both the licensee and his listening audience if broadcasters are informed of their fairness duties and given an opportunity to fulfill them on a timely basis.

D. *The complaint procedure.* 46. It has sometimes been suggested that fairness complaints should not be considered at the time they are presented to the Commision, but with few exceptions should simply be placed in the station's license file to be reviewed in connection with its renewal application. This review would focus on the station's overall performance for the license period, and not on the specific facts of individual fairness violations. Some have argued that this approach would have two major advantages over present procedures. First, it might considerably reduce the Commission's administrative workload, since complaints would not be given any consideration unless there were a number of complaints against a single station which indicated a serious pattern of violations. Secondly, it has been suggested that by avoiding a detailed review of individual complaints the Commission would be able to insure that it did not become too deeply involved in the day-to-day operations of broadcast journalism.

47. After giving careful consideration to this proposal, we believe that our present procedure of reviewing complaints on an ongoing basis is preferable.[17] First, we do not believe it would be possible to make an "overall" assessment of licensee performance at renewal time without considering the specifics of individual complaints. It simply would not be possible to look at the bare complaints on file and make any knowledgeable assessment of licensee performance. Secondly, we view consideration of fairness compliance only at renewal time as an inadequate safeguard of the public's paramount right to be informed and believe that we should continue our ongoing effort (through the complaint process) to advance the public's interests in receiving timely information on public issues. This, we believe, will provide an opportunity to remedy violations before a

[17] Some have argued that "[t]he practical effect of this approach [review at time of renewal] to fairness is that the doctrine would have been abandoned." Barrow, The Equal Opportunities and Fairness Doctrine in Broadcasting, 37 Cin. L. Rev. 447, 493 (1968).

flagrant pattern of abuse develops. In addition to the benefits which flow to the listening public, this procedure aids the broadcaster by helping to head off practices which could (if left uncorrected) place his license in jeopardy. For this reason, we believe that most licensees welcome the opportunity to receive guidance on specific fairness matters on a timely basis.

48. Finally, a review only at renewal time would remove a major incentive for interested citizens to file fairness complaints—that is, the chance to have an opposing view aired over the station before the issue has become stale with the passage of time. At present, citizen complaints provide the principal means of insuring compliance with the fairness doctrine. If we were to remove the possibility that these complaints might result in broadcast time for a neglected point of view, we might well have to rely on government monitoring to carry out our investigative role. Such monitoring, of course, would represent an unfortunate step in the direction of deeper government involvement in the day-to-day operation of broadcast journalism.

49. There appears to be a misunderstanding on the part of some persons as to the manner in which the Commission administers the complaint process. On the one hand, some complainants have asserted that the Commission's procedures impose too great a burden on the complainant; on the other, some licensees and networks have claimed that our application of the doctrine may impose such a heavy burden on them as to discourage presentation of subjects which may be found to involve controversial issues of public importance.

50. We believe a brief explanation and restatement of our procedures is in order. As we stated in our "Fairness Doctrine Primer," 40 FCC 598 (1964): [18]

> Where complaint is made to the Commission, the Commission expects a complainant to submit specific information indicating (1) the particular station involved; (2) the particular issue of a controversial nature discussed over the air; (3) the date and time when the program was carried; (4) the basis for the claim that the station has presented only one side of the question; and (5) whether the station had afforded, or has plans to afford, an opportunity for the presentation of contrasting viewpoints. *Id.* at 600.

51. The Commission requires that a complainant state that "basis for the claim that the station has presented only one side of the question" because the fairness doctrine does not require that each program present contrasting views on an issue; only that a licensee in its overall programming afford reasonable opportunity for presentation of contrasting views. Thus, when a complainant states that he heard or viewed a program which presented only one side of an issue, he has not, on the basis of this statement alone, made a fairness complaint upon which the Commission can act. Rather, we expect the complainant to state his reasons for concluding that in its other programming the station has not presented contrasting views on the issue.

52. This does not require, as some appear to believe, that the complainant constantly monitor the station. Although some groups having a particular interest in a controversial issue and a licensee's presentation of it have monitored such a station for periods of time and thus been able to offer conclusive evidence that contrasting views were not presented, the Commission realizes that such a requirement for every individual complainant would be an unduly burdensome one. While the complainant must state the basis for this claim that the station has not presented contrasting views, that claim might be based on an assertion that the complainant is a regular listener or viewer; that is, a person who consistently or as a matter of routine listens to the news, public affairs and other non-entertainment programs carried by the station involved. This does not require that the complainant listen to or view the station 24 hours a day, seven days a week. One example of a "regular" television viewer would be a person who routinely (but not necessarily every day) watches the evening news and a significant portion of the public affairs programs of a given station. In the case of radio, a regular listener would include a person who, as a matter of routine, listens to major representative segments of the station's news and public affairs programming. Also, the assumption that a station has failed to present an opposing viewpoint would be strengthened if several regular viewers or listeners join together in a statement that they have not heard a presentation of that viewpoint. Complainants should specify the nature and extent of their viewing or listening habits, and should indicate the period of time during which they have been regular members of the station's audience. We do not believe this requirement to be unduly burdensome, as contrasted to the heavy burden we would place on all stations if we required them to provide evidence of compliance with the fairness doctrine based on complaints which assert merely that one program has presented only one side of an issue.

53. The fact that regular viewers or listeners have not been exposed to an opposing viewpoint is obviously not conclusive evidence that the viewpoint has not been presented, but it does indicate that there is a reasonable basis for the viewer's conclusion that such is the case. See Alan C. Phelps, 21 FCC 2d 12 (1969). Accordingly, we believe that it is a sufficient basis for a Commission inquiry to the station.

54. In responding to such an inquiry, a station is not required to research everything it has broadcast on the subject over a considerable period of time, unless it believes it is necessary to do so in order to establish its compliance with the fairness doctrine with respect to the issue involved. The complaint must specify the date and time of the particular program or programs which presented one side of the issue. If the complaint specifies only a single program, it would be sufficient for the licensee to furnish evidence of having broadcast another program which did afford a reasonable opportunity for contrasting views. Thus, the licensee is not expected to make a showing as to his overall programming, but merely that he has provided contrasting viewpoints an opportunity to be heard which is reasonable when considered in relation to the specific programs complained of.[19] In this regard, it should be kept in mind that the fairness doctrine does not require exact equality in the time provided for contrasting points of view, but only that a reasonable opportunity be afforded for their presentation.

55. After a complaint has been filed, some licensees have found it to be something of a burden to go back through their files and to question their news staff so as to construct a record of the programming they have carried on a given issue. For this reason, some licensees now keep a record of their public issue programming throughout the period of the license term. It should be a relatively simple matter for these stations to respond to a citizen complaint or to a Commission inquiry. Also, the keeping of such records should make it much easier for a licensee to satisfy himself that his station has achieved fairness on the various issues presented. While this Commission does not require the maintenance of a fairness log or diary, we expect that licensees will be cognizant of the programming which has been presented on their stations, for it is difficult to see how a broadcaster who is ignorant of such matters could possibly be making a conscious and positive effort to meet his fairness obligations.

56. The fifth requirement set forth in the above excerpt from our Public Notice—relating to "whether the station has afforded or has plans to afford, an opportunity for the presentation of contrasting viewpoints"—also may require explanation. We have found in many cases that if the complainant first addresses his complaint to the station, the licensee is able to provide an explanation satisfactory to the complainant of what steps it has taken to broadcast contrasting views, or what steps it plans to take to achieve this end. It is for this reason that we ask complainants first to go to the station or network involved. If the

[18] Because of the many developments which have taken place since 1964, we plan to issue a new fairness "Primer" in the near future.

[19] The procedure which we are outlining here is the one which we will follow in the ordinary case. It is possible, however, that in some circumstances the Commission may find it necessary to inquire into a station's total programming effort on an issue or at least a significant portion of that programming. Also, in cases where a message on one side of an issue has obviously been repeated many times (as in "editorial" advertising campaign), the complainant could not be expected to provide a list showing the time and date of each presentation. This information would have to be provided by the licensee in his response to a Commission inquiry.

station or network fails to answer the complaint at all, or to provide what complainant considers to be a satisfactory answer, then the complainant should address the complaint to the Commission, enclosing a copy of the complaint he sent to the station and a copy of its reply—or, if no response has been received after a reasonable period of time, so stating.

57. One further matter with respect to complaints and licensee responses thereto deserves some discussion. It would be a great assistance to the Commission, and would greatly expedite the handling of complaints, if all parties would be as specific as possible in defining the controversial public issue involved in the programs complained of. Also, it would save everyone concerned a great deal of time if, in listing those presentations on each side of an issue, parties would include only those programs which are truly germane to that specific issue.[20]

E. *Fairness and accurate news reporting.* 58. In our 1949 Report on Editorializing, we alluded to a licensee's obligation to present the news in an accurate manner:

> It must be recognized, however, that the licensee's opportunity to express his own views * * * does not justify or empower any licensee to exercise his authority over the selection of program material to distort or suppress the basic factual information upon which any truly fair and free discussion of public issues must necessarily depend * * * . A licensee would be abusing his position as public trustee of these important means of mass communication were he to withhold from expression over his facilities relevant news or facts concerning a controversy or to slant or distort the presentation of such news. No discussion of the issues involved in any controversy can be fair or in the public interest where such discussion must take place in a climate of false or misleading information concerning the basic facts of the controversy. 13 FCC at 1254–55.

It is a matter of critical importance to the public that the basic facts or elements of a controversy should not be deliberately suppressed or misstated by a licensee. But, we must recognize that such distortions are "so continually done in perfect good faith, by persons who are not considered * * * ignorant or incompetent, that it is rarely possible, on adequate grounds, conscientiously to stamp the misrepresentations as morally culpable * * *." J. S. Mill, "On Liberty", 31 (People's ed. 1921). Accordingly, we do not believe that it would be either useful or appropriate for us to investigate charges of news misrepresentations in the absence of substantial extrinsic evidence or documents that on their face reflect deliberate distortion. See "The Selling of the Pentagon," 30 FCC 2d 150 (1971).

III. *Application of the fairness doctrine to the broadcast of paid announcements.* 59. We turn now to the fairness doctrine problems which stem from the broadcast of paid announcements. For the purpose of this discussion, we will consider three general categories of such announcements: (1) Advertisements which may properly be classified as "editorial" in nature; (2) advertisements for commercial products or services; and (3) advertisements included in the Federal Trade Commission's so-called "counter-commercial" proposal.

The role of advertising in broadcasting and its relationship to the licensee's responsibility to broadcast in the public interest was considered by the Federal Radio Commission in 1929. 3 F.R.C. Ann. Rep. 32 (1929). It seems to us that the Commission at that time placed advertising in its proper context and perspective. It first noted that broadcasters are licensed to serve the public and not the private or selfish interests of individuals or groups. The Commission then stated that "[t]he only exception that can be made to this rule has to do with advertising; the exception, however, is only apparent because advertising furnishes the economic support for the service and thus makes it possible." Id. "The Commission * * * must recognize that, without advertising, broadcasting would not exist, and must confine itself to limiting this advertising in amount and in character so as to preserve the largest possible amount of service for the public." Id. at 35. Accordingly, we believe that any consideration of the applicability of the fairness doctrine to broadcast advertising must proceed with caution so as to ensure that the policies and standards which are formulated in this area will serve the genuine purposes of the doctrine without undermining the economic base of the system.

A. *Editorial advertising.* 60. Some "commericials" actually consist of direct and substantial commentary on important public issues. For the purpose of the fairness doctrine, these announcements should be recognized for what they are—editorials paid for by the sponsor. We can see no reason why the fairness doctrine should not apply to these "editorial advertisements" in the same manner that it applies to the commentary of a station announcer. At present, editorial advertising represents only a small percentage of total commercial time, and we cannot believe that an application of fairness here would have any serious effect on station revenues.

61. An example of an overt editorial advertisement would be a thirty or sixty second announcement prepared and sponsored by an organization opposed to abortion which urges a constitutional amendment to override a decision of the Supreme Court legalizing abortion under certain circumstances. While the brevity of such announcements might make it difficult to develop the issue in great detail, they could, nevertheless, make a meaningful contribution to the public debate, and we believe that the fairness doctrine should be fully applicable to them.

62. Editorial advertisements may be difficult to identify if they are sponsored by groups which are not normally considered to be engaged in debate on controversial issues. This problem is most likely to arise in the context of promotional or institutional advertising; that is, advertising designed to present a favorable public image of a particular corporation or industry rather than to sell a product. Such advertising is, of course, a legitimate commercial practice and ordinarily does not involve debate on public issue. See, e.g., "Anthony R. Martin-Trigona," 19 FCC 2d 620 (1969). In some cases, however, the advertiser may seek to play an obvious and meaningful role in public debate. In such instances, the fairness doctrine—including the obligation to provide free time in the circumstances described in the "Cullman" decision—applies.

63. In the past, we have wrestled with the application of the fairness doctrine to institutional advertisements which appeared to have discussed public issues, but which did not explicitly address the ultimate matter in controversy. An example of this problem may be found in the so-called "ESSO" case. "National Broadcasting Co.," 30 FCC 2d 643 (1971). Here, the Commission found that certain commercials for Standard Oil Company constituted a discussion of one side of a controversial issue involving construction of the Alaskan pipeline. These advertisements did not explicitly mention that pipeline, but they did present what could be termed arguments in support of its construction. Specifically, we found that the advertisements argued that the nation's urgent need for oil necessitated a rapid development of reserves on Alaska's North Slope. Id. at 643. The commercials also referred to the ability of an ESSO affiliate to build a pipeline in the far north, and yet "preserve the ecology." Ibid. As we noted on rehearing, the problem involved here "is indeed a difficult one * * * because the pipeline controversy is not specifically referred to * * *." Wilderness Society, 31 FCC 2d 729, 733, reconsideration denied 32 FCC 2d 714 (1971).

64. In the face of such difficulties, what guidance can the Commission give to its licensees and to the public? Professor Louis Jaffe has offered the following suggestion:

> [I]t is not easy to formulate a fully satisfactory rule for applying the fairness doctrine to advertising. Its application is most obvious where the advertisement is explicitly controversial. But the advertiser may avoid the explicit precisely to foreclose a claim of rebuttal, or because he believes the subliminal is more effective. It should suffice to trigger the doctrine that by implication he intends to speak to a current, publicly-acknowledged controversy. Jaffe, The Editorial Responsibility of the Broadcaster: Reflections on Fairness and Access, 85 Harv. L. Rev. 768, 777–78 (1972).

We believe that this suggestion comes close to the mark, but what we are really

[20] One station, in responding to a complaint concerning the issue of gasoline and air pollution, provided the Commission with a list of programs which included the following: "The Great Red Apes," "Turtle of the Sulu Sea," "The Night of the Squid," and "Return of the Sea Elephants." While such programming obviously would provide information on a part of the world's environment, it may not be germane to any specific issue concerning gasoline and air pollution.

concerned with is an obvious participation in public debate and not a subjective judgment as to the advertiser's actual intentions. Accordingly, we expect our licensees to do nothing more than to make a reasonable, common sense judgment as to whether the "advertisement" presents a meaningful statement which obviously addresses, and advocates a point of view on, a controversial issue of public importance. This determination cannot be made in a vacuum; in addition to his review of the text of the ad, the licensee must take into account his general knowledge of the issues and arguments in the ongoing public debate. Indeed, this relationship of the ad to the debate being carried on in the community is critical. If the ad bears only a tenuous relationship to that debate, or one drawn by unnecessary inference, the drawn by unnecessary inference, the fairness doctrine would clearly not be applicable.

65. The situation would be different, however, if that relationship could be shown to be both substantial and obvious. For example, if the arguments and views expressed in the ad closely parallel the major arguments advanced by partisans on one side or the other of a public debate, it might be reasonable to conclude that one side of the issue involved had been presented thereby raising fairness doctrine obligations. See, e.g., Media Access Project (Georgia Power), 44 FCC 2d 755, 761 (1973). We fully appreciate that, in many cases, this judgment may prove to be a difficult one and individual licensees may well reach differing conclusions concerning the same advertisement. We will, of course, review these judgments only to determine their reasonableness and good faith under the particular facts and circumstances presented and will not rule against the licensee unless the facts are so clear that the only reasonable conclusion would be to view the "advertisement" as a presentation on one side of a specific public issue.

B. *Advertisements for commercial products or services.* 66. Many advertisements which do not look or sound like editorials are, nevertheless, the subject of fairness complaints because the business, product, or service advertised is itself controversial. This may be true even though the advertisement does not mention any aspect of a controversy. Commercial announcements of precisely this type led to the current debate over fairness and advertising. This debate began in 1967 with our decision to extend the fairness doctrine to advertisements for cigarettes. WCBS–TV, 8 FCC 2d 381, stay and reconsideration denied 9 FCC 2d 921 (1967). These advertisements, like many others, addressed themselves solely to the desirability of the product. They tended to portray "the use of the particular cigarette as attractive and enjoyable * * *." but avoided any mention of the then raging smoking-health controversy. 8 FCC 2d at 382. At the time, broadcasters argued that, in the absence of an affirmative discussion of the health issue, the commercials could not realistically be viewed as part of a public debate, 9 FCC 2d at 938. We rejected this argument and insisted that the issue should be defined in terms of the desirability of smoking. *Id.* With the issue defined in this fashion, it was a simple mechanical procedure to "trigger" the fairness doctrine and treat all cigarette advertisements—regardless of what they actually said—as being presentations on one side of a controversial issue. It seemed to be clear enough that all cigarette advertisements suggested that the use of the product was desirable.

67. In retrospect, we believe that this mechanical approach to the fairness doctrine represented a serious departure from the doctrine's central purpose which, of course, is to facilitate "the development of an informed public opinion." "Report on Editorializing," 13 FCC 1246, 1249 (1949) (emphasis supplied). We believe that standard product commercials, such as the old cigarette ads, make no meaningful contribution toward informing the public on any side of any issue. Indeed, as the D.C. Circuit Court of Appeals succinctly stated:

> Promoting the sale of a product is not ordinarily associated with any of the interests the First Amendment seeks to protect. As a rule, it does not affect the political process, does not contribute to the exchange of ideas, does not provide information on matters of public importance, and is not, except perhaps for the ad-men, a form of individual self-expression * * * Accordingly, even if * * * [such] commercials are protected speech, we think they are at best a negligible part of any exposition of ideas, and are of * * * slight social value as a step to truth * * *. Banzhaf *v.* FCC, 405 F. 2d 1082, 1101–02 (D.C. Cir. 1968), quoting Chaplinsky *v.* New Hampshire, 315 U.S. 568, 572 (1942).

In this light, it seems to us to make little practical sense to view advertisements such as these as presenting a meaningful discussion of a controversial issue of public importance.

68. In our view, an application of the fairness doctrine to normal product commercials would, at best, provide the public with only one side of a public controversy. In the cigarette case, for example, the ads run by the industry did not provide the listening public with any information or arguments relevant to the underlying issue of smoking and health. At the time of our ruling, Commissioner Loevinger suggested that we were not really encouraging a balanced debate but, rather, were simply imposing our view that discouraging smoking was in the public interest. 9 FCC 2d at 953.[21] While such an approach may have represented good policy from the standpoint of the public health, the precedent is not at all in keeping with the basic purposes of the fairness doctrine.[22]

69. This precedent would not have been particularly troublesome if it had been limited to cigarette advertising as the Commission originally intended.[23] In 1971, however, the D.C. Circuit ruled that the cigarette precedent could not logically be limited to cigarette advertising alone. "Friends of the Earth v. FCC," 449 F. 2d 1164 (D.C. Cir. 1971). In this decision, it was suggested that high-powered cars pollute the atmos-

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[21] Following the Congressional ban on cigarette advertising, the Commission was criticized even more strongly for taking sides on this issue. At that time, we ruled that stations were free to broadcast anti-smoking messages without incurring any obligation to carry arguments in favor of smoking. This holding was based on a Commission determination that the issue was no longer controversial. Cigarette Advertising and Anti-Smoking Presentation, 27 FCC 2d 453 (1970), aff'd sub nom. Larus & Brother Co. v. FCC, 477 F. 2d 876 (4th Cir. 1971).

[22] In the conclusion to our second opinion in the cigarette case, we tried to make it clear that our holding was based more on public health considerations than on "the specifics of the Fairness Doctrine." WCBS–TV, 9 FCC 2d 921, 949 (1967). We recognized that, in view of the overwhelming evidence of danger to the public health, the question presented would ordinarily be "how the carriage of such commercials is consistent with the obligation to operate in the public interest." Id. We felt, however, that the question of removing these commercials from the air was one Congress had reserved to itself, and that the only remedy we were free to implement was one along the lines suggested by the fairness doctrine. The fairness doctrine, therefore, served "chiefly to put flesh on these policy bones by providing a familiar mold to define the general contours of the obligation imposed." Banzhaf v. FCC, 405 F. 2d at 1093. Subsequent to our action in the cigarette case, the Congress developed a more complete remedy of its own by banning the broadcast of cigarette ads entirely in the Public Health Cigarette Smoking Act of 1969. See generally Capital Broadcasting Co. v. Mitchell, 333 F. Supp. 582 (D.D.C. 1971), aff'd mem. sub nom. Capital Broadcasting Co. v. Kleindienst, 405 U.S. 1000 (1972). If in the future we are confronted with a case similar to that presented by the cigarette controversy, it may be more appropriate to refer the matter to Congress for resolution. For Congress is in a far better position than this Commission to develop expert information on whether particular broadcast advertising is dangerous to health or otherwise detrimental to the public interest. Furthermore, it is questionable whether this Commission has a mandate so broad as to permit it "to scan the airwaves for offensive material with no more discriminating a lens than the 'public interest' or even the 'public health.'" Banzhaf v. FCC, 405 F. 2d at 1090.

[23] At the time, cigarettes were thought to be a unique product because their "normal use has been found by congressional and other Governmental action to pose * * * a serious threat to general public health * * *." 9 FCC 2d at 943. In a concurring opinion, Commissioner Johnson expressed the view that "[b]y drawing the line at cigarette advertising we have framed a distinction fully as sound and durable as those in thousands of other rules laid down by courts every day since the common law system began." Id. at 958. In affirming our ruling, the D.C. Circuit agreed that cigarettes were, in fact, "unique." Banzhaf v. FCC, 405 F. 2d 1082, 1097 n. 63 (D.C. Cir. 1968).

phere more than low-powered cars.[24] It was then determined that the fairness doctrine was triggered by the advertisements there involved because they extolled the virtues of high-powered cars and thus glorified product attributes aggravating an existing health hazard, namely air pollution. The commercials, of course, made no attempt at all to discuss the product in the context of the air pollution controversy. If these advertisements presented one point of view on the issue, then, by the same reasoning, the "contrasting" viewpoint must have been similarly presented in ads for low-powered cars. The problem with this kind of logic is that it engages both broadcasters and the Commission in the trivial task of "balancing" two sets of commercials which contribute nothing to public understanding of the underlying issue of how to deal with the problem of air pollution.[25]

70. We do not believe that the underlying purposes of the fairness doctrine would be well served by permitting the cigarette case to stand as a fairness doctrine precedent. In the absence of some meaningful or substantive discussion, such as that found in the "editorial advertisements" referred to above, we do not believe that the usual product commercial can realistically be said to inform the public on any side of a controversial issue of public importance. It would be a great mistake to consider standard advertisements, such as those involved in the "Banzhaf" and "Friends of the Earth," as though they made a meaningful contribution to public debate. It is a mistake, furthermore, which tends only to divert the attention of broadcasters from their public trustee responsibilities in aiding the development of an informed public opinion. Accordingly, in the future, we will apply the fairness doctrine only to those "commercials" which are devoted in an obvious and meaningful way to the discussion of public issues.

C. *The Federal Trade Commission proposal.* 71. The Federal Trade Commission has filed a statement in this inquiry which proposes the creation of a right of access to respond to four categories of commercial announcements. Very generally, these categories are as follows: (a) Those advertisements that explicitly raise controversial issues; (b) those that raise such issues implicitly; (c) those that make claims based on scientific premises that are in dispute; and (d) those that are silent about negative aspects of the advertised products.

72. We have already discussed the first two categories and the applicability of the fairness doctrine with respect thereto. One of our major difficulties with the FTC's categories is that they seem to include virtually all existing advertising. As one commentator has stated, "it is hard to imagine a product commercial so pure that it would not be viewed as implicitly raising some controversial issue or resting upon some disputed scientific premise or remaining silent about negative aspects of the product." Putz, "Fairness and Commercial Advertising: A Review and a Proposal," 6 U.S.F.L. Rev. 215, 246 (1972). We believe that the adoption of the FTC proposal—wholly apart from a predictable adverse economic effect on broadcasting—might seriously divert the attention and resources of broadcasters from the traditional purposes of the fairness doctrine. We are therefore not persuaded that the adoption of these proposals would further "the larger and more effective use of radio in the public interest * * *" 47 U.S.C. Section 303(g), or contribute in any way to the promotion of genuine debate on public issues.

73. We do not believe that our policy will leave the public uninformed on important matters of interest to consumers. Certainly, we expect that consumer issues will rank high on the agenda of many, if not most, broadcasters since their importance to the public is self-evident. But our point is that the decision to cover these and other matters of similar public concern appropriately lies with individual licensees in the fulfillment of their public trustee responsibilities, and should not grow out of a tortured or distorted application of fairness doctrine principles to announcements in which public issues are not discussed.

74. A matter which relates directly to the FTC proposal was considered in the so-called "Chevron" case. Alan F. Neckritz, 29 FCC 2d 807 (1971), reconsideration denied 37 FCC 2d 528 (1972). This case involved a claim made by Chevron that its F-310 additive would reduce exhaust emissions and contribute to cleaner air. Chevron did not claim that its product would solve the air pollution problem caused by automobiles, but did extol the product's virtues in reducing pollution. Complainants argued that the claim was controversial within the meaning of the fairness doctrine. They supported this argument by pointing to a pending FTC complaint which alleged that the claims made on behalf of F-310 were false and misleading. 29 FCC 2d at 816. While the F-310 claim obviously did relate to a matter of public concern, we do not believe that the ads engaged in an obvious and meaningful discussion of a controversial issue of public importance. As we stated in "Chevron,"

> making a claim for a product is not the same thing as arguing a position on a controversial issue of public importance. That the claim is alleged to be untrue or partially deceptive does not change its nature * * *. It would ill suit the purposes of the fairness doctrine, designed to illumine significant controversial issues, to apply it to claims of a product's efficacy or social utility. The merits of any one gasoline, weight reducer, breakfast cereal or headache remedy—to name but a few examples that come readily to mind—do not rise to the level of a significant public issue * * *. We think this conclusion is required not only as a matter of reason, but also of practical necessity if fairness is to work for the public and not to its detriment. Alan F. Neckritz, 29 FCC 2d at 812.

75. We do not believe that the fairness doctrine provides an appropriate vehicle for the correction of false and misleading advertising. The fairness doctrine is only one aspect of the public interest. A Congressionally-mandated remedy for deceptive advertising already exists in the form of various FTC sanctions.[26] If an advertisement is found to be false or misleading, we believe that the proper course is to ban it altogether rather than to make its claims a subject of broadcast debate. We believe that the approach to advertising outlined here will do much to reduce the confusion which has existed in this area. Under the general fairness doctrine, broadcasters—as trustees for their communities—are required to make a positive effort to implement a meaningful discussion of major public issues and in practical effect consumer issues will receive a significant amount of coverage. But at the same time, we do not believe that it is in the public interest to stretch the fairness doctrine in an artificial way by applying it to commercials which play no meaningful or significant role in the debate of controversial issues.

76. In the separate but related area of deceptive advertising, we believe that the public interest can be best served through the existing, Congressionally-mandated scheme of regulation, and by a conscientious effort on the part of broadcasters to meet their obligations in this area.[27]

IV. *Access generally to the broadcast media for the discussion of public issues.* 77. Various parties to this proceeding have argued that, quite aside from the traditional fairness doctrine, there should be a system of mandated access, either free or paid, for persons or groups wishing to express a viewpoint on a controversial public issue. In the "BEM"

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[24] The case also considered a comparison of high-test and "regular" gasoline.

[25] The Court has further suggested that the cigarette precedent might logically have to be extended out of the health area entirely to cover some labor-management disputes. Retail Store Employees Union v. FCC, 436 F. 2d 248 (D.C. Cir. 1970). The Court, however, questioned whether such an application would truly serve the underlying purposes of the fairness doctrine:

> "Stripped to its essentials, this dispute is one facet of the economic warfare that is a recognized part of labor management relations * * *. Part of the Union's campaign was publicity for its boycott; part of management's arsenal was advertising to persuade the public to patronize its stores. If viewed in this light, it could well be argued that the traditional purposes of the fairness doctrine are not substantially served by presentation of advertisements intended to less inform than serve merely as a weapon in a labor-management dispute." Id. at 259.

[26] The problem may be further alleviated by the FTC's newly developed ad substantiation program. See 36 FR 12058 (1971); and generally, Note, The FTC Ad Substantiation Program, 61 Geo. L.J. 1427 (1973).

[27] See Licensee Responsibility with Respect to the Broadcast of False, Misleading or Deceptive Advertising, 32 FCC 2d 396 (1971); Consumer Association of District of Columbia, 32 FCC 2d 400 (1971).

case,[28] the Supreme Court made it clear that such access is not a matter of either constitutional or statutory right. The Court noted, however, that Congress has left the Commission with "the flexibility to experiment with new ideas as changing conditions require." Id. at 122. It was further stated that "at some future date Congress or the Commission—or the broadcasters—may devise some kind of limited right of access that is both practicable and desirable." Id. at 131.

78. Our studies during the course of this inquiry have not disclosed any scheme of government-dictated access which we consider "both practicable and desirable." We believe, to the contrary, that the public's interest in free expression through broadcasting will best be served and promoted through continued reliance on the fairness doctrine which leaves questions of access and the specific handling of public issues to the licensee's journalistic discretion. This system is far from perfect. However, in our judgment, it does represent the most appropriate accommodation of the various First Amendment interests involved, and provides for maximum public enlightenment on issues of significance with a minimum of governmental intrusion into the journalistic process.

79. In our opinion, this Commission would not be justified in dictating the establishment of a system of access to particular spokesmen on either a free or paid basis. If the access were free, the government would inevitably be drawn into the role of deciding who should be allowed on the air and when.[29] This governmental involvement in the day-to-day processes of broadcast journalism would, we believe, be antithetical to this country's tradition of uninhibited dissemination of ideas. With regard to the suggestion that we establish a system of paid access, we believe that "the public interest in providing access to the marketplace of 'ideas and experiences' would scarcely be served by a system so heavily weighted in favor of the financially affluent, or those with access to wealth," BEM, 412 U.S. at 123, or wherein "money alone determines what issues are to be aired, and in what format," "Business 'Executives' Move for Vietnam Peace v. FCC," 450 F. 2d 642, 666 (D.C. Cir. 1971) (McGowan, J., dissenting). This problem would in no way be alleviated by the application of the fairness doctrine, including the Cullman corollary, to editorial advertising, since the agenda for public debate would be set solely by those financially able to take advantage of the right to purchase time in the first instance. Furthermore, there would be elements of unfairness in applying the Cullman principle in this situation, for it would require the licensee to correct an imbalance—at its own expense—which it had not created. On the other hand, if Cullman were suspended in the case of editorial advertisements, the public would be left in many if not most instances with one-sided presentations of those issues which the financially able chose to discuss.

80. We have given serious thought to the suggestion that broadcasters be required to maintain a policy of examining and considering—but not necessarily accepting—editorial advertisements tendered for broadcast. While this suggestion has some surface appeal, we believe that such a requirement would, in our judgment, inevitably draw this Commission into deciding a broadcaster's good faith in accepting or rejecting proffered material and into adjudicating competing claims to buy limited time on the basis of criteria that would necessarily favor one person's speech over another's. This is precisely the sort of governmental intrusion which we have sought to avoid in developing and administering the fairness doctrine, and why we believe that our present policy of leaving such decisions initially to the editorial discretion of the licensee, though imperfect, must be maintained. As Chief Justice Burger stated for the Court in BEM:

> For better or worse, editing is what editors are for; and editing is selection and choice of material. That editors—newspaper or broadcast—can and do abuse this power is beyond doubt, but that is no reason to deny the discretion Congress provided. Calculated risks of abuse are taken in order to preserve higher values. 412 U.S. at 124–125.

81. While we have rejected the suggestion that the Commission should establish a system of mandated access (either free or paid), we certainly do not mean to suggest any disapproval of efforts by broadcasters to provide for access to their stations. Indeed, the fairness doctrine itself insures that many citizens will be afforded a type of access, for the licensee

> is required to "present representative community views and voices on controversial issues which are of importance to [its] listeners," and it is prohibited from "excluding partisan voices and always itself presenting views in a bland, inoffensive manner." 25 FCC 2d at 222. A broadcaster neglects that obligation only at the risk of losing his license. BEM, supra at 131.

Under this system, many representative community spokesmen do express their views in newscasts, interviews, call-in programs, editorial replies, and through various other formats. Thus, while no particular individual has a guaranteed right of access to the broadcast microphone for his own self-expression, the public as a whole does retain its "paramount" right "to receive suitable access to social, political, esthetic, moral, and other ideas and experiences * * *." "Red Lion Broadcasting Co. v. FCC," 395 U.S. at 390 (emphasis supplied). In a real sense, therefore, there is a "right of access" in broadcasting, that right being guaranteed the listening and viewing public. However, in order to secure this right to the people, and to avoid unwarranted governmental supervision, Congress has delegated the primary responsibility for the selection of particular spokesmen and specific program material to private licensees who are required to serve as trustees for the public. As the Supreme Court stated in its BEM decision:

> This policy (of concentrating the allocation of journalistic priorities in the licensee) gives the public some assurance that the broadcaster will be answerable if he fails to meet its legitimate needs. No such accountability attaches to the private individual, whose only qualifications for using the broadcast facility may be abundant funds and a point of view. To agree that debate on public issues should be "robust and wide-open" does not mean that we should exchange "public trustee" broadcasting, with all its limitations, for a system of self-appointed editorial commentators. 412 U.S. at 125.

82. We do not mean to suggest that broadcasters are in any way required to maintain "tight editorial control" over the spokesmen who appear on their stations. Much to the contrary, we wish to give every encouragement to broadcasters to experiment with new ways of providing for wide-open debate of public issues. Our point here is that while genuine partisan debate should be encouraged, we cannot, at this time, justify or support its particularized imposition by Commission fiat.

83. Although we have here reaffirmed the present system of licensee responsibility and discretion and rejected requests for the creation of a direct "right" of access, we wish to emphasize that this system is predicated entirely upon the assumption that licensees will in fact make a reasonable, good faith effort to meet their public obligations. Licensee discretion is but a means to a greater end, and not an end in and of itself, and only insofar as it is exercised in genuine conformity with the paramount right of the listening and viewing public to be informed of the competing viewpoints on public issues can such discretion be considered an adequate means of maintaining and enhancing First Amendment interests in the broadcast medium. For the present, we remain convinced that the general rubric of the fairness doctrine, with its emphasis on licensee responsibility and discretion, provides the most desirable and practical means to that end. However, should future experience indicate that the doctrine is inadequate, either in its expectations or in its results, the Commission will have the opportunity—and the responsibility—for such further reassessment and action as would be mandated by the public interest and the First Amendment.

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[28] Columbia Broadcasting System, Inc. v. Democratic National Committee, 412 U.S. 94 (1973).

[29] The only alternative to governmental involvement of this type would appear to be access on a first-come-first-served basis (or by lot or drawing). This system would, however, give no assurance that the most important issues would be discussed on a timely basis. Moreover, as the Supreme Court observed in BEM, "[t]he public interest would no longer be 'paramount' but rather subordinate to private whim especially since * * * a broadcaster would be largely precluded from rejecting editorial advertisements that dealt with matters trivial or insignificant or already fairly covered by the broadcaster." 412 U.S. at 124.

V. *Application of the fairness doctrine to political broadcasts—ballot propositions.* 84. The First Report on Part V. of the Fairness Doctrine Inquiry, 36 FCC 2d 40 (1972), dealt almost exclusively with appearances by the President and other public officials and with questions of the application of the Zapple doctrine[20] to such appearances. However, Part V of our Notice of Inquiry phrased the Zapple question in broader terms:

> We request comment on such relevant questions as the following: whether the quasi-equal opportunities approach should be restricted, expanded, or left alone, with a specific description of the feasibility and effect of any proposed revision on the underlying policies of the statute (see section 315 (a)). 30 FCC 2d 26, 34 (1971).

We now address ourselves specifically to application of the fairness doctrine to ballot propositions such as referenda, initiative or recall propositions, bond proposals and constitutional amendments.

85. Some comments filed in this inquiry have urged that Zapple rather than the Cullman doctrine be applied to ballot propositions on the ground that such situations are analogous to those covered by the "equal opportunities" requirement of Section 315 and the "political supporters" policy in Zapple. One party has suggested that not only should Cullman apply but that when one side buys spots, the licensee should be required to present opposing announcements in the same format (i.e., spots), and also to afford proponents of all sides opportunity for extended discussion of the issues. In this regard, the Commission also has received informal complaints that application of the Cullman doctrine to ballot propositions is unfair on the ground that it enables proponents of one side to spend their money on newspaper, billboard and direct mail advertising—where there is no Cullman requirement—and then to rely on Cullman to obtain free broadcast exposure of their views because the other side has spent its money in that medium.

86. After considering all comments, we find no substantial reason to alter our previous application of the fairness doctrine to ballot propositions. The Zapple doctrine, which some urge that we apply to this area, was adopted solely because it was analogous to the situation for which Congress itself had provided for "equal opportunities." As we explained in our First Report, Zapple was simply a common-sense application of the statutory scheme relating to appearances by political candidates, and we made clear the fact that we did not intend to extend its application further. While ballot propositions are similar to political candidacies in the sense that both are subject to popular vote, they are more closely analogous to ordinary public issues such as a bill pending in Congress or a state legislature. We are unable to perceive why such issues should be treated differently merely because they are subject to popular vote. In a case involving political candidacies, the natural opposing spokesmen are readily identifiable (i.e., the candidates themselves or their chosen representatives). In the case of a ballot proposition, however, there is generally no specific individual or group which is entitled to equal or comparable time. Furthermore, Congress has shown no intent to alter the Commission's traditional application of the fairness doctrine, including the Cullman corollary, to ballot propositions.

87. It has been argued that in the closing days of an election campaign, licensees may be overwhelmed by orders for large quantities of spot announcements favoring or opposing a proposition, and could be hard put to comply with the requirements of the fairness doctrine if only one side buys time. No licensee, however, is required to sell all the time that an advocate of a proposition (or even a legally qualified candidate) may wish to buy.[21] Indeed, some licensees in the past have discovered to their dismay that an employee has sold an inordinate amount of time in the closing days of campaign to one candidate—only to be confronted by a demand from the opposing candidate to buy an equal amount. It is the responsibility of the licensee in such situations to look ahead and commit himself to no more time for Candidate A than he is prepared to sell to Candidate B. Similarly, no licensee is required by statute or Commission rule or policy to yield his facilities to one side of a ballot proposition for a so-called "blitz." His clear obligation in fairness situations is, again, to plan his programming in advance so that he is prepared to afford reasonable opportunity for presentation of contrasting views on the issue, whether or not presented in paid time.[22]

88. Finally, it is argued that some ballot issue advocates take advantage of the Cullman principle by spending their available money on non-broadcast media, then waiting for the other side to buy time on the air, and finally demanding that their own views on the proposition be given free broadcast exposure, thus obtaining a broadcast "subsidy" for their views. To the extent that this could occur, the same criticism can be voiced against any application of Cullman. We believe, however, it is more important in a democracy that the public have an opportunity to receive contrasting views on controversial issues of public importance—that "robust, wide-open debate" take place—than that the Cullman principle be abandoned because of the possible practices of a few parties. Moreover, the fairness doctrine does not require equality of exposure of contrasting views, and those who rely solely on Cullman have no assurance of obtaining equality by such means.

89. Thus, we shall continue to deal with ballot proposition issues as we do with other controversial public issues. As in all fairness doctrine matters, the licensee is required to use his own discretion regarding issues to be presented, the amount of time to be devoted to each, parties to present contrasting views, and the formats to be employed. Upon receipt of a complaint, we shall as in the past review the licensee's actions only for reasonableness and good faith.

VI. *Conclusion.* 90. It is hoped that this inquiry and report will provide a needed restatement and clarification of the essential principles and policies of the fairness doctrine—both in terms of its theoretical foundations and its practical application. While we have here reaffirmed the basic validity and soundness of these principles and policies in ensuring that the medium of broadcasting will continue to function consistently with the ends and purposes of the First Amendment and the public interest, the Commission fully recognizes that their specific application in particular cases can involve questions determinations of considerable complexity and difficulty. For this reason, the administration of the doctrine must proceed, within the framework of general policies set forth herein, on a case-by-case basis according to the particular facts and circumstances presented. We do wish to emphasize that in the final analysis, the fairness doctrine can fulfill its purpose and function only

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[20] See Nicholas Zapple, 23 FCC 2d 707 (1970).

[21] However, stations are required to either give or sell reasonable amounts of time to candidates for federal elective office. 47 U.S.C. section 312(a)(7); See also Use of Broadcast and Cablecast Facilities by Candidates for Public Office, 34 FCC 2d 510 (1972). While we do not dictate how much time should be devoted to the various issues being debated in a community, ballot propositions and other election matters will frequently receive considerable coverage on the basis of their importance to the community. In this regard, we recognize that

> "The existence of an issue on which the community is asked to vote must be presumed to be a controversial issue of public importance, absent unusual circumstances * * * It is precisely within the context of an election that the fairness doctrine can be best utilized to inform the public of the existence of and basis for contrasting viewpoints on an issue about which there must be a public resolution through the election process." King Broadcasting Co., 23 FCC 2d 41, 43 (1970) (staff ruling).

[22] In our public notice of March 16, 1972, 34 FCC 2d 510, setting forth our interpretation of the Federal Election Campaign Act of 1971, we stated that Congress, in amending section 312(a) of the Communication Act to require licensees to allow reasonable access to or to permit purchase of reasonable amounts of time by candidates for federal elective office, "clearly did not intend, to take the extreme case, that during the closing days of a campaign, stations should be required to accommodate requests for political time to the exclusion of all or most other types of programming or advertising. Important as an informed electorate is in our society, there are other elements in the public interest standard, and the public is entitled to other kinds of programming than political. It was not intended that all or most time be preempted for political broadcasts * * *." (Question and Answer 3, section VIII). The same principle would, of course, apply to ballot propositions.

to the extent that all the parties involved—the broadcasters, the Commission, and individual members of the public—participate with a sense of reasonableness and good faith.

91. Accordingly, the proceedings in Docket 19260 are terminated.

Adopted: June 27, 1974.

Released: July 12, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[33]

[SEAL] VINCENT J. MULLINS, *Secretary.*

APPENDIX A

[Docket No. 19260; FCC 72–534; 79505]

FIRST REPORT REGARDING HANDLING OF POLITICAL BROADCAST

In the matter of the handling of public issues under the Fairness Doctrine and the Public Interest Standards of the Communications Act.

I. *Introduction.* 1. The first report deals with Part V of our Notice—the fairness doctrine as it relates to political broadcasts. We would ordinarily consider this aspect in the context of the revisions made in the general fairness area, including possible public interest decisions as to access. However, we are operating under time constraints here that we must take into account—namely, the appropriateness of disposing of this aspect well before the commencement of the general election period. See DNC v. FCC, ____ U.S. App. D.C. ____, ____ FCC 2d ____, Case No. 71–1738 (D.C. Cir. Feb. 22, 1972), (slip op. at 7). We therefore have expedited our consideration of this aspect and, if necessary, will re-examine this report in light of our later decisions in Parts II–IV.

2. While this was the last topic in this inquiry, it is not, of course, the one of least importance. Promotion of robust, wide-open debate in this field vitally serves the public interest.

II. *Background.* 3. In applying the fairness doctrine the Commission has traditionally required licensees to afford reasonable opportunity for the presentation of contrasting views following the presentation of one side of a controversial issue of public importance. The licensee has been given wide discretion in selecting the appropriate spokesman, format and time for the presentation of the opposing views on controversial issues, with two significant exceptions. Under § 315 of the Communications Act of 1934, as amended, licensees are required to afford equal time to legally qualified candidates; and under the Commission's political editorializing rules (§§ 73.123(c), 73.300(c), 73.598(c), 73.679(c)) the licensee must afford a reasonable opportunity for a candidate or his spokesman to respond when the licensee has opposed him or supported his opponent in an editorial.

4. Under the ruling in "Letter to Mr. Nicholas Zapple," 23 F.C.C. 2d 707(1970) the Commission further limited the licensee's discretion. The Commission held in "Zapple" that when a licensee sells time to supporters or spokesmen of a candidate during an election campaign who urge the candidate's election, discuss the campaign issues, or criticize an opponent, then the licensee must afford comparable time to the spokesmen for an opponent.[1] Known as the quasi-equal opportunities or political party corollary to the fairness doctrine, the "Zapple" doctrine is based on the equal opportunity requirement of section 315 of the Communications Act; accordingly, free time need not be afforded to respond to a paid program.

5. Since some controversy has been generated as to the applicability or wisdom of this doctrine, the Commission asked for public comment on the following questions in its Notice of Public Inquiry in Docket No. 19260 (hereinafter, Fairness Inquiry).

"Should the quasi-equal opportunities approach be restricted or expanded and what is the feasibility and effect of any proposed revision on the underlying policies of the statute (see section 315(a))?

"Should the Commission adopt a position that Zapple applies only to political campaigns and not to other times?

"Should Zapple be disassociated from the fairness doctrine and incorporated into Section 315?

"Should Zapple be limited by applying a 7-day deadline for requesting "quasi-equal opportunities"?

"Should Zapple continue to apply only to major parties (see Letter to Lawrence M. C. Smith, 25 R.R. 291 (1963)), or should it be extended to all parties or to some mathematically-defined category of "parties with substantial public support" (e.g., percentage of popular vote)? How should it apply to "new" parties?

"Should Zapple be extended to include spokesmen for ballot issues such as bond issues; amendments of state constitutions, etc.?"

6. One additional suggestion has been that the Zapple doctrine should be extended to include broadcast appearances of the President of the United States so that an automatic right to respond in comparable time, format, etc., would accrue to appropriate spokesman following a Presidential appearance. In "Complaint of Committee for the Fair Broadcasting of Controversial Issues," 25 F.C.C. 2d 283, 294–298 (1970), the Commission declined to extend the "Zapple" quasi-equal opportunities concept generally to Presidential appearances, although it said that the fairness doctrine was applicable to Presidential appearances when dealing with controversial issues of public importance. Upon re-examination in "Republican National Committee," 25 F.C.C. 2d 739, 744 (1970), the Commission again explained that Presidential broadcasts made in a non-election period do not come within the "Zapple" corollary but are included under the general fairness doctrine to the extent that controversial issues of importance are discussed. The question was raised once again and ruled on by the Commission in "Democratic National Committee," 31 F.C.C. 2d 708 (1971), aff'd "Democratic National Committee v. F.C.C.," —— U.S. App. D.C. ——, F. 2d ——, Case No. 71–1738 (D.C. Cir. Feb. 22, 1972). However, we solicited the comments of the public on the questions raised in these cases in this inquiry.

III. *Summary of comments.* 7. Extensive comments and reply comments addressing these questions were received in response to the Fairness Inquiry from fourteen parties. In addition, the Commission conducted panel discussions and heard oral argument for a full week in March 1972, during which these issues were exhaustively discussed. (A list of all participants is included in Appendix A below.) A variety of ideas, proposals, and criticisms were presented, a brief summary of which follows.

8. Storer Broadcasting Company observes that since the fairness doctrine, unlike Section 315, gives no particular person a right to reply to previously broadcast material, the extension of the fairness doctrine to a quasi-equal opportunities doctrine in Zapple is a contradiction of the fairness doctrine. As presently constituted, Zapple and its progeny provide insufficient direction to licensees as to when comparable responses to noncampaign appearances of public officials are required, as to which party spokesman is entitled to reply when different factions within a party wish to respond, and as to the rights of minority parties to comparable time. Storer recommends, therefore, that Zapple should be codified in Commission rules or be incorporated into section 315 to remove it from the ambit of the fairness doctrine. Storer further suggests that the Commission adopt a political broadcast primer to specify licensee obligations and responsibilities in this area.

9. The National Association of Broadcasters (NAB), General Electric Broadcasting Co., American Broadcasting Co. (ABC), National Broadcasting Co. (NBC), the Evening News Association, Lee Enterprises, Inc., Time Life Broadcasting, Inc. and others support the principles of the Zapple doctrine so long as the Cullman[2] doctrine continues to be inapplicable, and licensees are not required to subsidize the campaigns of opposing candidates by affording free response time. Zapple is seen by those filing joint comments with the Evening News Association as an appropriate means to fulfill the purposes of section 315, ensuring the equality of treatment of political candidates by broadcast licensees. Consequently, they would impose obligations progress in which the broadcaster has afforded time and relinquished content control to a spokesman for a candidate to support that candidate or to oppose rival candidates.

10. The NAB, ABC, NBC, and G.E. Broadcasting Co. argue that the Zapple doctrine should also apply to "political" broadcasts where a campaign issue (bond proposal, constitutional amendment, etc.) that is supported or opposed by a political spokesman has been placed on the ballot. It is argued that this situation is analogous to both section 315 and Zapple, and, as is the case with the political spokesman doctrine, Cullman should not apply. NBC emphasizes that the quasi-equal opportunity approach of Zapple or its extension to ballot issues should apply only to paid presentations in campaign

[33] Commissioner Hooks concurring in part and dissenting in part and issuing a separate statement. Commissioner Quello concurring and issuing a separate statement. Statements of Commissioners Hooks and Quello filed as part of the original document.

[1] In Re Complaint of Committee for the Fair Broadcasting of Controversial Issues, 25 F.C.C. 2d 283 (1970), affirmed on reconsideration sub nom. Republican National Committee, 25 F.C.C. 2d 739 (1970), the Commission extended the "Zapple" ruling to a non-campaign period proffer of time to a political party chairman where the licensee did not specify the issue or issues to be discussed. This ruling was reversed in Columbia Broadcasting Co. v. F.C.C., 454 F. 2d 1018, (D.C. Cir. 1971).

[2] Cullman Broadcasting Co. Inc., 40 F.C.C. 576, 577 (1963) held that "* * * where the licensee has chosen to broadcast a sponsored program which for the first time presents one side of a controversial issue, has not presented (or does not plan to present) contrasting viewpoints in other programming, and has been unable to obtain paid sponsorship for the appropriate presentation of the opposing viewpoint or viewpoints, he cannot reject a presentation otherwise suitable to the licensee—and thus leave the public uninformed—on the ground that he cannot obtain paid sponsorship for that presentation."

periods, since the equal opportunities approach involving free time inhibits the presentation of political programming and interferes with a licensee's editorial judgment.

11. Two commentators, Democratic National Committee (DNC) and American Civil Liberties Union (ACLU) suggest that the Commission extend the fairness doctrine or adopt a specific rule that would require licensees to broadcast the opposing views of appropriate spokesmen following an appearance of a public official. It is claimed that there is an overriding national concern in informing the public on both sides of issues dealt with by public officials, and accordingly, that licensee discretion in presenting opposing views and selecting appropriate spokesman should be more limited than at present.

12. DNC specifically urges the adoption of a rule that: (1) Would establish a presumption that a Presidential broadcast appearance involves a controversial issue of public importance; (2) would require licensees to seek out appropriate spokesmen to present an opposing view and to afford them equal opportunities; and (3) would require licensees or networks to keep publicly available for three years a tape or transcript of every Presidential appearance. DNC asserts that such a rule is necessitated by the public interest standard of the Communications Act and by the First Amendment, in view of the public's need to be fully informed on important public issues discussed by the President. The public is not presently receiving balanced information on such issues, DNC believes, because the President's control of the time, format, and content of his appearances maximizes their impact and effectiveness while, on the other hand, the difficulties encountered by DNC in buying time to discuss public issues or in securing free time to respond to Presidential appearances limits the effectiveness of the presentation of their viewpoint. DNC's views are currently presented, it maintains, through news and panel show presentations in which DNC representatives are merely responding to questions and have no opportunity, comparable to the President's, to develop a reasoned and uninterrupted presentation of the issues. DNC thus argues that the First Amendment goal of promoting robust, wide-open debate is being thwarted by its rejection as an entity responsible for defining options for the American people on major public issues and by denying it access, comparable to the President's, to respond to his appearances.

13. ACLU maintains that the responsibility of the licensee under the fairness doctrine should extend to making available comparable opportunities for opposing spokesman to comment on the issues raised in the broadcast appearance of any public official, including the President. Because of the President's unquestioned power to command broadcasting time and to attract an audience, ACLU feels that comparable time can be afforded only if the contrasting viewpoint is presented immediately after each Presidential appearance. The President and other public officials should furnish copies of their statements sufficiently in advance of their broadcast to permit station licensees to fulfill these fairness obligations.

14. The proposals of DNC and ACLU were opposed by a number of parties. ABC and G.E. Broadcasting Co. argue that no justification for the proposed rule can be found in section 315 of the Act, since under that Section, the recipient of an equal time opportunity to respond to a candidate's appearance must himself be a legally qualified opposing candidate and not just a representative of a political party or some other appropriate group. To extend a quasi-equal opportunities doctrine to non-election period Presidential appearances would require Congressional amendment of section 315 because such extension would violate the intent of section 315, and specifically, would negate the newscast, news documentary, and news interview exemptions to the equal time provisions contained in section 315(a). Implementation of these proposals would also be a distortion of the fairness doctrine, it is argued, since the fairness doctrine focuses on issues, not individuals or candidates.

15. Those parties filing with the Evening News Association argue that the broadcast appearance of a public office holder should be treated as the appearance of a public official fulfilling the duties of his office, not as the appearance of a partisan spokesman presenting one side of a controversial issue absent some extrinsic evidence to the contrary. Otherwise, the public's right to be informed on important matters by its elected officials would be subordinated to the rights of a particular class (poiltical candidates) to broadcast.

16. NBC believes that both DNC and ACLU have failed to show the necessity of their proposed policies or the present inadequacy of the fairness doctrine as a tool for informing the public on important public issues. Creation of an equal or quasi-equal time right to reply to all public official addresses would, as a practical matter, inhibit the appearance of public officials, NBC maintains. It would also ignore the difference in media use by different officials, as well as the fact that it is possible to distinguish the leadership appearances of an official from his political opinions. NBC also has argued that under present rules Presidential appearances during a campaign for his re-election are subject to the Section 315 equal time requirements, that Presidential appearances in a non-election period are subject to the fairness doctrine and the political party corollary, and that these doctrines are adequate to ensure that the electorate is informed.

17. WGN Broadcasting Co. (WGN) is also opposed to the DNC/ACLU proposals on the grounds that the standard proposed by DNC, that Presidential broadcasts that enhanced the political or personal image of the President would be subject to the rule and require the presentation of opposition programming, is too vague to be realistically applied by licensees; and that the FCC would be inexorably involved in politically sensitive adjudications which should be avoided.

18. Three parties argue that the Zapple doctrine should be repealed altogether. WGN maintains that Zapple exceeds the intent of section 315, which grants equal opportunities only to opposing candidates and not to their supporters. That question, WGN maintains, was settled in Felix v. Westinghouse, 186 F. 2d 1 (3d Cir. 1950), where it was held that the supporters of a candidate were specifically excluded from section 315.

19. The law firm of Haley Bader & Potts argues that the Zapple doctrine overlooks the fact that the informational needs of the public are of primary importance, and mistakenly confers rights on individual parties. The standards in Zapple are too vague for day-to-day application by the licensee, it maintains, and the resultant confusion will tend to inhibit licensee coverage of political matters. Moreover, it argues that Zapple unduly restricts licensee discretion in selecting spokesmen and regulating content.

20. The holding of Zapple would be acceptable to Public Broadcasting Service (PBS) as a fairness question if the Commission had limited itself to a discussion of the reasonableness of the balance of opposing views afforded by the licensee. PBS is opposed, however, to the extension of traditional fairness concepts of "reasonable balance" to a "comparable time" or "quasi-equal opportunity" doctrine because this restricts licensee discretion and creates artificial barriers to the discussion of controversial issues of public importance. Furthermore, PBS argues that Zapple cannot be limited to the two major parties nor to campaign periods only, but instead will engender a spiraling round robin of partisan responses. Several other parties also voiced this particular fear.

21. At the fairness panels, counsel for PBS further developed the foregoing argument by stating that the pricing mechanism and the economic realities of buying time on the commercial networks tend to discourage the broadcast appearances of minority candidates, but that no such economic barrier to access by minority parties exists in the Public Broadcasting Service. Counsel for PBS also argued that in extending quasi-equal opportunities to supporters of a candidate in Zapple, the Commission was doing what the Congress had decided not to do when it adopted section 315 of the Communications Act.

22. Several parties submitted comments on the procedural methods or standards by which the Commission should enforce fairness concepts in the political broadcast area. As previously mentioned, Storer Broadcasting Co. urges the Commission to adopt political broadcasting rules or to develop a political broadcasting primer that would specifically define those situations in which licensees would be required to afford comparable time and which would specify guidelines for the selection of the appropriate opposing spokesmen in order to minimize the confusion that has resulted from the recent series of ad hoc adjudications (Zapple, RNC, etc.) modifying the traditional fairness doctrine.

23. Those filing with the Evening News Association argue that the FCC frequently oversteps its authority in judging the "reasonableness" of licensee action in the political broadcasting area. The Commission should therefore adopt a "grossly unreasonable" test of licensee conduct, and impose penalties only when licensee conduct meets an "actual malice" test.

24. Two other general points raised by commentators were as follows:

A. The G.E. Broadcasting Company believes that the Commission's recent ruling in In re Rosenbush Advertising Agency, 31 F.C.C. 2d 782 (1971)[3] should be upheld since it affords discretion in making determination as to how a given licensee's facilities should be made effectively available to candidates or supporters of candidates. Section 315 itself permits a licensee to have discretion in scheduling and the Commission, it is contended, should not restrict this discretion any further in "quasi-315" situations.

B. During the panel discussions, former FCC Chairman Newton Minow discussed the recent study and recommendations of the bipartisan Twentieth Century Fund[4] on this

[3] The Commission held in Rosenbush that a licensee's policy of accepting only paid political advertising of five minutes or longer during a primary campaign was consistent with Commission precedent where the licensee recognized its public interest obligation to make its facilities effectively available to candidates. The licensee had stated its intention to make free time available to candidates for major offices in the primary; planned a one-hour special program presenting the candidates for mayor; and had announced the candidacies for the top three city offices in its regular news programs.

[4] Twentieth Century Fund, Voters' Time (1969).

subject. He recommended that the Commission support legislation that would enable the major party candidates in a Presidential campaign to obtain six one-half hour periods called "Voters' Time" in prime time for the simultaneous broadcast on all TV and radio stations of political presentations. Use of this time would be entirely within the candidates' discretion, and, since the beneficiary of these programs would be the American public who would thus receive information pertinent to the election of the President, public funds should be used to buy the time.

IV. *Discussion*—A. *The fairness doctrine with respect to apperances of the President or other public officials.* 25. The Commission can appreciate why so much attention is focused on the question of the application of the fairness doctrine to Presidential appearances. As the Court noted in Democratic National Committee v. FCC, C.A.D.C., No. 71–1637, decided February 2, 1972, petition for writ of certiorari filed April 28, 1972, No. 71–1405, O.T. 1971, "* * * the President's status differs from that of other Americans and is of a superior nature," and calls for him to make use of broadcasting to report to the nation on important matters:

"While political scientists and historians may argue about the institution of the Presidency and the obligations and role of the nation's chief executive officer it is clear that in this day and age it is obligatory for the President to inform the public on his program and its progress from time to time. By the very nature of his position, the President is a focal point of national life. The people of this country look to him in his numerous roles for guidance, understanding, perspective and information. No matter who the man living at 1600 Pennsylvania Avenue is he will be subject to greater coverage in the press and on the media than any other person in the free world. The President is obliged to keep the American people informed and * * * this obligation exists for the good of the nation * * *." (Sl. Op. pp. 26–27)

Because of this use of broadcasting by the nation's most powerful and most important public office, the argument has been made by DNC and by ACLU that there must be special provision for a response by the opposition party—some specific corollary to the general fairness doctrine that ensures equal or comparable use of the broadcast media by an opposition party spokesman.

26. We make two preliminary observations. First, the issue is not whether the American people shall be reasonably informed concerning the contrasting viewpoints on controversial issues of public importance covered by Presidential reports. The fairness doctrine is in any event applicable to such reports—as indeed it is to a report by any public official that deals with a controversial issue of public importance. See section 315(a). Rather, the issue is whether something more—something akin to equal time—is to be required. The word "required" brings us to our second point. Because our goal is robust, wide-open debate, the Commission of course welcomes any and all programming efforts by licensees to present contrasting viewpoints on controversial issues covered by Presidential addresses. As we stated in our commendation of the CBS series, "The Loyal Opposition", Committee for the Fair Broadcasting of Controversial Issues, 25 FCC 2d 283, 300 (1970); Republican National Committee, 25 FCC 2d 739, 745–46 (1970, the more debate on such issues, the better informed the electorate. But the issue is not what programming judgment the licensee makes in this area but, rather, whether there should be an FCC requirement. With this as background, we turn to the proposal that equal time be afforded to an opposition spokesman to respond to a Presidential report.[5]

27. First, there is a substantial issue whether any such Commission prescription might not run counter to the Congressional scheme. In section 315(a), Congress has specified that equal opportunities shall be applicable to appearances of legally qualified candidates and that in other instances "fairness" be applicable—that is, that there be afforded "* * * reasonable opportunity for the discussion of conflicting viewpoints on issues of public importance." While fairness may entail different things in particular circumstances (see par. 30, *infra*), there is a substantial question whether it is not a matter for Congress to take the discussion of public issues by the President out of the fairness area and place it within the equal opportunities requirement—just as, for example, it was up to Congress in 1960 to take appearances by candidates for President out of equal opportunities and place them under fairness. There is a further troublesome issue here—whether we could create a special fairness rule for Presidential reports but then hold that a report by Governor Reagan in California or Mayor Lindsay in New York, for example, would come only under the "reasonable opportunities" standard of section 315(a), in the face of arguments that such reports dealt with State or local issues of the greatest importance. Again we do not say that distinctions cannot be made here (compare section 103(a)(2)(A) of the Federal Election Campaign Act of 1971, 86 Stat. 3 applicable only to Federal offices) but rather raise the issue whether such distinctions are not more appropriately the province of the Congress.

28. But in any event, it would not be sound policy to adopt the DNC or ACLU proposals. From the time of the Editorializing Report, 13 FCC 1246 (1949), to the present, we have been urged to adopt ever more precise rules—always in the cause of insuring robust debate (e.g., the argument, advanced in 1949 and now repeated by the ACLU, that fairness requires the contrasting viewpoint to follow immediately the presentation of the first viewpoint—see par. 8, Report on Editorializing by Broadcast Licensees, supra, at pp. 1250–51.). However well intentioned these arguments are, we believe that increasingly detailed Commission regulation militates against robust, wide-open debate. The genius of the fairness doctrine has been precisely the leeway and discretion it affords the licensee to discharge his obligation to contribute to an informed electorate. Editorializing Report, par. 10, supra, at pp. 1251–52. Thus, the arguments for flexibility, rather than rigid mechanical rules, discussed in Committee for Fair Broadcasting of Controversial Issues, 25 FCC 2d 283, 292, (1970), remain persuasive. Applying those principles, we do not believe it appropriate to adopt equal time policies that might well inhibit reports to the electorate by elected officials. Rather, the general fairness approach of facilitating such reports and at the same time insuring that the public is reasonably informed concerning the contrasting viewpoints best serves the public interest.[6] See DNC v. FCC, supra, Sl. Op. p. 27 ("* * * The President is obliged to keep the American people informed and as this obligation exists for the good of the nation, this court can find no reason to abridge the right of the public to be informed by creating an automatic right to respond reposed in the opposition party * * *"); Committee for Fair Broadcasting, supra, at pp. 296–98. The latter case demonstrates that fairness can and does operate to protect the public interest in this important area.

29. In this connection, we note that the Commission believes that the public interest would be served by revision of the equal opportunities requirement so as to make it applicable only to major party candidates, with such candidates liberally defined to include any candidate with significant public support (see infra, par. 35); it has also supported, as a less desirable alternative, suspension or repeal of that requirement as to the offices of President and Vice President.[7] It would surely be anomalous for us to seek relaxation of the equal opportunities requirement as to candidates for the office of President, and at the same time to apply a new policy akin to the equal opportunities to Presidential broadcasts not coming within the present statutory equal opportunities requirement. We decline to do so.

B. *The Zapple ruling.* 30. Our 1970 ruling, Letter to Nicholas Zapple, 23 FCC 2d 707 (1970), concerned campaign presentations that did not involve the appearance of the candidate. We pointed out that in some such presentations, the requirements of the fairness doctrine become in effect quasi-equal opportunities. There has been considerable comment on this ruling but in large part the interest in it may stem from a misunderstanding of the ruling (e.g., that the ruling extends quasi-equal opportunities to all candidates or parties, even of a fringe nature). We can appreciate how such a misunderstanding could arise. The terms we used, fairness and quasi-equal opportunities, are terms of art and have accumulated their own baggage. Thus, quasi-equal opportunities conjures up a notion of all parties—even those of a fringe nature—being treated equally. And fairness carries with it concepts such as Cullman (free time if the public has not been informed of the contrasting viewpoint). See, also, In re Complaint of George F. Cooley, 15 FCC 2d 828, 829 (1967). But, Zapple was neither traditional fairness nor traditional equal opportunities. It was a particularization of what the public interest calls for in certain political broadcast situations in light of the Congressional policies set forth in section 315(a).[8] With this as background, we turn to the ruling.

31. What we were stating in Zapple was simply a common sense application of the statutory scheme. If the candidate himself appears to some significant extent (cf. Gray Communications, Inc., 14 FCC 2d 766, 19 FCC 2d 532 (1968)), then the Congressional policy is clear: Equal opportunities, which means no applicability of Cullman but rather mathematical precision of opportunity. Suppose neither the picture or voice of the candidate is used—even briefly—but rather a political message devised by him and his supporters is broadcast.

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[5] We are not dealing here with Presidential appearances during election campaigns where equal opportunities or Zapple (see B, infra) would ordinarily be applicable.

[6] For obvious reasons already developed, we strongly decline to make evaluations whether a report by an official is "partisan" or "political" and thus requires rebuttal by a spokesman for the other party, or the contending faction, or whatever. This would drag us into a wholly inadministratable quagmire. See, e.g., In re Complaint of Democratic National Committee, 31 FCC 2d 708, 712–713 (1971).

[7] See Hearings Before the Senate Communications Subcommittee, 91st Cong., 1st Sess., on S. 2876, p. 50.

[8] Similarly, the personal attack and political editorializing rules are a particularization of what fairness requires in those situations. See, e.g., Report on Personal Attack and Political Editorializing rules, 32 FR 10303 (1967); Editorializing Report, supra, at p. 1252.

In those circumstances, a common sense view of the policy embodied in section 315 would still call for the inapplicability of Cullman [9] and for some measure of treatment that, while not mathematically rigid, at least took on the appearance of rough comparability. If the DNC were sold time for a number of spots, it is difficult to conceive on what basis the licensee could then refuse to sell comparable time to the RNC. Or, if during a campaign the latter were given a half-hour of free time to advance its cause, could a licensee fairly reject the subsequent request of the DNC that it be given a comparable opportunity? [10] Clearly, these examples deal with exaggerated, hypothetical situations that would never arise. No licensee would try to act in such an arbitrary fashion. Thus, the Zapple ruling simply reflects the common sense of what the public interest, taking into account underlying Congressional policies in the political broadcast area, requires in campaign situations such as the above (and in view of its nature, the application of Zapple, for all practical purposes, is confined to campaign periods). Significantly, because it does take into account the policies of section 315, the public interest here requires both more (comparable time) and less (no applicability of Cullman) than traditional fairness.[11]

Based on practical experience, we stress that in any event—taking into account the sum total of political broadcasts and news-type programs—the American people are reasonably informed on campaign issues, and thus that the basic public interest requirement is being met in this vital area. Green v. FCC, 447 F. 2d 323 (C.A.D.C.).

32. It follows that Zapple did not establish that in the political broadcast field there is now a quasi-equal opportunities approach applicable to all candidates and parties, including those of a fringe nature. This would clearly undermine any future suspension or repeal of the "equal opportunities" requirement, because it would mean that despite such suspension or repeal, the fairness doctrine would require that fringe party candidates be given comparable treatment with major party candidates. Further, it would negate the 1959 Amendments to the Communications Act. The purpose of these amendments was to permit presentation of candidates on, for example, a bona fide newscast, news interview, or news documentary, without the station having to present the fringe candidates.[12] We need not belabor the point further. The Zapple ruling did not overrule the holding in Letter to Lawrence M. C. Smith, 25 Pike & Fischer, R.R. 291 (1963).[13]

33. The foregoing discussion—and the general approach that we have adopted in the fairness area—also dispose of the questions raised as to the desirability of extending Zapple, codifying it, or otherwise supplementing it with procedural and other trappings (e.g., a seven-day procedural requirement). Because Zapple reflects simply a common sense distillation of the public interest in certain political broadcast situations, there is no need to try to codify it or engraft new corollaries onto it. On the contrary, we have concluded that, generally, traditional fairness works better by setting out broad principles and permitting the licensee to exercise good faith reasonable discretion in applying those broad principles. We think that this is true here. Further, we doubt if we will be confronted with a host of ad hoc rulings in this field. Most problems should be disposed of at the licensee level by the application of rudimentary concepts of fairness and common sense. Significantly, Zapple itself was a ruling on hypothetical questions; there have been very few times when the issue has arisen on concrete cases. As to its extension beyond political broadcasts, the short answer is that it is based in substantial part on Congressional policies applicable to such broadcasts.[14]

C. Commission efforts to encourage the widest possible coverage of political campaigns. 34. We have considered most seriously what steps we can take in this respect. There would appear to be little we can do on an administrative agency basis. Let us take the most obvious suggestion: That the Commission by rule specify that a certain amount of time be set aside for presentation of political broadcasts on a sustaining basis. See section 303(b). There are a number of difficult policy issues that would have to be resolved in any such undertaking. But there is, we believe, again an overriding consideration here—namely, that this is truly a matter for Congressional resolution. Congress is aware of the high expense of running for political office, particularly in view of mounting broadcast costs. It has considered a number of worthwhile suggestions here—for example the subsidy plan in the Presidential Campaign Fund Act of 1966 (the now inoperative Long Act) to supply Federal funds to the national party candidates for the Presidency; the Voters Time proposal (see Hearings Before the Senate Communications Subcommittee, on S. 2876, 91st Cong., 1st Sess., pp. 24–34). Its response to this problem has been the Federal Election Campaign Act of 1971 (Pub. L. 92–225), with its limitations of spending, and requirement for reasonable access for those running for Federal office and reduced rates for all political candidates. We do not see how we can sweep aside this scheme, and substitute our own. Indeed, we could not in any event be truly effective in any such agency action. Take the most important office—the Presidency. Were we to require free time for that office, we would run afoul of the equal time provision; we would find that we had required the broadcast to devote hours of prime time not just to the significant candidates but also to as many as 15 fringe party candidates (e.g., Socialist Labor, Socialist Worker, Vegetarian).[15] Our point is obvious: Reform here is needed, we believe, but it must come from the Congress because that is the only way it can be effectively accomplished.

35. Congress then can do much. We believe that consideration should again be given to the Voters Time concept or to some scheme akin to that used in Great Britain (i.e., blocs of free time to the major political parties). At the least, we propose again to urge Congress to adopt our proposed amendment to section 315, limiting to major party candidates the applicability of the equal time provision in partisan general election campaigns. We described that legislation in the following terms (see Hearings Before the Communications Subcommittee on S. 2876, 91st Cong., 1st Sess., p. 48):

"In any general election, other than nonpartisan ones, the draft legislation would make the equal opportunities requirement, as to free time, applicable only to major party candidates, leaving fringe candidates coming under the general fairness requirement. It would define major candidates very liberally so as to include any significant candidates—such as Henry Wallace as the candidate of the Progressive Party 1948, Strom Thurmond of the Dixiecrats 1948, or George Wallace in the last election. The figures in the draft legislation are set forth only as possible guidelines—namely, that the candidate's party garnered 2 percent of the vote in the state in the last election or, if the candidate represents a new party, that petitions be submitted signed by a number of voters equalling 1 percent of the votes cast in the last election. To obtain time on the national networks as distinguished from individual stations in particular states, there would also be a requirement that the candidate be on the ballot in at least two-thirds of the states.

"In short, section 315 in its present operational form is claimed and would appear to inhibit broadcasters from affording free time—and does so, we urge, without any significant practical compensating benefits. The Socialist Labor or Vegetarian candidate does not get free time; rather, no one gets any free time for the political broadcast. Further, and

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[9] In this respect, Zapple did not break new ground. In our Report and Order on the personal attack rules (32 FR 10303, 10305), we noted the applicability of the Congressional standard in Section 315 to attacks involving candidates, their supporters, or authorized spokesmen, and accordingly made our rules—which result, as a practical matter, in free time—inapplicable to such attacks. See §§ 73.123(b), 73.300(b), 73.598(b), 73.679 (b).

[10] This example is stated as if the RNC program were the only matter to be considered. Of course in a particular factual situation this may well not be so. See CBS v. FCC, supra, n. 1, where the DNC program was presented by CBS to offset Presidential speech appearances, and the Court held that this was perfectly appropriate and reversed a Commission holding that to avoid coming within Zapple, CBS should have specified the issues to which the DNC was to address itself. This case is of course the law governing similar future factual situations. Thus, each case must be judged in its factual setting, with the licensee having considerable discretion to discharge fairness obligations.

[11] And for the foregoing reasons, we do not believe that we have acted contrary to the legislative history. We have, on the contrary, acted to carry out the Congressional scheme in section 315.

[12] In view of the 1959 Amendments, it follows that no quasi-equal opportunities doctrine is applicable when supporters or spokesmen for candidates are presented in bona fide newscasts; in this respect, the same general fairness principles that apply to the candidates are equally applicable to their supporters.

[13] We there held that as to fund raising announcements for political parties, fairness does not require equal or comparable treatment for the fringe parties but rather that the licensee can make reasonable good faith judgments as to the significance of a particular party in the area.

[14] Thus, we do not extend Zapple to the situation involving ballot issues.

[15] To give but one example, in 1960 when Congress acted to suspend the equal opportunities requirement for the President and Vice President races, there were on the ballots in the several States 14 different candidates for the office of President: C. Benton Coiner, Conservative Party of Virginia; Merrit Curtis, Constitution Party; Lar Daly, Tax Cut Party; Dr. R. L. Decker, Prohibition Party; Farrell Dobbs, Socialist Workers Party, Farmer Labor Party of Iowa, Socialist Workers and Farmers Party, Utah; Orval E. Faubus, National States Rights Party; Symon Gould, American Vegetarian Party, Minnesota; Clennon King, Afro-American Unity Party; Henry Krajemski, American Third Party; J. Bracken Lee, Conservative Party of New Jersey; Whitley Slocomb, Greenback Party; William Lloyd Smith, American Beat Consensus; Charles Sullivan, Constitution Party of Texas. See H. Rept. No. 1928, 90th Cong., 2d Sess., p. 3. Query how effective any agency action in 1960 would have been.

most important, there would appear to be little, if any, public benefits from insuring such equal treatment for candidates whose public support is wholly insignificant. We repeat that in defining the major party candidate, we would urge the selection of a numerical figure such as to insure equality to any candidate who did have some significant public support, regardless of what his chances of actually winning might be." This, by itself, will make a marked contribution to facilitating broadcast presentation of important political candidates.[16]

36. As an alternative, we propose an additional exemption to section 315(a) to cover any joint or back-to-back appearances of candidates. Additionally, consideration should be given, we think, to the further exemption that we urged upon Congress in connection with our 1970 Advocates ruling, 23 FCC 2d 462. We suggested the addition of the following provision to section 315(a):[17]

"(5) Any other program of a news or journalistic character—

"(i) Which is regularly scheduled; and

"(ii) In which the content, format, and participants are determined by the licensee or network; and

"(iii) Which explores conflicting views on a current issue of public importance; and

"(iv) Which is not designed to serve the political advantage of any legally qualified candidate."

37. At the least, we had thought that we could make a contribution here by giving the 1959 exemptions a reasonable construction in line with the broad remedial purpose of Congress. Accordingly, we did so in the recent Chisholm ruling, FCC 72-486, decided June 2, 1972. The validity of this construction of Section 315(a) is, however, now in doubt in view of the action of the Court of Appeals in its interim relief Order of June 3, 1972. Until the matter is definitely settled, licensees cannot plan with any certainty, and the area remains confused. This is, we believe, unfortunate. We continue to believe that our construction of the exemption in section 315(a)(2) is sound, meets the pertinent Congressional criteria, and markedly serves the public interest by allowing broadcasting to make a fuller and more effective contribution to an informed electorate. But unless and until that construction prevails upon appeal—or is in any event affirmed by Congressional revisions along the above stated lines—we cannot in good conscience urge licensees to act in this area as if there were no "equal opportunities" pitfalls. There clearly are.

D. *Use in bona fide newscasts of film supplied by candidates.* 38. One other political broadcast matter which has been brought to our attention merits comment here. Candidates, like many other news sources, have normally issued press releases to the news media containing statements of the candidates, advance copies of their speeches, their future speaking schedules, etc. Media news editors in turn made judgments whether and to what extent to use such material. Increasingly, candidates have been supplying radio and television broadcasters with audio recordings and film excerpts produced by the candidates, e.g., depicting their campaign efforts that day or containing statements of their positions on current issues. Obviously, these excerpts are designed to show the candidate in the best light and, if presented on a newscast, have the added advantage of increased impact or credibility over a paid political presentation. We do not hold that the station cannot exercise its good faith news judgment as to whether and to what extent it wishes to present these tape or film excerpts. If it believes that they are newsworthy, it can appropriately use them in newscasts. But the public should be informed that the tape or film was supplied by the candidate as an inducement to the broadcasting of it.

39. In fact, our rules require such disclosure in these circumstances; that is, "in the case of any political program or any program involving the discussion of public controversial issues for which any films, records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcast of such program * * *"[18] Disclosure of the furnishing of the tape or film is required to be made whether or not a candidate is involved in these types of programs. Accordingly, we take this opportunity to stress to all licensees their duty to comply with the rules and announce that the tape or film was supplied by the candidate in question.[19] If it was edited by the licensee, he may, of course, add a suitable phrase such as "and edited by the XXXX news department."

IV. *Conclusion.* 40. Much remains to be done in the fairness area (Parts II–IV).[20] We have acted here as best we could for the reasons stated in par. 1. The piecemeal approach is thus regrettable but necessary.

As stated, we shall reconsider this most important aspect in light of the conclusions reached in overall proceedings. Our final message is one urging broadcasting to make the maximum possible contribution to the nation's political process. That process is the bedrock of the Republic, and broadcasting is clearly the acknowledged leading medium for communicating political ideas. No area is thus of greater importance "* * * to the public interest in the larger and more effective use of radio." (section 303(g) of the Communications Act of 1934, as amended).

FEDERAL COMMUNICATIONS COMMISSION,[21]

[SEAL] BEN F. WAPLE,
Secretary.

Adopted: June 16, 1972.

Released: June 22, 1972.

ATTACHMENT TO APPENDIX A

I. Comments on the applicability of the fairness doctrine to political broadcasts were received from the following parties:

ACLU
American Broadcasting Company
Columbia Broadcasting Company
Democratic National Committee
Evening News Association, et al.
Haley, Bader & Potts
McKenna & Wilkinson
National Association of Broadcasters
National Broadcasting Company
Public Broadcasting Service
Republican National Committee
Storer Broadcasting
United Church of Christ
WGN Continental Broadcasting Company

II. The following parties participated in panel discussion on the applicability of the fairness doctrine to political broadcasts held, before the Commission, on March 29, 1972.

Roger E. Ailes, President Roger Ailes & Associates, Inc.
Charles A. Wilson, Jr., for the Democratic National Committee
James J. Freeman, Associate Special Counsel, Republican National Committee
Reed J. Irvine, Chairman of the Board, Accuracy in Media, Inc.
Newton N. Minow; Leibman, Williams, Bennett, Baird & Minow, Chicago, Illinois
Harry M. Plotkin, Counsel, Public Broadcasting Service
Paul A. Porter; Arnold & Porter, Washington, D.C.
Allen U. Schwartz, Counsel, Communications Media Committee, ACLU
Rosel Hyde; Wilkinson, Cragun & Barker, Washington, D.C.

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[16] Thus, in the above noted hearings, we stated (supra, at p. 50):

"* * * when freed from the constraints of equal opportunities requirement, there has been no failure on the part of the broadcasters with respect to affording time for the Presidential candidates, and see that that time has been in substantial amounts, and free, not just reduced. Thus, in the one instance where the equal time requirement was suspended (1960), the TV networks afforded 39 hours and 22 minutes of free time, including the four hours for the Great Debates. Further, the audience for these debates totalled 280 million, or an average of 70 million viewers per broadcast. We believe that the networks thus effectively discharged their responsibility to inform the electorate in 1960. They have stated that they stand ready to do so in every Presidential election, if freed from the equal time requirement."

[17] See Hearings Before the Subcommittee on Communications and Power of the House Interstate and Foreign Commerce Committee, on H.R. 8721 and S. 3637, 91st Cong., 2d Sess., p. 8.

[18] Sections 73.119(d), 73.289(d) and 73.654(d), relating, respectively, to AM, FM and TV. See also section 317(a)(2) of the Communications Act which specifically authorizes the Commission to require announcements disclosing that such matter was furnished.

[19] In order to avoid possible confusion in interpreting this rule in relation to one interpretative example in House Rept. 1800 (86th Cong., 2d Sess.) dealing with Section 317 of the Act and rules thereunder, we should add that we are not attempting to apply the above disclosure requirement to mere mimeographed news releases or typed advance copies of speeches. Example 11 of the House Report (see FCC Public Notice of May 6, 1963, FCC 63-409) states that no announcement is required when "news releases are furnished to a station by Government, business, labor and civic organizations, and private persons, with respect to their activities, and editorial comment therefrom is used on a program." We believe, however, that with respect to program material dealing with political or other controversial matters, the requirements of our rules must be followed strictly when audio tape or film is furnished.

[20] GE supports the Rosenbush ruling (see par. 24(A)). We have considered this issue generally in our recent Notice (Use of Broadcast and Cablecast Facilities by Candidates for Public Office, 37 FR 5796, 5805; sec. 8, Q. 8), and will reexamine the matter as we gain experience. We thus may clarify our policies here either in a particular case or in our further reports in this Docket.

[21] Commissioner Johnson dissenting and issuing a statement; Commissioner H. Rex Lee concurring in the result. Statements of Commissioners Johnson and Lee filed as part of the original document.

III. Oral arguments on all aspects of the fairness proceeding in Docket No. 19260 were made by the following parties on March 30 and 31, 1972:

Michael Valder, on behalf of Urban Law Institute
Bernard Segal, on behalf of National Broadcasting Company
Sam Love, on behalf of Environmental Action
Malin Perkins, on behalf of the American Association of Advertising Agencies
Geoffrey Cowan, on behalf of Friends of the Earth, et al.
Theodore Pierson, on behalf of Combined Communications Corporation, et al.
Joseph A. Califano, Jr., on behalf of the Democratic National Committee
James J. Freeman, on behalf of the Republican National Committee
Edgar F. Czarra, Jr., on behalf of the Corinthian Stations and the Orion Stations
Tracy Weston, on behalf of National Citizens Committee for Broadcasting
J. Roger Wollenberg, on behalf of Columbia Broadcasting System, Inc.
Robert A. Woods, on behalf of National Assn. of Educational Broadcasters
David Lichenstein, on behalf of Accuracy in Media, Inc.
Mrs. Cara Siller, on behalf of Women for the Unborn
Rev. Paul G. Driscoll, Human Life Coordinator of the Rockville Centre (New York) Archdiocese
James A. McKenna, Jr., on behalf of American Broadcasting Companies, Inc.
Ben C. Fisher, on behalf of Commission on Population Growth and the American Future, and Population Education, Inc.
Miles David, on behalf of Radio Advertising Bureau
Absalom Jordan, on behalf of the Black United Front
Peter W. Allport, on behalf of Association of National Advertisers
Dr. Blue Carstenson, on behalf of National Consumer Organizations Ad Hoc Advisory Committee to Virginia Knauer
Leo Perlis, on behalf of Radio and TV Subcommittee of the Ad Hoc National Voluntary Organizations Advisory Committee on Consumer Interests
Warren Zwicky, on behalf of Storer Broadcasting Company
Madalyn Murray O'Hair, on behalf of Society of Separationists
John Summers, on behalf of National Association of Broadcasters
Beverly Moore, on behalf of Corporate Accountability Research Group
Allen J. Potkin, on behalf of Concerned Citizens of West Virginia
Daniel W. Toohey, on behalf of Basic Communications, Inc.
Domingo Nick Reyes, on behalf of National Mexican American Anti-Defamation Committee
Stewart Feldstein, on behalf of National Cable Television Assn.

APPENDIX B

A. S. Abell
American Advertising Federation
American Association of Advertising Agencies
American Broadcasting Company (ABC)
American Civil Liberties Union (ACLU)
American Civil Liberties Union of Maryland
American Jewish Committee
American Medical Association
American Petroleum Institute
Americans for Democratic Action (ADA)
Anti-Defamation League
Appalachian Research and Defense Fund, Inc.
Basic Communications, Inc. et. al.
Border Broadcasting, Inc.
Boulder Radio, KBOL
Broadcasting Association, Inc.
Business Executives Move for Vietnam Peace
Burger, John F.
Capitol Broadcasting Co., Inc.
Channel 7, Inc.
Channel Two Television Co.
Chronicle Broadcasting Co.
Columbia Broadcasting System, Inc.
Commission on Population Growth and American Future
Communications Media Committee
Communications Workers of America
Consumers Union
Corinthian Stations et. al.
Council on Economic Priorities
Democratic National Committee
Doubleday Broadcasting, Inc.
Environmental Action
Environmental Defense Fund
Evening News Association et. al.
Fairbanks Broadcasting Co., Inc.
Faulkner Radio, Inc.
Federal Trade Commission
Flower City Television
Friends of the Earth
Frisk, Richard M.
General Electric Broadcasting Company, Inc. (GEBCO)
Georgetown Law Journal
Gill Industries
Graves, Frances A.
Great Plains Broadcasting Co.
Group W. Westinghouse Broadcasting Co., Inc.
Haley, Bader & Potts
Hubbard Broadcasting Inc.
Institute for American Democracy
Institute for Public Interest Representation
Jel-Co Radio Inc.
KALJ-FM Lan Jol Enterprises
KLAS-TV 8
KLTV
KPRC, Inc.
KTBS, Inc.
KWPC, Inc.
Lee Enterprises, Inc.
Maryland Undergraduate Students
McClatchy Newspapers
McKenna, Wilkinson & Kittner (various licensees)
Metromedia, Inc.
Metro Washington Coalition for Clean Air, Inc.
Milam, Lorenzo W.
National Association of Broadcasters
National Association of Educational Broadcasters
National Broadcasting Co. (NBC)
National Citizens Committee for Broadcasting
National Organization for Women (NOW)
National Welfare Rights Organization et. al.
National Wildlife Federation
Nebraska Broadcasters Association
Nebraska Television Corporation
Ohio Association of Broadcasters
Oregon Association of Broadcasters
Orion Stations
Parker, Edwin
Pierson, Ball & Dowd
Population Education, Inc.
Post Corporation
Post Newsweek Corporation
Project on Corporate Responsibility
Public Broadcasting Service
Radio Enterprises of Ohio, WREO
Radio Station KTCH
Radio Television News Directors Association
Republican National Committee
Retail Store Employees Union Local 880
Royal Street Corp.
Rust Craft Broadcasting of New York, Inc.
Salina Radio, Inc.
Screen Gems Stations, Inc.
Sierra Club
Society of Separationists
Southern Broadcasting Company
Stauffer Publications, Inc.
Storer Broadcasting Company
Students for Fair Access to the Media
Television Bureau of Advertising
Time-Life Broadcasting Inc.
United Church of Christ
Universal Communications Corp.
Urban Law Institute of Antioch College
WARA-TV Broadcasting Corp.
WBEN, Inc.
WBOC, Inc.
WDSU-TV, Inc.
WFTR
WGAN
WGAU
WGN, Continental Broadcasting
WIRY, Inc.
WKY
WPBS, Bulletin Co.
WTVM, Inc.
Washington County Broadcasting Company
Wintersteen, John D., Woonsocket Broadcasting Company
Young Men's Christian Association

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