

# register

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## 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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**federal register**

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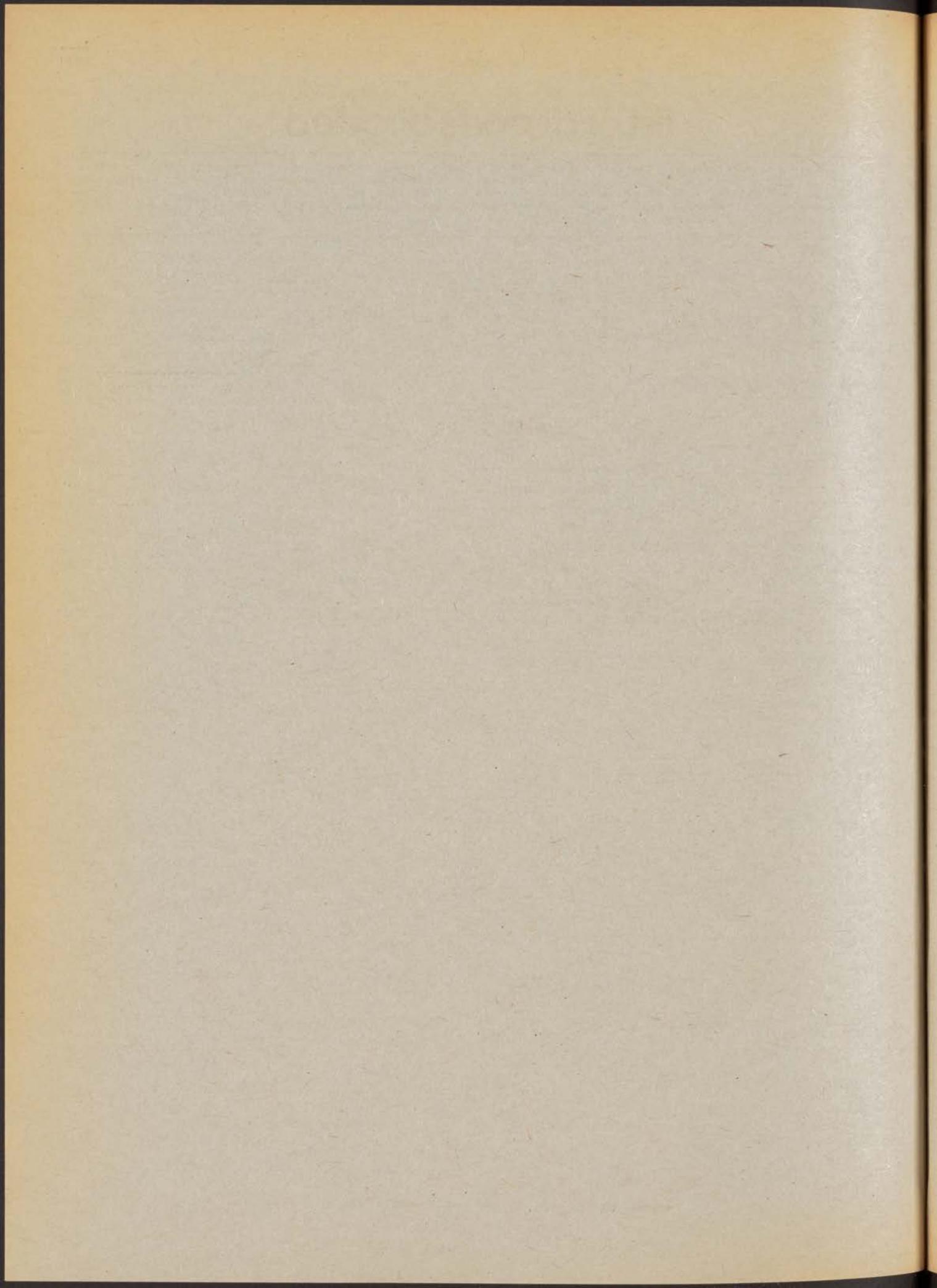
*See* Alcohol, Tobacco, and Firearms Bureau.

# list of cfr parts affected

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

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

<b>3 CFR</b>	<b>17 CFR</b>	<b>41 CFR</b>
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# rules and regulations

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

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

**Title 1—General Provisions**  
**CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER**  
**CFR CHECKLIST**  
**1974 Issuances**

This checklist, prepared by the Office of the **Federal Register**, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the **Code of Federal Regulations** issued to date for 1974. New units issued during the month are announced on the back cover of the daily **FEDERAL REGISTER** as they become available.

The rate for subscription service to all revised volumes issued for 1974 is \$350 domestic, \$75 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

**CFR Unit (Rev. as of Jan. 1, 1974):**

Title	Price
1	\$1.10
2 [Reserved]	
3	3.15
3A 1973 Compilation	2.40
4	1.75
5	3.55
6 (Rev. Feb. 1, 1974)	4.45
7 Parts:	
0-45	4.65
46-51	3.45
52	4.80
53-209	5.10
210-699	4.10
700-749	3.55
750-899	2.35
900-944	3.60
945-980	1.80
981-999	2.00
1000-1059	3.55
1060-1119	3.65
1120-1199	2.80
1200-1499	3.80
1500-end	5.00
8	2.05
9	4.75
10 Parts 0-199	3.90
11	1.10
12 Parts:	
1-299	5.10
300-end	4.95
13	2.50
14 Parts:	
1-59	4.80
60-199	4.95
200-end	5.90
15	3.90
16 Parts:	
0-149	5.05
150-end	4.45

CFR Unit (Rev. as of April 1, 1974):		41 Chapters:	
Title	Price	Title	Price
17	\$5.10	1-2	4.50
18 Parts:		3-5D	3.90
1-149	3.80	6-9	4.10
20 Parts:		10-17	2.55
01-399	1.95	18	5.70
21 Parts:		19-100	2.30
1-9	1.95	101-end	4.55
10-129	5.10	General Index Supplement	1.35
130-140	2.40	CFR Unit (Rev. as of Oct. 1, 1973):	
600-1299	1.75	42	\$2.85
1300-end	1.55	43 Parts:	
22	3.90	1-999	2.85
23	1.80	1000-end	4.20
24	6.10	44 [Reserved]	
25	3.60	45 Parts:	
26 Parts:		1-99	2.15
1 (§§ 1.0-1—1.69)	4.85	200-499	2.40
1 (§§ 1.170-1.300)	3.05	500-end	2.35
1 (§§ 1.301-1.400)	2.35	46 Parts:	
1 (§§ 1.401-1.500)	2.90	1-65	4.00
1 (§§ 1.501-1.640)	3.35	66-145	4.10
1 (§§ 1.851-1.1200)	4.40	146-149	5.80
170-299	5.90	150-199	4.05
300-499	2.95	200-end	4.70
500-599	3.15	47 Parts:	
600-end	1.40	0-19	3.40
45 Parts 100-199	3.95	20-69	4.05
1973 CFR volumes previously announced are available from the Superintendent of Documents at the prices listed below:		70-79	4.35
CFR Unit (Rev. as of July 1, 1973):		80-end	4.55
Title	Price	48 [Reserved]	
28 (Rev. July 10, 1973)	\$1.70	49 Parts:	
29 Parts:		1-99	1.30
0-499	4.00	100-199	5.60
500-1899	4.95	200-999	4.30
1900-end	6.05	1000-1199	2.50
30	4.15	1200-1299	5.60
31	4.75	1300-end	2.20
32 Parts:		50	2.55
1-8	5.45		
9-39	3.70		
40-399	4.35		
400-589	4.50		
590-699	2.05		
700-799	5.90		
800-999	4.05		
1000-1399	1.60		
1400-1599	3.25		
1600-end	1.65		
32A	2.80		
33 Parts:			
1-199	4.35		
200-end	3.05		
34 [Reserved]			
35	3.40		
36	2.50		
37	1.75		
38	5.25		
39 (Rev. Aug. 1, 1973)	3.40		
40	7.30		

**Title 5—Administrative Personnel**  
**CHAPTER I—CIVIL SERVICE COMMISSION**  
**PART 213—EXCEPTED SERVICE**  
**Department of State**

Section 213.3104 is amended to show that 35 professional and technical positions in the Bureau of Intelligence and Research are no longer excepted under Schedule A.

Effective on August 1, 1974, § 213.3104, (b)(1) is revoked.

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

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

[FR Doc. 74-17582 Filed 7-31-74; 8:45 am]

## RULES AND REGULATIONS

**PART 213—EXCEPTED SERVICE****National Foundation on the Arts and the Humanities**

Section 213.3182 is amended to show that one position of Crafts Coordinator in the National Endowment for the Arts is excepted until June 30, 1976, under Schedule A.

Effective on August 1, 1974, § 213.3182 (a) (28) is added as set out below.

**§ 213.3182 National Foundation on the Arts and the Humanities.**

(a) *National Endowment for the Arts.* \* \* \*

(28) Until June 30, 1976, one Crafts Coordinator.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant to the Commissioners.*

[FR Doc. 74-17594 Filed 7-31-74; 8:45 am]

**PART 213—EXCEPTED SERVICE****Treasury Department**

Section 213.3305 is amended to reflect the following reorganizational designation from: one Staff Assistant and one Secretary to the Deputy Under Secretary and one Special Assistant to the Deputy Under Secretary on Congressional Relations to one Staff Assistant, one Secretary and one Special Assistant to the Assistant Secretary (Legislative Affairs).

Effective on August 1, 1974, § 213.3305 (a) (41), (a) (48), and (a) (51) are amended as set out below.

**§ 213.3305 Treasury Department.**

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

(41) One Staff Assistant to the Assistant Secretary (Legislative Affairs).

(48) One Secretary to the Assistant Secretary (Legislative Affairs).

(51) One Special Assistant to the Assistant Secretary (Legislative Affairs).

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant to the Commissioners.*

[FR Doc. 74-17585 Filed 7-31-74; 8:45 am]

**PART 213—EXCEPTED SERVICE****Department of the Treasury**

Section 213.3305 is amended to show that the position of Special Assistant

to the Secretary is excepted under Schedule C.

Effective on August 1, 1974, 213.3305 (a) (54) is added as set out below.

**§ 213.3305 Treasury Department.**

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

(54) Special Assistant to the Secretary.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant to the Commissioners.*

[FR Doc. 74-17583 Filed 7-31-74; 8:45 am]

**PART 213—EXCEPTED SERVICE****Department of Housing and Urban Development**

Section 213.3384 is amended to reflect the following title change from: one Secretary to the Special Assistant to the Secretary to one Administrative Aide to the Special Assistant to the Secretary.

Effective on August 1, 1974, § 213.3384 (a) (31) is amended as set out below.

**§ 213.3384 Department of Housing and Urban Development.**

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

(31) One Special Assistant to the Secretary and two Administrative Aides to the Special Assistant.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant to the Commissioners.*

[FR Doc. 74-17584 Filed 7-31-74; 8:45 am]

**PART 213—EXCEPTED SERVICE****Department of Housing and Urban Development**

Section 213.3384 is amended to show that the position of Deputy Assistant Secretary for Housing Management, Office of Assistant Secretary for Housing Management is no longer excepted under Schedule C.

Effective on August 1, 1974, § 213.3384 (c) (8) is revoked.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

*Executive Assistant to the Commissioners.*

[FR Doc. 74-17586 Filed 7-31-74; 8:45 am]

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

[Docket No. 74-CE-11-AD; Amdt. 39-1907]

**PART 39—AIRWORTHINESS DIRECTIVES****Beech 99 and 100 Series Airplanes**

Amendment 39-1364, AD 71-26-2 (36 FR 24796, 24797) is an Airworthiness Directive (AD), applicable to Beech 99 and 100 series airplanes, which was issued to prevent elevator control travel restrictions caused by malfunctioning elevator stop bolts. The AD required replacement of the stop bolts with a design which incorporated additional means to retain the stop bolts. Due to the safety hazards associated with control travel restrictions, the manufacturer has determined that a more positive method for stop bolt retention is required for this design. This method is contained in Beechcraft Service Instruction No. 0618-152 which supersedes Beechcraft Service Instructions 0374-152, Rev. I and 0455-152, Rev. I. Therefore, a new AD is being issued which will supersede AD-71-26-2 making compliance with Beechcraft Service Instruction No. 0618-152 mandatory. This AD will apply to Beech 99 and 100 series airplanes and will include an additional group of affected serial numbers.

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

**BEECH.** Applies to 99 series airplanes (Serial Numbers U-1 through U-151) and 100 and A100 series (Serial Numbers B-1 through B-177) airplanes.

**Compliance:** Required as indicated unless already accomplished.

To prevent restricted elevator travel, within the next 100 hours' time in service after the effective date of this AD, accomplish the following:

(A) In accordance with the attached sketch and Part II of Beech Service Instruction 0618-152 or subsequent revisions, remove the elevator stop bolts and drill a .046 inch diameter hole in each bolt, or in the alternative, replace the bolts with NAS 428H4-7 bolts which have predrilled heads. Drill a .062 inch diameter hole in each stop bolt mount. Reinstall and safety the installation in accordance with said service instruction.

(B) Any equivalent method of compliance with this AD must be approved by Chief, Engineering and Manufacturing Branch, FAA, Central Region.

**NOTE:** Beechcraft Service Instruction 0618-152 replaces Beechcraft Service Instruction 0374-152, Rev. I and Beechcraft Service Instruction 0455-152, Rev. I.

This amendment supersedes AD 71-26-2, Amendment 39-1364.

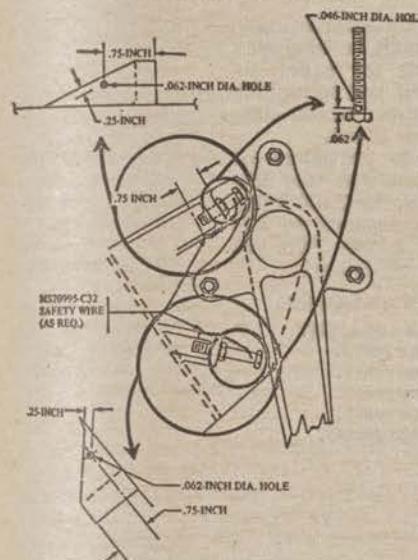
This amendment becomes effective August 6, 1974.

## RULES AND REGULATIONS

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

Issued in Kansas City, Missouri, on July 22, 1974.

A. L. COULTER,  
Director, Central Region.



[FR Doc. 74-17378 Filed 7-31-74; 8:45 am]

[Docket No. 74-CE-12-AD; Amdt. 39-1908]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Beech 65-B80 and 90 Series Airplanes

There have been reports of incidents involving Beech 99 and 100 series airplanes wherein airplane nose-down elevator travel was restricted because the elevator stop bolt backed out of its intended position. To correct this condition AD 71-26-2, Amendment 39-1364, was issued. Because of design similarity the condition described above could exist on other Beech model airplanes. Therefore, to prevent restricted elevator travel on Beech Model 65-B80 and 90 series airplanes, the manufacturer has recommended the installation of self-locking nuts which provide an additional means to retain the stop bolts in the position in which they were rigged. To make the manufacturer's recommendations mandatory, an Airworthiness Directive (AD) is being issued which will require installation of self-locking nuts on these airplanes in accordance with Beech Service Instruction 0618-152.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to Models 65-B80 (Serial Numbers LD-452 through LD-468), C90 (Serial Numbers LJ-552 through LJ-588) and E90 (Serial Numbers LW-1 through LW-56) airplanes.

Compliance: Required as indicated, unless already accomplished.

To prevent restricted elevator travel, within the next 100 hours' time in service after the effective date of this AD, accomplish the following:

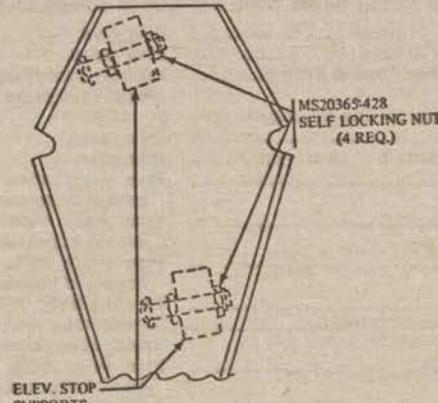
Install a MS20365-428 self-locking nut on the threaded portion of each of the four elevator control stop bolts in accordance with the attached sketch and Part I of Beechcraft Service Instruction 0618-152 or subsequent revisions or by any equivalent method of compliance approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective August 6, 1974.

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

Issued in Kansas City, Missouri, on July 23, 1974.

A. L. COULTER,  
Director, Central Region.



[FR Doc. 74-17379 Filed 7-31-74; 8:45 am]

#### Title 20—Employees' Benefits

#### CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Regs. No. 5, further amended]

#### PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

##### Conditions for Coverage of Services of Independent Laboratories; Correction

On January 17, 1974, there were published in the *FEDERAL REGISTER* amendments to the regulations relating to the conditions of participation for skilled nursing facilities and the certification procedures for Medicare providers and suppliers of services (39 FR 2238). Amendment No. 27 deleted §§ 405.1301 through 405.1309 of this part. It should not have deleted § 405.1301(b) which defines the term "independent laboratory." It is necessary that this definition remain in effect until amendments to the regulations on coverage of services of independent laboratories are published

in final in the *FEDERAL REGISTER*. Therefore, the first sentence of amendment No. 27 of the amendments to the regulations on skilled nursing facilities, published in the *FEDERAL REGISTER* of January 17, 1974, is corrected to read as follows:

27. Subparts J, L, M, and N are amended by deleting §§ 405.1001 through 405.1010, 405.1203 through 405.1208, 405.1301 (except paragraph (b)), 405.1302 through 405.1309, and 405.1401 through 405.1409.

(Section 1102 and 1871, 49 Stat. 647, as amended, 79 Stat. 331 (42 U.S.C. 1302, 1305hh.))

*Effective date.* This amendment is effective as of January 17, 1974.

Dated: July 23, 1974.

JAMES B. CARDWELL,  
Commissioner of Social Security.

Approved: July 26, 1974.

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

[FR Doc. 74-17611 Filed 7-31-74; 8:45 am]

#### Title 21—Food and Drugs

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

##### SUBCHAPTER D—DRUGS FOR HUMAN USE

###### PART 310—NEW DRUGS

###### PART 314—NEW DRUG APPLICATIONS

###### Special Packaging

###### Correction

In FR Doc. 74-13193 appearing at page 20482 in the issue of Tuesday, June 11, 1974, the following changes should be made:

1. In the authority paragraph preceding the first paragraph of amendatory language (page 20484), "255" in the 7th line should read "355".

2. In § 314.8, the 8th line of the flush material following paragraph (a)(4)(vi), now reading "an 'overcap' to the existing closure of a", should read "an 'overlap' in categories it should be"; and in the fourth line of paragraph (a)(5)(xi), "overlap" should read "overcap".

###### SUBCHAPTER F—BIOLOGICS

###### PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

###### Dating Periods for Specific Products

The Commissioner of Food and Drugs is conducting an ongoing review of the existing regulations governing biological products to assure that the criteria of safety, purity, and potency established by the regulations are updated to remain consistent with the judgment of the scientific community. Incidental to the subject review, the Commissioner finds that § 610.53 *Dating periods for specific products* (21 CFR 610.53) should be amended to update the list of biological products and their dating periods.

## RULES AND REGULATIONS

The subject regulation prescribes dating periods within which licensed biological products are expected, beyond reasonable doubt, to yield their specific results and retain their safety, purity, and potency when maintained at the recommended temperature. However, the regulation currently prescribes dating periods for certain biological products for which licenses have been revoked in response to applications from manufacturers giving notice of intent to discontinue manufacture of the product pursuant to 21 CFR 601.4. Since such products are no longer being manufactured or intended for manufacture in the foreseeable future, there is no need for their listing under the subject regulation. Additionally, the regulation does not reflect the dating periods for the licensed biological products Factor IX

Complex (Human); Measles, Mumps and Rubella Virus Vaccine, Live; Measles and Mumps Virus Vaccine, Live; Measles and Rubella Virus Vaccine, Live; Rubella and Mumps Virus Vaccine, Live; and Vaccinia Immune Globulin (Human) for which dating periods are currently imposed as part of the licenses held by manufacturers.

Accordingly, the Commissioner concludes that § 610.53 should be amended to delete those products for which licenses have been revoked and to include currently licensed products whose dating periods are not now listed.

Therefore, pursuant to provisions of the Public Health Service Act (sec 351, 58 Stat. 702, as amended; 42 U.S.C. 262) and under authority delegated to the Commissioner (21 CFR 2.120), Part 610 is amended in § 610.53 as follows:

1. By alphabetically inserting new items in the list of substances as follows:

Factor IX Complex (Human) -----	One year. § 610.51 does not apply.
Measles, Mumps, and Rubella Virus Vaccine, Live-----	One year (-20° C., one year).
Measles and Mumps Virus Vaccine, Live-----	One year (-20° C., one year).
Measles and Rubella Virus Vaccine, Live-----	One year (-20° C., one year).
Rubella and Mumps Virus Vaccine, Live-----	One year (-20° C., one year).
Vaccinia Immune Globulin (Human) -----	Three years (5° C., three years).

2. By deleting the following items from the list of substances:

Antihemophilic Globulin (Human) -----	One year.
Antihemophilic Plasma (Human) -----	Five years.
Anti- <i>Hemophilus influenzae</i> Type b Serum -----	Liquid: Two years. Dried: Five years.
Anti-Influenza Virus Serum for the Hemagglutination Inhibition Test -----	Two years.
Anti-Rh Typing Serum, Anti-hr <sup>r</sup> (Anti-V) -----	One year.
<i>B. histolyticus</i> Antitoxin -----	Five years with an initial 20 percent excess of potency.
<i>B. oedematiens</i> Antitoxin -----	Five years with an initial 20 percent excess of potency.
<i>B. sordellii</i> Antitoxin -----	Five years with an initial 20 percent excess of potency.
Blastomycin -----	Two years (5° C., one year).
Chicken Pox Immune Serum (Human) -----	Liquid: One year. Dried: Five years.
Dysentery Antitoxin, Shiga -----	Five years with an initial 20 percent excess of potency.
Equine Encephalomyelitis Vaccine (Eastern) -----	One year.
Equine Encephalomyelitis Vaccine (Western) -----	One year.
Influenza Virus Hemagglutinating Antigen -----	Two years (5° C., one year).
Measles Immune Serum (Human) -----	Liquid: One year. Dried: Five years.
Mumps Immune Serum (Human) -----	Liquid: One year. Dried: Five years.
Normal Bovine Serum -----	Five years.
Normal Human Plasma -----	Liquid: Three years provided product is maintained between 15° and 30° C., and labeling recommends storage between 15° and 30° C. § 610.51 does not apply. Dried: Seven years provided labeling recommends storage not above 37° C. § 610.51 does not apply. Frozen: Three years, provided labeling recommends storage at no warmer than -18° C. § 610.51 does not apply. Melted: One year after date of melting. § 610.51 does not apply.
Normal Human Serum -----	Liquid: Eighteen months. Dried: Five years.
Normal Rabbit Serum -----	Frozen: Three years, provided labeling recommends storage at no warmer than -18° C. § 610.51 does not apply.
Oxphenarsine Hydrochloride -----	Melted: One year after date of melting. § 610.51 does not apply.
Perfringens Antitoxin -----	Five years. Three years (5° C., one year). Five years with an initial 20 percent excess of potency.

Pertussis Immune Serum (Human)	Liquid: One year. Dried: Five years. One year. Three years (5° C., three years).
Pneumococcus Typing Serum	
Poliomyelitis Immune Globulin (Human)	
Polyvalent sensitized bacterial vaccines with "No U.S. Standard of Potency"	
Prothrombin (Human)	
Q Fever Vaccine	
Resuspended Red Blood Cells (Human)	
Scarlet Fever Immune Serum (Human)	
Scarlet Fever Streptococcus Toxin for Dick Test	
Scarlet Fever Streptococcus Toxin for Immunization	
Staphylococcus Toxoid and Bacterial Antigen made from Staphylococcus (Albus and Aureus)	
Staphylococcus Toxoid and Bacterial Vaccine made from Staphylococcus (Aureus)	
Staphylococcus Toxoid, Streptococcus Toxin, and Bacterial Vaccine made from Staphylococcus (Aureus), Streptococcus (Hemolyticus), Pneumococcus, <i>Hemophilus influenzae</i>	
Streptococcus Erythrogenic Toxin	
Tetanus Toxoid and Pertussis Vaccine	
Typhoid and Paratyphoid Vaccine	
Vibrio Septique Antitoxin	

Pursuant to the Administrative Procedures Act (5 U.S.C. 553 (b) and (d)), the Commissioner finds that notice, public procedure, and delayed effective date are unnecessary for the promulgation of this order, since it does not alter the dating periods for any currently licensed product but rather brings the listing of such products into conformity with licenses now in effect.

**Effective date.** This order shall become effective August 1, 1974.

(Sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 202.)

Dated: July 26, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 74-17557 Filed 7-31-74; 8:45 am]

#### Title 24—Housing and Urban Development

**CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION); DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. R-74-287]

#### PART 275—LOW RENT PUBLIC HOUSING Prototype Cost Limits for Public Housing

In the FEDERAL REGISTER issued for Friday, May 17, 1974 (39 FR 17678), prototype per unit cost schedules were published pursuant to section 15(5) of the Housing and Urban Development Act of 1937. Consideration of subsequent factual project cost data and other information received from the Minneapolis-St. Paul Area Office indicates that the prototype costs for St. Paul published on May 17, 1974, should be deleted and the prototype schedule designated Minneapolis be used in lieu thereof.

Prothrombin (Human)	Liquid: One year. Dried: Five years. One year. Three years (5° C., three years).
Q Fever Vaccine	
Resuspended Red Blood Cells (Human)	
Scarlet Fever Immune Serum (Human)	
Scarlet Fever Streptococcus Toxin for Dick Test	
Scarlet Fever Streptococcus Toxin for Immunization	
Staphylococcus Toxoid and Bacterial Antigen made from Staphylococcus (Albus and Aureus)	
Staphylococcus Toxoid and Bacterial Vaccine made from Staphylococcus (Aureus)	
Staphylococcus Toxoid, Streptococcus Toxin, and Bacterial Vaccine made from Staphylococcus (Aureus), Streptococcus (Hemolyticus), Pneumococcus, <i>Hemophilus influenzae</i>	
Streptococcus Erythrogenic Toxin	
Tetanus Toxoid and Pertussis Vaccine	
Typhoid and Paratyphoid Vaccine	
Vibrio Septique Antitoxin	

The above change in schedule will be effective August 1, 1974. Timely written comments will nevertheless be considered in preparing revisions to cost limits for individual areas. Comments with respect to cost limits for a given location may be filed with the appropriate HUD Area Office. The offices were listed in our publication of May 17, 1974.

Accordingly, 24 CFR Part 275 is amended as follows:

1. On page 17710 delete the existing prototype costs for St. Paul, Minnesota, entitled Prototype Per Unit Cost Schedule.

(Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

**Effective date.** This amendment is effective August 1, 1974.

SHeldon B. Lubar,  
Assistant Secretary-Commissioner.

[FR Doc. 74-17604 Filed 7-31-74; 8:45 am]

#### Title 33—Navigation and Navigable Waters

#### CHAPTER IV—SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

##### PART 401—SEAWAY REGULATIONS

###### Call-in Table

On pages 22158-22159 of the FEDERAL REGISTER of June 20, 1974, there was published a notice of proposed rulemaking by the Saint Lawrence Seaway Development Corporation to rearrange certain items in the message content of the call-in table contained in the Seaway regulations. This action is being taken pursuant to the provisions of the Corporation's enabling act (33 U.S.C. 981 et seq.) and pursuant to the authority vested in the Secretary of Transportation with respect to the Saint Lawrence Seaway under the Ports and Waterways Safety Act of 1972 (Pub. L. 92-340, 86 Stat. 424), which authority was subsequently delegated to the Administrator of the Saint Lawrence Seaway Development Corporation in the

FEDERAL REGISTER on October 17, 1972 (37 FR 21943), and jointly with the St. Lawrence Seaway Authority of Canada. This amendment recognized a need to keep message content at Mid Lake Ontario to a minimum since vessels must call two stations at this point.

Interested parties were invited to submit written data, views, or arguments with respect to the proposed amendment. No comments were received. Since this amendment should provide immediate guidance and information to vessels transiting the Seaway, I find that good cause exists for making this amendment effective in less than 30 days.

In 33 CFR Part 401, Schedule III, Calling-In Table is amended as follows:

###### SCHEDULE III.—Calling-in table

C.I.P. and checkpoint	Station to call	Message content
*	*	*
DOWNBOUND VESSELS		
*		
Mid Lake Ontario-entering sector 4.	Seaway Sodus call channel 16, work channel 13.	1. Name of vessel. 2. Location.
Sodus Point	Seaway Sodus call channel 16, work channel 13.	1. Name of vessel. 2. Location. 3. Updated ETA Cape Vincent or Lake Ontario Port. 4. Confirm river pilot requirement-Cape Vincent. 5. Drafts, fore and aft. 6. Cargo. 7. Destination.
*		

**Effective Date:** August 1, 1974.

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended, and sec. 104, Pub. Law 92-340, 86 Stat. 424, 49 CFR 1.50a (37 FR 21943))

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION,  
[SEAL] D. W. OBERLIN,  
Administrator.

[FR Doc. 74-17539 Filed 7-31-74; 8:45 am]

#### Title 40—Protection of Environment

##### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

###### SUBCHAPTER C—AIR PROGRAMS

##### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

###### Transportation and Land Use Controls

As pointed out in the preamble to regulations promulgated for the Texas Transportation and Land Use Control Plan (38 FR 30635, November 6, 1973), proposed regulations for controlling organic solvent evaporation (exclusive of degreasing operations) and the emissions of organic compounds from architectural coatings for buildings were eliminated in final regulations. It was and still is the intent of EPA not to require controls for dry cleaners or paint application processes such as automotive painting and repainting, furniture finishing, can coating, appliance coating,

## RULES AND REGULATIONS

and industrial equipment and steel coating.

Since the promulgation of the regulations on November 6, 1973, questions have arisen concerning the applicability of the provisions of 40 CFR 52.2292, "Regulations for limitation of new reactive carbon compound emission sources." As promulgated, the definition of the sources to which this regulation applies is very broad. Basically, this section was intended to apply to chemical processing, and petroleum refining and petrochemical sources. Chemical processing was intended to include paint manufacturing, but not paint application processes. The purpose of this promulgation is to amend the regulation and clarify the applicability intended by the regulation.

In view of the fact that this amendment is published for the purpose of clarification only, the Administration finds good cause for making this regulation effective without proposal, 30 days from this date.

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

Dated: July 25, 1974.

JOHN QUARLES,  
Acting Administrator.

Subpart SS, Texas, of Part 52 of Chapter I, 40 CFR, is amended by adding a new paragraph (a)(3), which will read as follows:

**§ 52.2292 Regulation for limitation of new reactive carbon compound emission sources.**

(a) \* \* \*

(3) Paint application processes, such as automotive painting, furniture finishing, can coating, appliance coating, industrial equipment and steel coating, and other are exempt from the provisions of this section.

[FR Doc. 74-17517 Filed 7-31-74; 8:45 am]

**Title 41—Public Contracts and Property Management**

**CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS**

**SUBCHAPTER G—TRANSPORTATION AND MOTOR VEHICLES**

**PART 101-38—MOTOR EQUIPMENT MANAGEMENT**

[FPMR Amdt. G-29]

**Subpart 101-38.10—Preventive Maintenance of Motor Vehicles**

**MOTOR VEHICLE MAINTENANCE**

This amendment prescribes the minimum frequency for vehicle engine tune-ups for Government-owned, commercially designed motor vehicles and changes the address of the GSA organization that is to receive copies of agency preventive maintenance programs.

Sections 101-38.1001, 101-38.1003, and 101-38.1004 are revised as follows:

**§ 101-38.1001 Applicability.**

This subpart is applicable to executive agencies operating Government-owned

motor vehicles located in the United States, its territories, or possessions, except for motor vehicles exempted by law or regulation. Other Federal agencies are encouraged to conform to the requirements of this subpart so that maximum benefits may be realized in the operation of all Government-owned motor vehicles.

**§ 101-38.1003 Guidelines.**

(a) The guiding principles inherent in a preventive maintenance program shall encompass a recorded, systematic procedure for the servicing and inspection of motor vehicles to ensure their safe and economical operating condition throughout the period of use and to meet warranty requirements. Servicing and inspection work may be performed by Government personnel, by commercial shops, or a combination of both.

(b) Agencies shall take positive action to ensure that all Government-owned, commercially designed motor vehicles have a tuneup at least every 12,000 miles or 12 months, whichever occurs first. Vehicle engines shall be maintained in accordance with the manufacturer's recommended specifications.

(c) To assist agencies engaged in motor vehicle operations, a step-by-step procedure for performing preventive maintenance has been published by GSA entitled "Guide for Preventive Maintenance of Motor Vehicles." The Guide outlines procedures for a preventive maintenance program for the systematic servicing and inspection of Government-owned motor vehicles on a time or mileage basis, and suggests Optional forms and formats as are necessary for recordkeeping purposes.

**§ 101-38.1004 Reporting of preventive maintenance programs.**

Copies of existing preventive maintenance programs for Government-owned motor vehicles, revisions to programs, and new programs shall be submitted by holding agencies to the General Services Administration (FZM), Washington, DC 20406.

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

**Effective date.** This regulation is effective August 1, 1974.

Dated: July 24, 1974.

DWIGHT A. INK,  
Acting Administrator of  
General Services.

[FR Doc. 74-17550 Filed 7-31-74; 8:45 am]

**Title 43—Public Lands: Interior**

**CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR**

**APPENDIX—PUBLIC LAND ORDERS**

[Public Land Order 5430]

[AA-6049]

**ALASKA**

**Partial Revocation of Executive Order No. 3406 of February 13, 1921**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. Executive Order No. 3406 of February 13, 1921, which reserved 168 tracts of land in Alaska for lighthouse purposes, is hereby revoked so far as it affects the following described lands:

**TONGASS NATIONAL FOREST**

53. Blank Island, Nichols Passage, shown on U.S. Coast and Geodetic Survey Chart No. 8075, Sheet No. 36. The southern island of the group in the north end of Nichols Passage, at the entrance of Blank Inlet, Gravina Island at approximate latitude 55°16' North, longitude 131°38' West,

containing approximately 60 acres.

Excepting that the following described lands, withdrawn by the Executive Order of February 13, 1921, are retained for use of the Coast Guard for continued operation of the Blank Island Light:

Beginning at point No. 1 which bears North 66° West a distance of 51 feet from Blank Island Light; thence North 21° East a distance of approximately 40 feet to point No. 2 on the mean high waterline; thence meandering Easterly and Southerly along the mean high waterline to point No. 3, which bears South 21° West a distance of approximately 125 feet from point No. 1; thence North 21° East a distance of approximately 125 feet to the point of beginning,

containing approximately 0.1 acre.

2. At 10 a.m. on August 30, 1974, the lands released by this order shall be open to such forms of disposition as may be law be made of national forest lands.

JACK O. HORTON,  
Assistant Secretary of the Interior.

JULY 25, 1974.

[FR Doc. 74-17542 Filed 7-31-74; 8:45 am]

[Public Land Order 5431]

**ALASKA**

**Correction and Amendment of Public Land Order No. 5405**

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17 of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter referred to as the Act), it is hereby ordered as follows:

1. Public Land Order No. 5405 of January 10, 1974, which appeared in the January 23, 1974, issue of the FEDERAL REGISTER, 39 FR 2585-2586, revoking in part Public Land Order Nos. 5150, 5151 and 5190, is hereby amended to add and delete the following described lands as indicated:

**COPPER RIVER MERIDIAN**

ADD

T. 7 N., R. 2 W.,  
Sec. 23, W 1/2;  
Sec. 26, W 1/2;  
Sects. 27 and 34;  
Sec. 35, W 1/2.

DELETE

T. 4 N., R. 2 W. (Partly surveyed),  
Sec. 23, W 1/2;  
Sec. 26, W 1/2;  
Sects. 27 and 34;  
Sec. 35, W 1/2.

2. Public Land Order No. 5405 is further amended to show that the lands described in the following townships are described by protracted surveys:

COPPER RIVER MERIDIAN  
PROTRACTED DESCRIPTIONS

Ts. 5, 6, 7, N., R. 2 W.

3. The lands deleted in paragraph 1 of this order are either patented or tentatively approved to the State of Alaska under its selection rights, and should not have been included. Therefore subject lands will revert to their former status.

4. This order does not serve to change the provisions of Public Land Order No. 5405 but to correct the errors which occurred therein; nor does it serve to otherwise change the provisions and limitations of Public Land Orders Nos. 5150 and 5151.

5. Upon the approval of this order, as to the added lands described herein, the withdrawals made by section 11 of the Act under Public Land Order Nos. 5184 and 5188 of March 15, 1972, 37 FR 5588 and 5591, immediately attach to said lands, and the lands become subject to all the terms and conditions of such withdrawals.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

JULY 25, 1974.

JACK O. HORTON,

Assistant Secretary of the Interior.

[FR Doc.74-17543 Filed 7-31-74;8:45 am]

Title 45—Public Welfare

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

PART 220—SERVICE PROGRAMS FOR FAMILIES AND CHILDREN

Paternity and Support; Correction

Federal Register Doc. 74-15925, published at page 25490 in the issue dated Thursday, July 11, 1974, is corrected by changing the effective date from April 1, 1974 to July 11, 1974.

Approved: July 25, 1974.

BRYAN B. MITCHELL,  
Acting Deputy Assistant Secretary for Management Planning and Technology.

[FR Doc.74-17610 Filed 7-31-74;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19356; FCC 74-789]

PART 0—COMMISSION ORGANIZATION

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Authorization of RF Devices

In the matter of amendment of Part 0 and 2 of the Rules relating to equipment authorization of RF devices.

1. The Commission has before it a number of petitions requesting reconsideration of the Report and Order adopted on February 6, 1974, in the above-described proceeding. The history of this proceeding is described in that Report and Order.<sup>1</sup>

2. Although not restricted to these matters the concern of the petitioners centers mainly upon equipment identification and labeling requirements as well as the Commission's use of the word "identical." Consequently, the Commission acting upon a request embodied in one of the petitions<sup>2</sup> deferred the effective date of four sections of the Report and Order which are provisions for identification and labeling. The stay deferred the effective date of §§ 2.925, 2.969, 2.1003 and 2.1045 until June 25, 1974<sup>3</sup> and was extended until August 2, 1974.<sup>4</sup>

3. The petitioners are: Amana Refrigeration Inc. (Amana); the Association of Home Appliance Manufacturers (AHAM); the Consumer Electronics Group of the Electronic Industries Association (EIA-CEG); the Land Mobile Section of the Communications Division of the Electronic Industries Association (EIA-LM); RCA Corporation; Society of the Plastics Industry, Inc. (SPI).<sup>5</sup>

4. Sections 2.903, 2.905, 2.907, 2.908, 2.932, 2.967, 2.1001 and 2.1043<sup>6</sup> deal with the Commission's use of the word "identical" as well as the modification and change of authorized equipments. Addressing itself solely to the application of these rules to microwave ovens that are type approved by the Commission, Amana, supported by AHAM, contends that a financial hardship could be precipitated by the requirement for new type approvals in those instances where only the type number might be changed due to component substitutions caused by parts and materials shortages. It argues

<sup>1</sup> 39 FR 5912, February 15, 1974.

<sup>2</sup> Petition for reconsideration submitted by the Consumer Electronics Group of the Electronic Industries Association.

<sup>3</sup> 39 FR 12351, April 9, 1974.

<sup>4</sup> 39 FR 25324, July 10, 1974.

<sup>5</sup> A petition for stay of the effective date of the Report and Order in this proceeding was filed with the Commission by the Society of the Plastics Industry, Inc. simultaneously with its petition for reconsideration. See paragraph 10 for the disposition of this petition.

<sup>6</sup> Section numbers refer to those of the Report and Order in this proceeding 39 FR 5912, February 15, 1974.

that even with allowances for mechanical manufacturing tolerances, it is impossible to manufacture microwave ovens identically, and 100 percent testing is impractical in determining whether or not the ovens are electronically identical as the required exhaustive testing would be prohibitively time-consuming. Amana recommends, therefore, that the word "identical" be deleted or modified to permit minor mechanical differences and requests exclusion of the need to test each oven to determine whether or not it is electronically identical to the sample tested by the Commission and urges that § 2.903(b) be revised to read " \* \* \* mechanically identical in all significant respects \* \* \* " instead of " \* \* \* identical in all respects \* \* \*." Amana further contends that marketing should be permitted pending approval of changes when a manufacturer has tested its product and no change of interference capability can be found which differs from that determined by the Commission based upon a previously submitted sample.

5. Amana alleges that requiring a new type approval for every change, no matter how trivial, will impose a serious financial burden on the manufacturer, and urges the Commission to permit minor changes without requiring a new type approval. In particular, it argues that type approval fees should not be charged for a change in brand name when a unit is otherwise the same as that previously type approved.

6. EIA-LM also raises questions concerning the use of the term "identical" in §§ 2.905 and 2.907. Observing that in discussions with the FCC staff it was indicated that the Commission did not intend the word "identical" to negate the permissive changes permitted by §§ 2.1001 and 2.1043, EIA-LM requests that the language in §§ 2.905 and 2.907 be amended to clarify this intention. Moreover, EIA-LM contends that the requirement for a new type acceptance or certification of a non-identical equipment will constrain the land mobile "specials" market designed to satisfy individual needs. Additionally, strict observance of the "identical" requirement will encourage foreign competition, since foreign equipment is essentially standardized and can readily meet the identical requirement.

7. SPI calls attention to its original comment in this proceeding and recommendation to revise § 2.1041 (redesignated as § 2.1043 in Appendix B to the Report and Order) dealing with changes in certificated equipment. SPI reiterates that the alternative language it had proposed was designed to relieve both industry and the Commission of unnecessary applications while, at the same time, assuring user compliance with the technical specifications of FCC Rules Part 18. SPI points out that the manufacturer cannot foresee all the changes that users will make to suit the requirements of the work being performed.

## RULES AND REGULATIONS

8. It appears that our intent with respect to ISM equipment was not made sufficiently clear.<sup>6</sup> We pointed out that it was our intention to impose a requirement on the manufacturer to deliver equipment to the user that could reasonably be expected to comply with our Part 18 requirements, under normal operating conditions. We did not intend to make the manufacturer responsible for changes made by the user. In any event, we recognized that an across the board requirement for bilateral certification for all industrial heating equipment was not suitable, and we indicated (Report and Order paragraph 16) that a separate proceeding would be instituted to conform Part 18 to these new procedures.

9. We reiterate that intention herein. A separate proceeding will be instituted which will spell out in detail, how these new procedures will apply to industrial heating equipment operating under Part 18. Until this part is conformed, industrial heating equipment may continue to operate under the procedures currently set out in Part 18. The question of multiple applications due to changes in industrial heating equipment will be dealt with in that proceeding. As a practical matter, § 2.1043 has been revised to permit certain permissive changes in certificated equipment. The Commission believes that this change will allay the fears expressed by SPI.

10. In view of our expressed intention to treat industrial heating equipment in a separate proceeding, we consider SPI's petition to stay the effective date of these rules to be moot and no action thereon to be required.

11. Turning back to the question of "identical" and "permissive changes," we wish to make clear at the outset that we cannot in any way mitigate one of our prime responsibilities: namely that which is given to us by section 302 of the Communications Act of 1934, as amended, to make sure that equipment delivered to the user can reasonably be expected to meet our regulations for the control of radio frequency interference. With respect to radio frequency devices, changes generally can be permitted when identifiable as those which cause little or no effect upon interference. It must be noted, however, that today's proliferation of emitters of electromagnetic energy provides a vastly increased potential for interference in an environment that can be fraught with electromagnetic incompatibilities. Accordingly, we cannot accede to Amana's request to permit marketing prior to the issuance of a grant of type approval in the case of a change.

12. With regard to the above sections of our rules, as referenced in the petitions for reconsideration filed by EIA-LM and Amana, the Commission has no alternative but to require a new application and equipment authorization at any time that a manufacturer chooses to designate equipment with a new model

number. However, this does not mean that we will insist on complete retesting. The rules heretofore adopted permit a less detailed application when filing for an authorization of equipment which contains merely variants. The petitioners are referred to § 2.933(b) of our rules which enables the time and effort for filing to be vastly reduced in the submission of an application where the identification of the equipment is changed without a change in design, circuitry or construction. Applications in these cases need not be accompanied by a resubmission of equipment for type approval or measurement data customarily required where type acceptance or certification is requested by the applicant.

13. Amana is concerned about the question of fees—namely that whenever there is a change and a new application is filed, the Commission will require a complete retesting and assess the full type approval fee. This is simply not so. Although we require a new application when a change is made, the applicant is required only to describe the change and pay the fee for a modification of the type approval. Hence the cost to the manufacturer is nominal. When the manufacturer changes the trade name or model number for his own convenience in marketing, as explained in paragraph 12 above, we have no alternative but to require a new application if our records are to be accurate.

14. With respect to Amana's suggestion that we permit changes which are "mechanically identical in all significant respects," we cannot concur. The experience we have accumulated in almost thirty years of type approval testing<sup>7</sup> has shown that while there is good correlation between the test results of some manufacturers and those of our laboratory, the correlation with the test results of other manufacturers has been poor. Since it is manifestly not feasible to authorize some manufacturers to make changes while denying this right to others, we must retain the language that "no change whatsoever" be made in type approved equipment without prior approval from the Commission.<sup>8</sup> It should be understood, of course, that the substitution of an electrically equivalent resistor or capacitor of another make is not considered to be a change within the meaning of § 2.967(a).

15. With regard to private labeling, the Commission does not agree with the contention of EIA-LM that, by its action in adopting the Report and Order under question, it will preclude or constrain in any way this practice of the industry. On the contrary, in these procedures for equipment authorization, provisions are made and will continue to be made to accommodate the practice of private labeling.

<sup>6</sup> The rules requiring type approval of medical diathermy equipment were promulgated in 1946.

<sup>8</sup> This language has been in our rules for type approved equipment since they were first adopted in 1946.

16. The Commission has not been requiring tests on a microwave oven when a change was made only in the interlock to meet the requirements of the Bureau of Radiological Health. On the other hand, several manufacturers have on their own initiative changed model designations to show this redesign. If there is an identification change, an abbreviated application pursuant to § 2.933 will be required. If the identification remains the same, an application pursuant to § 2.932 will be required. While the full fee for type approval is required for the equipment with a new identification under the present fee schedule, the fee is nominal if the identification is not changed. With respect to future requirements for type approval of microwave ovens as they may be influenced by future regulations of BRH or the Commission, these would be subject to our rule-making proceedings and, accordingly, opportunity for comment will be provided.

17. Sections 2.903, 2.905 and 2.907. The Commission does not agree that the term "identical" should be deleted from the definitions of the equipment authorization procedures but does concur that the permissive changes for type approved, type accepted or certified equipment should be more clearly delineated. Therefore, the above sections have been amended to include references to the appropriate sections which provide the changes authorized by the Commission. In essence, the Commission is of the view that the requirements of an equipment authorization program demand that only the kinds of changes specifically delineated can be allowed without further reference to the Commission. Additionally, the permitted variations or changes in type approved, type accepted or certified equipment have been further explained in §§ 2.967, 2.1001 and 2.1043 respectively.

18. Section 2.967(a). *Changes in type approved equipment.* We cannot accept the AHAM proposal to conform § 2.967(a) to § 2.1001. It is intentionally more restrictive. Section 2.1001 applies to equipment produced for licensed services and made by manufacturers with relatively high expertise in electronics and interference control. Moreover, such equipment is regularly maintained by highly trained and skilled technicians. Section 2.967, on the other hand, deals largely with devices to be used by the general public, and in particular with microwave ovens—the equipment of concern to Amana and AHAM. Such devices are commonly made by companies or divisions thereof, without a high level of expertise in the control of radio interference, and often with minimal testing facilities. Accordingly, the Commission must reserve the right to determine when a change is significant and when a notification thereof to the Commission is required. The request by Amana and AHAM to conform § 2.967(a) to § 2.1001 is therefore denied.

19. Section 2.909. The Commission agrees with EIA-LM with regard to the

<sup>6</sup> Paragraphs 15 and 16 of Report and Order.

desirability of revising the requirement for the signature placed upon an application for equipment authorization. The revised § 2.909, in the appendix herein, permits the requested delegation of the signature authority.

20. Section 2.929. Nonassignability of an equipment authorization. EIA-LM states that this section " \* \* \* would now preclude private labeling unless an entire duplicative type acceptance or type approval filing is submitted". EIA-LM further hypothesizes " \* \* \* if manufacturer A obtains type acceptance and B wishes to market the identical product under its name, B will have to submit the same information which A has already filed with the Commission". Quoting the EIA-LM petition, it further states, "Since there is often a substantial time lag between A's type acceptance authorization and B's decision to market the given product, duplicates will have to be retained indefinitely. Making copies of such material as blueprints and drawings is cumbersome and time consuming. There is no question that B will have to pay the normal filing fee required for type acceptance; thus (EIA-LM) sees no reason why B should not be permitted to file a letter stating that it wishes to market a product identical in every aspect to A's except for the brand name \* \* \*". (EIA-LM filing dated March 18, 1974 at page 10).

21. It would appear that EIA-LM has misconstrued § 2.929(b). This section merely states that a grantee cannot assign a grant of an equipment authorization to a second party. Provision is made, however, to license or otherwise authorize a second party to manufacture or market such equipment. Notice of such a licensing agreement must be given to the Commission and we reserve the right to require additional information (such as a new application, new measurement data, etc.) depending on the circumstances in the particular case. Of course, if a change in trade name or model number is made, a new application must be submitted which in most cases will not require retesting as indicated in § 2.933.

22. A reading of § 2.933 which deals with changes in identification of equipment will demonstrate the facility of filing a new application for an equipment authorization when there is a change in the identification of the equipment without a change in design, circuitry or construction. Section 2.933(b) states:

An application \* \* \* where no change of design, circuitry, or construction is involved need not be accompanied by resubmission of equipment or measurement or test data customarily required with a new application unless specifically requested by the Commission. In lieu thereof, the applicant shall attach a statement setting out:

1. The original identification used on the equipment prior to the change in identification.

2. The date of the original grant of the equipment authorization.

3. The original type approval number assigned by the Commission, if one was assigned.

4. How the equipment bearing the modified identification differs from the original equipment.

5. Whether the data previously filed with the Commission (or measured by the Commission in the case of type approved equipment) continues to be representative of and applicable to the equipment bearing the changed identification.

6. In the case of type accepted equipment, the photographs required by § 2.983(f).

7. In the case of certificated equipment, the photographs required by § 2.1033(c).

23. Section 2.931. *Responsibility of the Grantee.* EIA-LM expresses concern regarding the obligation imposed on a grantee to keep the records required by the Commission when the device in question is actually being manufactured by a second party under a licensing arrangement permitted by § 2.929(b). The problem posed by EIA-LM envisions the need for costly policing of the details of manufacture by the grantee and extends this concern to the possibility of the need for legal action in the event such records are not made available by the actual manufacturer. In view of this EIA-LM suggests that the provisions of § 2.931 (b) and (c) for record keeping shall apply not only to the grantee but also to the actual manufacturer of equipment produced pursuant to a license, purchase or other contractual agreement. The Commission recognizes the problem presented by EIA-LM. Accordingly, we have deleted the record keeping requirement from § 2.931 and set it out as a separate regulation, § 2.938 and made it apply both to the grantee and the manufacturer with a proviso that retention of records by the actual manufacturer will satisfy the grantee's responsibility.

24. Section 2.945. *Sampling tests of equipment compliance.* Arguing against the need for § 2.945, EIA-LM states that since § 2.936 appears to provide complete authority to the Commission to inspect the grantee's facilities and the type accepted equipment located there, this rule evidently contemplates inspection of equipment under the control of users. This was not the Commission's intent. We wish to point out, moreover, that there is a distinction between §§ 2.936 and 2.945. Under § 2.936, the Commission reserves the right to inspect the grantee's facilities or records or to require the submission of equipment to the Commission for testing. Under § 2.945, we merely announce that we intend to establish a program of spot checking equipment marketed pursuant to a grant of an equipment authorization to verify that production units continue to comply with our technical specifications. Our intention is to request the grantee to submit equipment for such a determination—not to request same from a user. Section 2.945 has accordingly been revised to clarify this intent.

25. Sections 2.925, 2.969, 2.1003, 2.1045. *Identification and Labeling.* In their petitions, RCA, EIA-CEG and EIA-LM emphasized the problems that could be caused by strict adherence to the nameplate identification data required by §§ 2.925, 2.969, 2.1003, and 2.1045. The petitioners contend that to meet the requirements embodied in these regulations on March 25, 1974 when these rules were to become effective, imposes a hard-

ship to the point of possible production shut-down because of the need to redesign and retool.<sup>6</sup> EIA-LM points out difficulties including a loss to the manufacturer's investment for the labeling machinery presently used and in stocks of basic label blanks on hand. RCA requests a postponement or waiver until July 1, 1975 of the effective date of identification of equipment requirements set forth in these sections; EIA-LM—until September 1, 1975. In response to this argument, the Commission has revised these regulations to indicate that it will accept alternative methods of designating the model number until September 1, 1975, provided it finds the name and model number of each unit to be clearly identifiable, separate and distinct from any other number or designation.

26. Section 2.963. *Application for Type Approval.* AHAM requests the Commission to permit the filing of a single application for type approval which details the variations from a basic equipment. The Commission has had experience with applications of this nature and has found such applications to be unsatisfactory and involve a great amount of extra work by the Commission, and to yield results of questionable accuracy. It is easier, and definitely more accurate, for the manufacturer to detail the variations and list them separately than for the Commission to attempt to cull these from the applications. AHAM's argument that separate applications will be excessively costly has been disposed of in paragraph 13 above.

27. Sections 2.963(d)(8) and 2.983(d)(8). *Submission of Instruction Books.* EIA-LM requests that instruction books, when not available at the time of filing for type acceptance, be filed at such time as they become available, or such later date as may be specified, instead of at the time stipulated by the Commission: 60 days after grant of type acceptance or such later date as may be specified. The Commission acknowledges this problem and has revised these regulations to delete the requirement for filing the instruction book within 60 days, and in general to allow the instruction book to be submitted as soon as it is available.

28. Section 2.1033(c). *Photograph for Certification.* EIA-CEG requests that the requirement for an 8" by 10" photograph be changed to a photograph with the required detail mounted on an 8" by 10" paperboard for ease in filing. The Commission agrees and has revised this section accordingly.

29. Additionally, § 0.457(d) is corrected to include subsection (1)(iv) which was inadvertently deleted in the Report and Order.

30. Accordingly, it is ordered Effective August 2, 1974, that Parts 0 and 2 of the FCC Rules are revised as set forth in the attached Appendix. Authority for these revisions is contained in section

<sup>6</sup>To avoid this problem, the Commission stayed these regulations until June 25, 1974, pending reconsideration of the requirement for identification and labeling.

## RULES AND REGULATIONS

4(i), 302 and 303(r) of the Communications Act of 1934, as amended. Because the amendment is procedural in nature, the prior notice and effective date provisions of 5 U.S.C. 553 are inapplicable.

Adopted: July 23, 1974.

Released: July 30, 1974.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; Sec. 302, 82 Stat., 290; 47 U.S.C. 154, 302, 303)

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

A. Part 0 is revised as follows:

1. In § 0.457(d) (1) a new subparagraph (iv) is added to read as follows:

§ 0.457 Records not routinely available for public inspection.

• • •  
(d) • • •  
(1) • • •

(iv) Annual fee computation forms submitted for cable television systems pursuant to § 76.406 of this chapter.

B. Part 2 is revised as follows:

1. In § 2.903, paragraph (b) is revised to read as follows:

§ 2.903 Type approval.

(b) Type approval attaches to all units subsequently marketed by the grantee which are identical (See § 2.908) in all respects to the sample tested by the Commission or include only changes authorized by the Commission pursuant to § 2.967.

2. In § 2.905, paragraph (b) is revised to read as follows:

§ 2.905 Type acceptance.

(b) Type acceptance attaches to all units subsequently marketed by the grantee which are identical (See § 2.908) to the sample tested except for permissive changes or other variations authorized by the Commission pursuant to § 2.1001.

3. In § 2.907, paragraph (b) is revised to read as follows:

§ 2.907 Certification.

(b) Certification attaches to all units subsequently marketed by the grantee which are identical (see § 2.908) to the sample tested except for permissive changes or other variations authorized by the Commission pursuant to § 2.1043.

4. In paragraph (c) of § 2.909, the proviso is amended. As revised § 2.909(c) reads as follows:

§ 2.909 Written application required.

(c) Each application including amendments thereto, and related statements of fact required by the Commission, shall be personally signed by the applicant if the applicant is an individual; by one of the partners if the applicant is a partner-

ship; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association: *Provided, however,* That the application may be signed by the applicant's authorized representative who shall indicate his title, such as plant manager, project engineer, etc.

§ 2.931 [Amended]

5. In § 2.931, paragraph (b) and (c) are deleted.

6. A new § 2.938 is added to read as follows:

§ 2.938 Retention of records.

(a) For each equipment for which an equipment authorization has been issued, the grantee shall maintain the records listed below:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the requirements of § 2.931.

(2) A record of the procedures used for production inspection and testing to insure the conformance required by § 2.931.

(b) The provisions of paragraph (a) of this section shall also apply to a manufacturer of equipment produced under an FCC equipment authorization pursuant to a license, purchase or other contractual agreements between said manufacturer and the grantee of the equipment authorization. Retention of records by said manufacturer in these circumstances shall satisfy the grantee's responsibility under paragraph (a) of this section.

(c) The records listed in paragraph (a) of this section shall be retained for one year after the manufacture of said equipment item has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the grantee (or under paragraph (b) of this section the manufacturer) is officially notified that an investigation or any other administrative proceeding involving his equipment has been instituted.

(d) The records required to be retained by paragraph (a) of this section shall apply only to equipment for which the equipment authorization was issued on or after September 1, 1974 or for which the license, purchase or other contractual agreement in paragraph (b) of this section was signed on or after September 1, 1974.

7. Section 2.945 is revised to read as follows:

§ 2.945 Sampling tests of equipment compliance.

The Commission will, from time to time, request the grantee to submit various equipment(s) for which an equipment authorization(s) has been granted, to determine the extent to which subsequent production of such equipment continues to comply with the data filed by the applicant (or measured by the Commission in the case of type approved equipment). Shipping costs to the Com-

mission's laboratory and return shall be borne by the grantee.

8. Section 2.963(d) (8) is revised to read as follows:

§ 2.963 Application for type approval.

• • •

(8) *Instruction books.* If the instruction book(s) is not available when the application is filed a set of draft instructions should be provided and the complete instruction book should be submitted as soon as available.

• • •

9. Section 2.967 is amended to add a note after paragraph (a) to read as follows:

§ 2.967 Changes in type approved equipment.

(a) No mechanical or electrical change whatsoever may be made in a type approved equipment without prior approval by the Commission.

*Note:* Changes only in color of finish, or use of technically equivalent non-critical parts of different manufacture are not considered to be changes within the intent of this section. However, changes in make of critical parts (such as magnetrons) or type of semiconductors or vacuum tubes are considered to be changes requiring approval. In this context the term critical changes means those changes that affect the capability of the device to comply with the technical standards of the rules. Any questions as to whether changes require approval or not should be referred to the Laboratory Division for determination.

• • •

10. Section 2.969 headnote is amended, paragraph (d) is revised and a new paragraph (e) is added to read as follows:

§ 2.969 Identification label for type approved equipment.

• • •

(d) Any other statement or labeling requirement imposed by the rules governing the operation of this equipment, except that statements of compliance with equipment approval rules or technical standards may appear in a clear and recognizable manner elsewhere on the equipment.

(e) For applications filed prior to September 1, 1975, the Commission will accept, for type approval, alternative methods of identification, other than that specified in paragraph (a), (b) and (c) of this section, provided it finds the name pursuant to paragraph (a) of this section and the number of each unit pursuant to paragraph (b) of this section to be clearly identifiable, separate and distinct from any other number or designation on the equipment.

11. In § 2.983, subparagraph (8) of paragraph (d) is revised to read as follows:

§ 2.983 Application for type acceptance.

• • •

(d) • • •

(8) Instruction book(s). If the instruction book is not available when the application is filed, a set of draft instructions should be provided and the complete instruction book should be submitted as soon as available. The Commission may specify a date when the complete instruction book should be submitted to conform this requirement with the regulations of the service under which type acceptance is requested.

12. Section 2.1001, headnote is amended, and paragraph (a) is revised to read as follows:

**§ 2.1001 Variation or changes in type accepted equipment.**

(a) Equipment of the same type is defined for purposes of type acceptance as being equipment which is electrically and mechanically interchangeable and in addition will have the same basic tube or semiconductor line up, frequency multiplication, basic frequency determining and stabilizing circuitry, basic modulator circuit and maximum power rating. Variations in electrical and mechanical construction, other than the items indicated above are permitted provided the variation or change is made in compliance with the requirements of paragraphs (b), (c), and (d) of this section.

13. Section 2.1003 and headnote are revised to read as follows:

**§ 2.1003 Identification label for type accepted equipment.**

In the case of an equipment that has been type accepted, the identification label required by § 2.925 shall contain the following:

(a) Name of the grantee of the type acceptance.

(b) The words "FCC TRANSMITTER DATA" followed by the number assigned to the equipment by the grantee. The abbreviations "XMTR" or "TX" may be used in place of the word "TRANSMITTER".

**Note:** If the equipment is a transceiver having transmitting and receiving capability and a single identifier is assigned, the words "FCC DATA", followed by the number assigned to the equipment by the grantee shall be used. If the transmitter part and the receiver part are assigned separate identifiers, the marking of paragraph (b) shall be used for the transmitter part and the marking of § 2.1045(b)(2) shall be used for the receiver part if the receiver part is subject to the requirement for certification.

(c) Any other statement or labeling requirement imposed by the rules governing the operation of this equipment, except that statements of compliance with equipment approval rules or technical standards may be permitted to appear in a clear and recognizable manner elsewhere on the equipment.

(d) For applications filed prior to September 1, 1975, the Commission will accept, for type acceptance, alternative methods of identification, other than that specified in paragraph (b) of this section, provided it finds the name pursuant to paragraph (a) of this section

and the type number of each unit to be clearly identifiable, separate and distinct from any other number or designator on the equipment.

14. In § 2.1033, paragraph (c) is revised to read as follows:

**§ 2.1033 Application for certification under Part 15.**

(c) The application shall be accompanied by a photograph showing the general appearance of the equipment and the operating controls available to the user. The photograph shall be 8" by 10" in size, or mounted on paper 8" by 10" to 8½ by 11 in size. If the identification label does not appear on this photograph or is too small to be read, a second photograph shall be attached showing the identification label in sufficient detail so that the name and number can be read. In lieu of the second photograph, a sample label, or a facsimile thereof, mounted on a full size sheet, and a sketch showing where this label will be placed on the equipment, may be submitted.

15. Section 2.1043 and headnote are revised to read as follows:

**§ 2.1043 Variations or changes in certificated equipment.**

(a) Variations in the electrical and mechanical construction of equipment requiring an application for, and grant of, certification are permissible providing that the variations, either do not affect the characteristics required to be reported to the Commission, or provided the variations or changes are made in compliance with paragraphs (b), (c), or (d) of this section.

(b) Two classes of permissive changes may be made in certificated equipment without requiring a new application for and grant of certification. Neither class of change shall result in a change in name or model number.

(1) A Class I permissive change includes those modifications in the equipment which do not degrade the characteristics reported by the manufacturer and accepted by the Commission when certification is granted. No filing with the Commission is required for a Class I permissive change.

(2) A Class II permissive change includes those modifications which degrade the performance characteristics as reported to the Commission at the time of the initial certification. Such degraded performance must still meet the minimum requirements of the applicable rules. When a Class II permissive change is made by the grantee, he shall supply the Commission with complete information and the results of tests of the characteristics affected by such change. The modified equipment shall not be marketed under the existing grant of certification prior to acknowledgement by the Commission that the change is acceptable.

(c) A grantee desiring to make a change other than a permissive change described in paragraph (b) of this section, shall file an application on Form 722

accompanied by the required fees. The grantee shall attach a description of the change(s) to be made and a statement indicating whether the change(s) will be made in all units (including previous production) or will be made only in those units produced after the change is authorized.

(d) A change which results in a new name and/or model number (with or without change in circuitry) requires a new application for, and grant of, certification. If the change affects the characteristics required to be reported, a complete application shall be filed. If the characteristics required to be reported are not changed the abbreviated procedure of Section 2.1035 may be used.

16. Section 2.1045 and headnote are revised to read as follows:

**§ 2.1045 Identification label for certificated equipment.**

In the case of an equipment that has been certificated, the identification label shall contain at least the following:

(a) The trade name. The trade name, if shown elsewhere on the equipment, shall be the same as that shown on the label.

(b) For consumer equipment (i.e. broadcast receivers, Part 15 walkie talkies, and other equipment sold to the general public) the words "MODEL NO." followed by the number assigned to the equipment by the grantee. If the identification label contains other numbers in addition to that required by this paragraph, such as "SERVICE NO.", "CATALOG NO." or other similar terms to avoid confusion with the identifier required by the Commission, the words "MODEL NO." may be preceded by the term "FCC DATA" to facilitate recognition of the identifying number used for FCC.

(c) For communications equipment (i.e. receivers and other equipment normally used at licensed stations) the words "FCC RECEIVER DATA" followed by the number assigned to the equipment by the grantee. The abbreviations "RCVR" or "RX" may be used in lieu of the word "RECEIVER".

**Note:** If the equipment is a transceiver having transmitting and receiving capability and a single identifier is assigned the marking of § 2.1003(b) shall be used. If the transmitter part and the receiver part are assigned separate identifiers, the marking of § 2.1003(b) shall be used for the transmitter part, and the marking of § 2.1045 (b) or (c) shall be used for the receiver part.

(d) Any other statement or labeling requirement imposed by the rules governing the operation of this equipment, except that statements of compliance with equipment approval rules or technical standards may appear in a clear and recognizable manner elsewhere on the equipment.

(e) For applications filed prior to September 1, 1975, the Commission will accept, for certification, alternative methods of identification, other than those specified in paragraphs (a), (b), and (c) of this section, provided it finds the name pursuant to paragraph (a) of this section and the number of each unit pursuant to paragraph (b) or (c) of this

## RULES AND REGULATIONS

section, to be clearly identifiable, separate and distinct from any other number or designator on the equipment.

[FR Doc.74-17562 Filed 7-31-74;8:45 am]

## Title 49—Transportation

## CHAPTER X—INTERSTATE COMMERCE COMMISSION

## SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1193]

## PART 1033—CAR SERVICE

## Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 26th day of July 1974.

It appearing, that an acute shortage of plain boxcars exists on the Maine Central Railroad Company; that shippers located on lines of this carrier are being deprived of such cars required for loading, resulting in a severe emergency; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by this railroad are ineffective. It is the opinion of the Commission 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:*

## § 1033.1193 Distribution of boxcars.

(a) 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) Return to owner empty, except as otherwise authorized in paragraphs (a) (3), (4), (5), and (7) of this section, all plain boxcars which are listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, under the heading "Freight Connections and Junction Points".

(10) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded boxcar for movements contrary to the provisions of paragraphs (a) (3), (4), (5), or (7) of this section.

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

(c) *Effective date.* This order shall become effective at 11:59 p.m., August 1, 1974.

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

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

*It is further ordered, That 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.74-17599 Filed 7-31-74;8:45 am]

[No. FF-C-51]

## PART 1085—FREIGHT FORWARDERS OF HOUSEHOLD GOODS

Need for Greater Regulations;  
Postponement of Effective Date

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 26th day of July 1974.

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Petition of the Household Goods Forwarders Tariff Bureau, filed May 20, 1974, for modification of the effective date of the regulation adopted in the above-entitled proceeding (49 CFR 1085.1);

(2) Joint petition of International Export Packers, Inc., and Lyon Household Shipping, Inc., filed July 1, 1974, for modification of the effective date of the regulation adopted in the above-entitled proceeding (49 CFR 1085.1); and

It appearing, that this Commission has issued a booklet, Form BOP 107, "Information for Shippers of Household Goods by Regulated Freight Forwarder", which may be reproduced by the regulated freight forwarders at their expense and which should be utilized in order to comply with the regulation adopted in the above-entitled proceeding, 49 CFR 1085.1;

It further appearing, that the petition in (1) above seeks to extend the original effective date of June 3, 1974, for compliance with the involved regulations, the date fixed by the order herein of February 28, 1974, to a date 21 days from the day this Commission mails Form BOP-107 to the household goods freight forwarding industry; and that the order herein of May 22, 1974, extending compliance with the involved regulation to July 1, 1974, and the passage of time have rendered moot the petition in (1) above;

It further appearing, that the joint petitioners in (2) above alleged that the reproduction of the involved forms and the distribution of said forms to their outlets will reach beyond the July 1, 1974, effective date now in effect and that the effective date should be fixed at August 1, 1974; and that joint petitioners' request appears reasonable and necessary to fulfill the requirements imposed upon them by the regulation involved; and good cause appearing therefor:

*It is ordered, That the petition in (1) above, be, and it is hereby, rejected.*

*It is further ordered, That the effective date of the order of January 3, 1974,*

in the above-entitled proceeding, be, and it is hereby, postponed and fixed as August 1, 1974; and that the order of May 22, 1974, in this proceeding, be and it is hereby, vacated and set aside.

*It is further ordered*, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-17600 Filed 7-31-74;8:45 am]

#### Title 50—Wildlife and Fisheries

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

##### PART 33—SPORT FISHING

Laguna Atascosa National Wildlife Refuge, Tex.

The following special regulation is issued and is effective on August 1, 1974.

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

TEXAS

LAGUNA ATASCOSA NATIONAL WILDLIFE REFUGE

Sport fishing on the Laguna Atascosa National Wildlife Refuge, Texas, is permitted from September 1 through December 31, 1974, inclusive, but only on the area designated by signs as open to fishing. This open area, comprising 140 acres, is limited to the Arroyo Colorado Navigation District (Harlingen) Ship Channel and the banks of the channel as it extends through the refuge. Maps, delineating the area, are available at refuge headquarters, Harlingen, Texas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Fishing shall be in accordance with all applicable State regulations governing sport fishing subject to the following special conditions:

(1) Fishing with trotlines is not permitted.

(2) The refuge officer in charge may at his discretion close the fishing area for public safety, to protect wildlife, or to protect government property.

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

WILLIAM C. ASHE,  
Acting Regional Director.

JULY 26, 1974.

[FR Doc.74-17571 Filed 7-31-74;8:45 am]

#### Title 7—Agriculture

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

[Valencia Orange Reg. 476]

#### 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 August 2-8, 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.

##### § 908.776 Valencia Orange Regulation 476.

(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 continues about unchanged from last week. Prices f.o.b. averaged \$3.56 per carton on a reported sales volume of 620 cartons last week, compared with an average f.o.b. price of \$3.50 per carton and sales of 566 cartons a week earlier. Track and rolling supplies at 377 cars were up 32 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 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 regulation 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 30, 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 August 2, 1974, through August 8, 1974, are hereby fixed as follows:

- (i) District 1: 344,000 cartons;
- (ii) District 2: 281,000 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 31, 1974.

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

[FR Doc.74-17735 Filed 7-31-74;11:25 am]

## RULES AND REGULATIONS

**PART 916—NECTARINES GROWN IN CALIFORNIA****Expenses and Rate of Assessment for 1974-75 Fiscal Period and Carryover of Unexpended Funds**

This document authorizes expenses of \$525,615 of Nectarine Administrative Committee, under Marketing Order No. 916, for the 1974-75 fiscal period and fixes a rate of assessment of \$0.06 per lug of nectarines handled in such period to be paid to the committee by each first handler as his pro rata share of such expenses.

On July 10, 1974, notice of proposed rulemaking was published in the *FEDERAL REGISTER* (39 FR 25327) regarding proposed expenses and the proposed rate of assessment for the period March 1, 1974, through February 28, 1975, pursuant to the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916) regulating the handling of nectarines grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice provided that all written data, views or arguments in connection with said proposals be submitted by July 24, 1974. None were received. After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Nectarine Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

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

(a) **Expenses.** Expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee during the period March 1, 1974, through February 28, 1975, will amount to \$525,615.

(b) **Rate of assessment.** The rate of assessment for said period, payable by each handler in accordance with § 916.41, is fixed at \$0.06 per No. 22D standard lug box of nectarines, or equivalent quantity of nectarines in other containers or in bulk.

(c) **Reserve.** Unexpended assessment funds in excess of expenses incurred during the fiscal period ended February 28, 1974, shall be carried over as a reserve in accordance with § 916.42 of said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that (1) shipments of the current crop of nectarines grown in California are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable nectarines handled during the aforesaid period; and (3) such period began on March 1, 1974, and said rate of assessment will automatically apply to all such nectarines beginning with such date.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order, and "No. 22D standard lug box" shall have the same meaning as set forth in section 1387.11 of the Regulations of the California Department of Food and Agriculture.

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

Dated: July 29, 1974.

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

[FR Doc.74-17612 Filed 7-31-74;8:45 am]

**PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON****Expenses, Rate of Assessment and Carryover of Unexpended Funds**

This document authorizes expenses of the Washington Fresh Peach Marketing Committee, under Marketing Order No. 921, for the 1974-75 season at \$8,961 and prescribes that each handler pay \$0.80 per ton of peaches handled as his prorata share of such expenses. Unexpended assessment income from 1973-74 will be carried over as a committee reserve.

Notice was published in the July 11, 1974, issue of the *FEDERAL REGISTER* (39 FR 22515) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending March 31, 1975, and carryover of unexpended funds, pursuant to the marketing agreement and Order No. 921 (7 CFR Part 921), regulating the handling of fresh peaches grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice afforded interested persons until July 25, 1974, to submit written data, views, or arguments in connection with said proposals. None were received. After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Washington Fresh Peach Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

**§ 921.214 Expenses, rate of assessment, and carryover of unexpended funds.**

(a) **Expenses.** The expenses that are reasonable and likely to be incurred by the Washington Fresh Peach Marketing Committee, during the fiscal period beginning April 1, 1974, and ending March 31, 1975, will amount to \$8,961;

(b) **Rate of assessment.** The rate of assessment, payable by each handler in accordance with § 921.41 is fixed at eighty cents (\$0.80) per ton of fresh peaches;

(c) **Reserve.** Unexpended assessment funds in excess of expenses incurred dur-

ing the fiscal year ended March 31, 1974, be carried over as a reserve in accordance with § 921.42 of said marketing agreement and order; and

(d) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that (1) shipments of the current crop of peaches grown in the designated counties of Washington are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed shall be applicable to all assessable fresh peaches from the beginning of such period; and (3) such period began on April 1, 1974, and the rate of assessment herein fixed will automatically apply to all assessable fresh peaches beginning with such date.

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

Dated: July 29, 1974.

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

[FR Doc.74-17551 Filed 7-31-74;8:45 am]

**PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON****Expenses and Rate of Assessment for 1974-75 Fiscal Period and Carryover of Unexpended Assessment Funds**

This document authorizes expenses of the Washington Apricot Marketing Committee, under Marketing Order No. 922, for the 1974-75 season at \$2,637, and prescribes that handlers pay \$1.20 per ton to defray such expenses. Unexpended assessment income from 1973-74 will be carried over as a committee reserve.

On July 11, 1974, notice of proposed rule making was published in the *FEDERAL REGISTER* (39 FR 25516) regarding proposed expenses and the related rate of assessment for the period April 1, 1974, through March 31, 1975, pursuant to the marketing agreement, as amended and Order No. 922, as amended (7 CFR Part 922), regulating the handling of apricots grown in designated counties in Washington. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice afforded interested persons until July 22, 1974, to submit written data, views, or arguments in connection with said proposals. None were received. After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Washington Apricot Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

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

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Washington Apricot Marketing Committee during the period April 1, 1974, through March 31, 1975, will amount to \$2,637.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 922.41, is fixed at \$1.20 per ton of apricots.

(c) *Reserve.* Unexpended assessment funds in excess of expenses incurred during the fiscal year ended March 31, 1974, shall be carried over as a reserve in accordance with §§ 922.42 and 922.205 of said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that (1) shipments of the current crop of apricots grown in designated counties in Washington are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable apricots handled during the aforesaid period; and (3) such period began on April 1, 1974, and said rate of assessment will automatically apply to all such apricots beginning with such date.

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

Dated: July 29, 1974.

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

[FR Doc. 74-17614 Filed 7-31-74; 8:45 am]

[Area No. 2]

#### PART 948—IRISH POTATOES GROWN IN COLORADO

##### Expenses and Rate of Assessment

This document authorizes expenses of \$17,390 for the Area No. 2 Committee under Marketing Order No. 948, as amended, during the 1974-75 fiscal period and fixes a rate of assessment of \$0.0025 per hundredweight of potatoes handled in such period to be paid to the committee by each first handler as his pro rata share of such expenses.

Notice of rulemaking regarding the proposed expenses and rate of assessment for Area No. 2 (San Luis Valley) was published in the July 11, 1974, *FEDERAL REGISTER* (39 FR 25516). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than July 26, 1974. None was filed.

After consideration of all relevant matters, including the proposals set forth in the notice which were recommended by

the Area No. 2 Committee, it is hereby determined that:

##### § 948.272 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Area Committee for Area No. 2 to enable such committee to perform its functions, pursuant to the provisions of Marketing Agreement No. 97, as amended, and this part, during the fiscal period ending June 30, 1975, will amount to \$17,390.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 97, as amended, and this part, shall be \$0.0025 per hundredweight of potatoes grown in Area No. 2 handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1975, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that (1) the relevant provisions of this part require that the rate of assessment for a particular fiscal period apply to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began on July 1, 1974, and the rate of assessment herein fixed will apply to all assessable potatoes beginning with such date.

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

Dated: July 29, 1974.

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

[FR Doc. 74-17613 Filed 7-31-74; 8:45 am]

#### CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

##### SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[Amdt. 1]

##### PART 1446—PEANUTS

###### Subpart—1974-Crop Peanut Warehouse Storage Loans

###### DIVERSION SALES

In the preamble of the general regulations governing 1974 and subsequent crop peanut warehouse storage loans, 39 FR 25949, there appeared the following statement—“(c) the minimum sales price referred to above is being modified to 100 percent rather than 115 percent of the loan rate.” A question has arisen as to which sales are covered by this statement. This statement relates to diversion sales only. A diversion sale is one made for crushing into oil and meal or for export.

Further it has been determined that the annual crop supplement governing warehouse storage loans on 1974-crop peanuts should be strengthened as they relate to peanuts found to contain *Aspergillus flavus* mold.

It is impractical to give notice of the proposed rule making with respect to this amendment because 1974-crop peanuts are being moved to market and it is essential that producers and buyers of peanuts be made aware of the contents of this amendment. Therefore, this amendment is being issued without following such proposed rule making procedure and shall be effective August 1, 1974.

The annual crop supplement issued by Commodity Credit Corporation published in 39 FR 26715 which, together with the General Regulations Governing 1974 and Subsequent Crop Peanut Warehouse Storage Loans, contain the terms and conditions under which CCC will make warehouse storage loans on 1974-crop peanuts are hereby amended by revising § 1446.13 to read as follows:

##### § 1446.13 Peanuts containing mold.

(a) *Background.* Peanuts, as they are marketed, are inspected by the Federal-State Inspection Service for visible *Aspergillus flavus* mold, a mold known to produce toxins. As provided in § 1446.7(7), peanuts containing such mold are not eligible for price support. It is essential that stocks of peanuts which are sold for commercial purposes remain free from contamination by peanuts containing *Aspergillus flavus* mold. The adverse effect on the market for peanuts which would result from seizure or other Governmental action with respect to contaminated peanuts is readily apparent. The associations designated in § 1446.8 and parties to the Peanut Marketing Agreement are subject to strict limitations upon their marketing of peanuts which contain such mold. Therefore, as a condition to his eligibility for price support, the producer shall dispose of any lot of peanuts found by the Federal-State Inspection Service to have visible *Aspergillus flavus* mold (herein referred to as “any affected lot”) in the manner prescribed in paragraph (b) of this section.

(b) *Disposition of affected peanuts.* The producer shall either (1) at the point of first inspection, sell any affected lot to a signer of the Peanut Marketing Agreement or turn it over to the Association for marketing on his behalf, or (2) reclean any affected lot, or have it recleaned, for the purpose of removing loose shelled kernels and foreign material. If the producer elects to reclean the affected lot, or to have it recleaned, he will be given a copy of the Inspection Certificate and Sales Memorandum, Form MQ-94, which will show that visible mold was found. The producer shall return such copy, along with the affected lot it represents, to an inspector for a second inspection by the close of business on the next workday following the initial inspection. If visible mold is,

## RULES AND REGULATIONS

upon second inspection, again found in the lot, the producer shall, at the point of second inspection, either sell the affected lot to a signer of the Peanut Marketing Agreement or turn it over to the Association for marketing on his behalf.

(c) *Liquidated damages.* In view of the circumstances set forth in paragraph (a) of this section, CCC may incur substantial damages to its program to support the price of peanuts if peanuts containing *Aspergillus flavus* mold are disposed of other than in accordance with the provisions of paragraph (b) of this sec-

tion. The amount of such damages is difficult, if not impossible, to ascertain exactly. Therefore, the producer shall, with respect to any lot of peanuts ineligible for price support pursuant to § 1446.7(7) which is placed under price support, or any lot of peanuts which is placed under price support by a producer after he has disposed of any affected lot other than in the manner prescribed in paragraph (b) of this section, pay to CCC as liquidated damages and not as a penalty, seven cents (\$.07) per net weight pound of such peanuts. The provisions

of § 1446.4(b) relating to the producer's liability (aside from liability under criminal and civil frauds statutes) shall not be applicable to such peanuts.

*Effective date.* August 1, 1974.

Signed at Washington, D.C., on July 26, 1974.

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

[FR Doc. 74-17552 Filed 7-31-74; 8:45 am]

# proposed rules

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

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 74-WE-34-AD]

### McDONNELL DOUGLAS DC-9 AIRPLANES

#### Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation regulations by adding an airworthiness directive applicable to McDonnell Douglas DC-9 Airplanes. There have been three failures of the welded aft engine isolator mount, P/N K2219-6SA3 on certain McDonnell Douglas DC-9 Airplanes that could result in separation of the engine from the airplane. Magnetic particle inspections of other welded aft engine isolator mounts have detected several cracked mounts. The manufacturer produced approximately 170 welded mounts before initiating production of the forged aft engine isolator mounts, P/N's K2219-6SA5 and K2219-7SA3. No cracked forged aft engine isolator mounts have been detected in service. The manufacturer has issued All Operator's Letters AOL 9-786, AOL 9-786A and AOL 9-786B to operators of Model DC-9 Airplanes outlining an inspection procedure for the detection of cracked welded aft engine isolator mounts.

Since this condition is likely to exist in other airplanes of the same type design, the proposed airworthiness directive would require repetitive inspections of the welded aft engine isolator mounts per the manufacturer's inspection instructions and replacement of any cracked engine mounts. The proposed AD provides for terminating action.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Western Region, Attention: Regional Counsel, Airworthiness Rules Docket, Post Office Box 92007, Worldway Postal Center, Los Angeles, California 90009. All communications received on or before September 10, 1974 will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in the notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

**McDONNELL DOUGLAS.** Applies to all Model DC-9 (-10, -20, -30, -40 and military C-9A and C-9B Series) Airplanes, equipped with welded aft engine isolator mount(s), P/N K2219-6SA3, certificated in all categories.

To detect cracks in the welded aft engine mounts, accomplish the following:

For airplanes equipped with welded aft engine isolator mount(s) with more than 4,000 hours time-in-service on the effective date of this AD, within the next 300 hours time-in-service, unless previously accomplished within the last 450 hours time-in-service, and thereafter at intervals not to exceed 750 hours time-in-service, inspect the aft engine isolator mount per McDonnell Douglas All Operators' Letter AOL 9-786, dated December 13, 1974, AOL 9-786A dated March 27, 1974, AOL 9-786B dated April 8, 1974, or an equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region. If any cracks are detected replace the part before further flight with a forged part, P/N's K2219-6SA5 and K2219-7SA3 or an uncracked welded part K2219-6SA3. Upon installation of a forged part the requirements of this A.D. are terminated.

**NOTE:** (A) For the purposes of this A.D. if the time-in-service hours of the aft engine isolator mount cannot be established the part will be considered to have the same number of time-in-service hours as the airplane on which it is installed.

(B) The airplane may be flown in accordance with FAR's 21.197 and 21.199 to a base where the inspection can be performed.

Issued in Los Angeles, California, on July 24, 1974.

ARVIN O. BASNIGHT,  
Director, FAA Western Region.

[FR Doc. 74-17559 Filed 7-31-74; 8:45 am]

## CIVIL AERONAUTICS BOARD

[EDR-272B, 273B; Docket Nos. 26769, 21761]

[14 CFR Parts 293, 298]

### AIR TAXIS IN ALASKAN BUSH ROUTES

Operations; Extension of Time for Comments

JULY 29, 1974.

By notice of proposed rulemaking EDR-272, dated June 4, 1974 and published at 39 FR 20503 (June 11, 1974) the Board gave notice that it had under consideration an amendment to Part 293 of its Economic Regulations (14 CFR

Part 293) to (1) require prior Board approval for subcontract agreements involving Alaskan bush routes; and (2) to specify guidelines to be followed by the Board in approving such agreements. At the same time, by notice of proposed rulemaking EDR-273, dated June 4, 1974 and published at 39 FR 20504 the Board gave notice that it had under consideration an amendment to Part 298 of its Economic Regulations (14 CFR Part 298) to make applicable to air taxi operators in the State of Alaska the aircraft size and weight limitations presently applicable to air taxi operators in the 48 contiguous states and the territories. By Supplemental notice of proposed rulemaking, EDR-272A/EDR-273A, dated June 28, 1974, and published at 39 FR 24517, the Board extended the deadline for filing of comments to July 29, 1974.

Counsel for Parkair, Inc., and Tanana Air Taxi, Inc. has requested an additional extension of time for filing comments from July 29, 1974 to August 12, 1974. In support of the request, counsel states, *inter alia*, that additional time is needed for consideration of the proposed rules before submitting comments because the Board's proposal has come during the heavy summer workload which has been greatly increased by the beginning of pipeline construction. Thus, the management of these carriers have not yet had time to evaluate fully the questions posed in Order 74-6-21.

The undersigned finds that good cause has been shown for an extension of time for filing comments to August 12, 1974.

Accordingly, pursuant to authority delegated in § 385.20(d) of the Board's Organization Regulations, the undersigned hereby extends the time for submitting comments to August 12, 1974.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 (49 U.S.C. 1324))

[SEAL] ARTHUR H. SIMMS,  
Associate General Counsel,  
Rules and Rates Division.

[FR Doc. 74-17576 Filed 7-31-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 243-7]

### PENNSYLVANIA

#### Air Quality Compliance Schedules

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51, require each State to submit a plan which provides

## PROPOSED RULES

for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all stationary and mobile sources must be in compliance with any applicable requirement of the plan.

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of Pennsylvania's State Implementation Plan.

Pursuant to 40 CFR 51.6, the Commonwealth of Pennsylvania has submitted for the Environmental Protection Agency's approval revisions to the compliance schedule portion of its plan. This publication proposes that certain of these revisions be approved. Others are still undergoing review and cannot be proposed for approval at this time. Each proposed revision established a date by which an individual air pollution source must attain compliance with an emission limitation of the State Implementation Plan. This date is indicated in the table below under the heading "Final compliance date." In most cases, the schedules include incremental steps toward compliance with interim dates for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. All of the compliance schedules listed here are available for public inspection at the following locations:

Environmental Protection Agency  
Region III  
Curtis Building  
Sixth and Walnut Streets  
Philadelphia, Pennsylvania 19106  
Bureau of Air Quality and Noise Control  
Fulton National Building  
208 North Third Street  
Harrisburg, Pennsylvania 17120  
Freedom of Information Center  
Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

Each compliance schedule has been adopted by the Pennsylvania Bureau of Air Quality and Noise Control and submitted to EPA after notice and public hearing in accordance with the procedural requirements of 40 CFR Part 51.

This notice is issued to advise the public that comments may be submitted on whether the proposed revisions to the Pennsylvania State Implementation Plan should be approved or disapproved as required by section 110 of the Clean Air Act. Only comments received within thirty days from publication of this notice will be considered. Public comments received on the proposed revisions will be available for public inspection at the Regional Office in Philadelphia, Pennsylvania, and the Freedom of Information Center in Washington, D.C. The Administrator's decision to approve or disapprove the proposed revisions is based upon the requirements of section 110(a)(2) (A-H) of the Clean Air Act and Environmental Protection Agency regulations published in 40 CFR Part 51. Comments should be directed to Environmental Protection Agency, Region

III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attention: Benjamin Stonelake.  
(42 U.S.C. 1857c-5)

Dated: July 16, 1974.

DANIEL SNYDER III,  
Regional Administrator,  
EPA Region III.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

## Subpart NN—Pennsylvania

Section 52.2036(a) is amended by revising the table as follows:

## § 52.2036 Compliance schedules.

(a) \* \* \*

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bethlehem Steel Corp., State Order No.: 73-701-V as amended May 21, 1974.	Bethlehem	123.1 123.13 123.23 123.31 123.41 123.13	Aug. 8, 1973 do.....	Immediately	July 31, 1973
Corning Glass Works, State Order No.: 74-909-V.	Charleroi	123.11 123.21	Oct. 18, 1973 do.....	do.....	do.....
Appleton Papers, Inc., State Order No.: 73-805-V as amended Mar. 15, 1974.	Roaring Spring	123.11	do.....	do.....	do.....
Sinclair-Koppers Co., State Order No.: 74-903-V.	Potter township	123.22	Jan. 25, 1974	do.....	do.....
Hammermill Paper Co., State Order No.: 73-824-V.	Hock Haven	123.11 123.41	Nov. 14, 1973 do.....	do.....	do.....
Roessing Bronze Co., State Order No.: 73-765-V.	Adams township	123.13	Sept. 18, 1973	do.....	do.....
Anchor Hocking Corp., State Order No.: 73-729-V.	South Connellsville	123.13	Aug. 23, 1973	do.....	do.....
Corning Glass Works, State Order No.: 73-730-V as amended Apr. 5, 1974.	Charleroi	123.13 123.41	Aug. 22, 1973 do.....	do.....	do.....
Atlantic Steel Castings Co., State Order No.: 73-832-V.	Chester City	123.13	Nov. 19, 1973	do.....	do.....
Sun Oil Co., State Order No.: 74-916-V as amended May 21, 1974.	Marcus Hook	123.31	Feb. 27, 1974	do.....	Mar. 19, 1975
Sun Oil Co., State Order No.: 74-918-V.	Delaware County	123.2	Feb. 22, 1974	do.....	May 31, 1975
H and E Manufacturing Co., State Order No.: 73-836-V as amended May 21, 1974.	Picture Rocks	123.11 123.41	Nov. 7, 1973	do.....	Dec. 31, 1974
Reading Metals Refining Corp., State Order No.: 74-894-V as amended May 21, 1974.	Ontelaunee township	123.13 123.41	Jan. 25, 1974	do.....	May 21, 1975
National Roll Division, General Steel Industries, Inc., State Order No.: 73-757-V.	Avonmore	123.13	Oct. 17, 1973	do.....	July 31, 1975
Penntech Papers, Inc., State Order No.: 73-852-V as amended Dec. 21, 1973.	Johnsonburg	123.11 123.13 123.2 123.31 123.41 131.2 131.3	Dec. 4, 1973	do.....	do.....
Hammermill Paper Co., State Order No.: 73-800-V as amended Nov. 15, 1973.	Erie	123.11 123.22 123.41	Oct. 17, 1973	do.....	do.....
North American Refractories Co., State Order No.: 73-775-V-A.	Womelsdorf	123.31	Apr. 16, 1974	do.....	May 1, 1975
Koppers Co., Inc., State Order No.: 73-734-V-A.	Petrolia	123.13	Nov. 9, 1973	do.....	Mar. 18, 1975
Armeec Steel Corp., State Order No.: 73-859-V.	Butler township	123.1	Nov. 30, 1973	do.....	Jan. 1, 1975
Kraftco Corp., Metro Containers Division, State Order No.: 73-732-V as amended May 6, 1974.	Washington	123.13	Sept. 7, 1973	do.....	July 26, 1975
Bethlehem Steel Corp., State Order No.: 73-757-V as amended Nov. 14, 1973.	Steelton	123.41	Sept. 24, 1973	do.....	May 22, 1975
Medusa Cement Co., State Order No.: 73-819-V as amended Nov. 21, 1973.	Wampum	123.13 123.41	Nov. 7, 1973	do.....	Apr. 1, 1975

Source	Location	Allegheny County Article XVIII Section	Date of adoption	Effective date	Final compliance date
Shenango Inc., County Order Nos.: Neville Island 35 c 108-109.	Neville Island	1809.6B.2	June 11, 1973	June 21, 1973	June 1, 1975
Jones & Laughlin Steel Corp., Pittsburgh County Order No.: 54 c 212.	Pittsburgh	1809.6B.2	Apr. 3, 1973	Apr. 10, 1973	July 1, 1975
Carnegie-Mellon University, County Order Nos.: 14 c 352-354.	do.....	1809.3A 1809.3B	May 17, 1973	May 27, 1973	Oct. 1, 1974
American Oil Co., County Order No.: 191 P.	Hays	1810.1B	June 20, 1973	June 30, 1973	Nov. 30, 1974
United States Steel Corp., County Order No.: 143 P 127.	Duquesne	1809.1 1809.4A	July 3, 1973	July 13, 1973	May 1, 1975

[FR Doc. 74-17370 Filed 7-31-74; 8:45 am]

## [40 CFR Part 52]

[FR 242-4]

## VEHICLE EMISSION CONTROLS

## Review of Indirect Sources in Nevada

On March 8, 1973 (38 FR 6279) the Administrator of the Environmental Protection Agency disapproved all state implementation plans because of their failure to adequately assess and provide for maintenance of standards, and specifically for their failure to provide for the review of indirect sources—facilities which do not themselves emit pollutants, but which increase motor vehicle activity, resulting in an increase in total emissions.

The Administrator promulgated guidelines on June 18, 1973 (38 FR 15834) for the development of indirect source review measures by States. These guidelines specified August 15, 1973 as the deadline for submission of indirect source review measures to EPA by the States as revisions to the State implementation plans. The State of Nevada did not formally submit such a revision to EPA by the stated deadline, consequently, the Administrator proposed the required indirect source review procedures for the State on October 30, 1973 and promulgated these procedures in final form on February 25, 1974 (39 FR 7270).

On November 9, 1973 the Nevada Environmental Commission proposed amendments to the State regulations which would provide for the review of indirect sources. A public hearing on these amendments was held on December 10, 1973, and the amendments were adopted in final form by the Commission on March 27, 1974. The Governor submitted the amended regulations to EPA as a revision to the State Implementation Plan on April 1, 1974.

This submittal is presently being reviewed by EPA in terms of compliance with the revisions to Part 51 of this Chapter which set the requirements for approvable regulations for review of indirect sources. If the Nevada regulations are found to meet all the EPA requirements pertaining to the review of indirect sources, the disapproval of the Nevada plan for not complying with those requirements and the EPA promulgation providing for the review of indirect sources in Nevada will be revoked.

Copies of the Nevada plan and the proposed amendment to the plan are available for public inspection during normal business hours at the EPA, Region IX Office located at 100 California Street, San Francisco, California; at the State Bureau of Environmental Health located at the Nye Building, Room 131, 201 South Fall Street, Carson City, Nevada; and at the Freedom of Information Center, EPA, 401 M Street SW, Washington, D.C.

Interested persons may participate in this rulemaking by submitting written comments, preferably in triplicate, to the

Regional Administrator, EPA, Region IX, 100 California Street, San Francisco, California 94111. Relevant comments received on or before September 3, 1974 will be considered. Receipt of comments will be acknowledged but substantive responses to individual comments will not be provided. Comments received will be available during normal working hours at the Region IX Office. All relevant matter submitted shall be evaluated and the Agency will incorporate in the rules adopted a concise general statement of their basis and purpose.

(Sec. 110(a), Clean Air Act, as amended, 42 U.S.C. 1857C-5(a))

Dated: July 15, 1974.

PAUL DE FALCO, Jr.,  
Regional Administrator.

[FR Doc. 74-17511 Filed 7-31-74; 8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

## [17 CFR Part 250]

[Release 35-18504; File No. 87-529]

## COMPETITIVE BIDDING RULE FOR SALE OF COMMON STOCK

## Proposed Temporary Suspension

The Securities and Exchange Commission is considering a proposal that Rule 50 (17 CFR 250.50) under the Public Utility Holding Company Act of 1935 (the "Act") be temporarily suspended with respect to the issuance of common stock of registered holding companies. Rule 50 requires, with limited exceptions, that competitive bids be solicited for securities issued by registered holding companies or their subsidiaries. The effect of the proposed temporary suspension would be to permit registered holding companies to issue and sell their own common stock without soliciting competitive bids. The issuance and sale of preferred stock and debt obligations of registered holding companies or their subsidiaries would continue to be subject to the full requirements of Rule 50.

*Background and purpose.* Rule 50 was adopted by the Commission April 8, 1941 (Holding Company Act Release No. 2676) to require that securities issued by utility companies under its jurisdiction be sold by competitive bidding. Although exceptions are provided for, they have rarely been needed for regular financing transactions. Rule 50 has provided an effective and economical procedure for marketing utility securities for more than 30 years.

Certain registered holding companies and underwriters, however, have presented information and studies indicating recent alterations in both the market for utility common stock issues and the capacity of the securities industry to handle such sales which, they assert, render it unfeasible at this time to effectively raise the common stock capital required through competitive bidding procedures. The presentation made has been placed in the public file on this proposal and is available for in-

spection at the Commission's Public Reference Room.

There is no need to review the statements made as to the general problems afflicting both the securities markets and the utility industry at the moment, since these factors apply to both negotiated and competitive sales procedures. It is asserted that competitive bidding necessarily involves technical and practical limitations on an offering which, however insignificant in a normal market, have become of critical significance under the conditions now prevailing.

Competitive bidding requires at least two underwriting groups, each capable of purchasing and marketing the entire issue. It is stated that there is now neither the depth of market nor sufficient underwriting capacity to support two offers, and that the split effort is likely to preclude either would-be competitor from being able to make a bid.

Competitive bidding depends upon the fixing in advance by the issuer of most of the terms of the issue, including the amount to be sold and the date the public distribution is to commence, so that the competition is limited essentially to price. It is stated that present market conditions have compelled in a significant number of instances extensive last minute changes in the amount to be offered or in the timing, or both. Such changes can be readily made in negotiated offerings but not under competitive bidding, due to the requirements of equal treatment for all potential bidders. Particular concern is expressed for the adverse consequences on the issuer's credit, which may flow from an avoidable total failure of a competitive bidding meeting.

Since underwriters seek to sell an issue immediately after purchase and, we are informed, have now become particularly reluctant to risk any delay in redistribution, competitive bidding allows virtually no interval between the moment the successful bidder is awarded the securities and their resale. It is asserted that present conditions require substantial presale preparation and effort by the underwriter, which only his advance selection by the issuer will permit.

It is also stated that there has been a general acceptance by the utility industry and by other regulatory agencies of these and similar exigencies so that negotiation has now become the normal method for selling common stock of utility companies, except those under our Rule 50 or the Federal Power Commission's comparable rule.

A review made of the 77 common stock offerings, aggregating \$2,670,690,500, registered under the Securities Act of 1933, by electric utility companies and holding companies in the 18 months from January 1, 1973, to June 20, 1974, shows that 59 of those offerings, aggregating \$1,860,980,500, were negotiated sales. Of the 18 sold at competitive bidding, 10 were governed by our Rule 50 and 5 by the Federal Power Commission's rule. It appears that issuers subject to state regulatory agencies have

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universally been exempted from competitive bidding requirements on common stock during this period. One issue by a New York utility company was competitively bid in March 1973, but the two subsequent offerings by this utility and all other New York State issues were sold by negotiation.

*General description.* From the material presented in the context of conditions now prevailing in the securities markets, it appears that the registered holding companies under our jurisdiction have reason for concern as to their ability to comply with Rule 50 in the immediate future. The risks of continued insistence on competitive bidding procedures for holding company common stock issues seem substantial in comparison with the effects of a temporary suspension of that requirement. Needless to say, suspension of mandatory competitive bidding does not prohibit an issuer from selling its stock by that method.

No textual amendment to Rule 50 is required. In effect, an additional temporary exemption is being added, excluding from that rule's requirements the issuance and sale of common stock of registered holding companies during a period to be fixed by this Commission after reviewing the comments on this proposal.

In *New England Gas and Electric Association*, 27 SEC 507, 523 (1948), we adopted a policy sharply limiting negotiations between issuers and underwriters; saying:

However, we now announce that it shall hereafter be our policy to deny summarily any application for exemption from the competitive bidding requirements of Rule U-50 where competitive bidding is *prima facie* required and that applicant has, before obtaining an authorization from this Commission, entered into any discussions or any negotiations with respect to the terms of sale with any prospective purchaser of its securities.

It would be unreasonable to apply this policy under the present circumstances. Effective immediately, and so long as the proposed suspension of Rule 50 is under consideration, registered holding companies may negotiate with prospective purchasers about sale of new issues of their common stock, without prejudice to any pending or subsequent application for exemption from Rule 50.

*Statutory basis.* The suspension is proposed pursuant to Section 20 of the Act. It should be emphasized that such suspension does not alter or relax the requirements of Section 7 of the Act, including the requirement as to the reasonableness of the fees, commissions or other remuneration involved, or any other provisions of the Act or Rules applicable to such transactions.

*Public comment.* Written comments are invited on or before August 23, 1974, from all interested persons, and particularly from other regulatory agencies concerned with the means for marketing securities of utility companies. The subjects on which public comment would be particularly helpful include:

1. Whether it is feasible, under current market conditions, to effectively sell large issues of common stock of electric and gas utility companies or holding companies through competitive bidding procedures.

2. What specific impediments, if any, upon such sales are created under existing market conditions, by the bidding procedure required by the Commission's Rule 50.

3. What specific methods could be used to effect such sales if Rule 50 did not apply, with particular attention to:

(a) The manner in which the issuer would select the managing underwriter, and in which the members of the underwriting and selling groups would be chosen.

(b) The means for fixing the number of shares to be offered and the price to be received by the issuer, and (in terms of the anticipated time schedule for the negotiated selling process), the time at which these terms would be contractually fixed.

(c) The basis for fixing the fees, commissions or other remuneration to the underwriters, and the earliest stage in the offering process at which it would be feasible to agree on and report to the Commission the amount of such remuneration, or of the major components thereof, either in absolute terms, or by formulae objectively dependent on subsequent events.

4. How long a period of suspension would be appropriate to cover the presently foreseeable minimum duration of whatever market conditions the commentator relies on to justify a suspension and to permit registered holding companies to effect presently planned common stock financing in an orderly fashion.

Comments, to be filed in triplicate on or before August 23, 1974, should be directed to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. Such communications should refer to File No. S7-529. All such communications will be available for public inspection.

By the Commission.

[SEAL] **GEORGE A. FITZSIMMONS,**  
Secretary.

JULY 19, 1974.

[FR Doc. 74-17524 Filed 7-31-74; 8:45 am]

## DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

[27 CFR Part 7]

MALT BEVERAGES

Labeling and Advertising; Hearing

Notice is hereby given, pursuant to the provisions of section 5 of the Federal Alcohol Administration Act (49 Stat. 981 as amended; 27 U.S.C. 205), of a public hearing to begin at 10 a.m. e.d.t., on Tuesday, October 1, 1974, in the George S. Boutwell Auditorium, seventh floor, Internal Revenue Service Building, 1111 Constitution Avenue, NW, Washington, D.C., at which time and place all inter-

ested parties will be afforded opportunity to be heard, in person or by authorized representative, concerning the proposed regulatory changes in 27 CFR Part 7, described below:

Since the enactment of the Federal Alcohol Administration Act in 1935, the Bureau of Alcohol, Tobacco and Firearms and its predecessor agencies in administering the Act have done so with the belief that it provided ample protection to the malt beverage consumer with reference to the identity and quality of the product and the integrity of the label. This protection has been provided by frequent on-site inspections of all domestic brewers, by requiring both domestic producers and importers to obtain Bureau approval before using labels on bottles or packages of malt beverages, and by investigating suspected violations of the Act and taking punitive action where warranted.

Recently it has become apparent that today's consumers want to know, and we feel, have a right to know, what ingredients have been used in the production of the alcoholic beverages they buy. Therefore, in consideration of its function as a consumer protection agency, the Bureau proposes to amend its regulations to require label disclosure of the ingredients of all malt beverages, whether domestically produced or imported.

The intent of the Bureau is to provide, with the very few exceptions noted in the following paragraphs, that each ingredient used in producing a malt beverage for domestic consumption be shown on the label unless it is removed in its original form before packaging in the final consumer package. The listing would be in descending order of predominance by weight in the original formulation of the product, with two exceptions.

The first exception is for cereal grains, which could be listed, optionally, as "cereal grains" in lieu of listing the individual grains. If this option is chosen, however, no individual grain may be listed anywhere on the label unless each grain is listed, in descending order of predominance, in the ingredient list. This exception is considered necessary to allow the brewer to take advantage of temporary price changes in grain without necessitating expensive and time consuming label changes. Malt beverages in general derive their character from malt (which is not considered a cereal grain for purposes of this part) and from hops. Cereal grains are used only to provide fermentable extracts, and brewers freely substitute one grain for another. Such substitutions, according to the brewing industry, have at most a nominal effect on the flavor of the finished product. We are aware, however, that this area is controversial, both from the standpoint of the consumer and of the brewing industry, and we consider this issue completely open. Our final regulation could conceivably call for anything from complete identification of specific grains in strict order of predominance to a simple statement that "cereal grains" are present.

Since this is such a key issue, and so controversial, we especially invite comments and suggestions in this area. For example, any information as to the possibility of allergies to malt beverages made from specific grains would be very beneficial.

The second exception is for minor ingredients, which are defined in the proposed regulations as individual ingredients, each of which make up less than 0.25 percent of the weight of the original formulation of the product. These minor ingredients could be listed as "with less than 0.25 percent propylene glycol alginate, gum arabic, etc. added." This would avoid forcing the brewer to obtain new labels whenever one ingredient which is used in extremely small amounts becomes more or less predominant than another.

In both of these cases, the Bureau is aware that any expense that the brewer might bear, including the considerable cost involved in obtaining numerous sets of different labels, would inevitably be passed on to the consumer. We do not think the consumer would benefit sufficiently to offset the cost disadvantage from a requirement for listing of cereal grains and minor ingredients in order of predominance. Such listing will, of course, be allowed at the option of the brewer.

Substances which come into being during a process such as fermentation are not considered ingredients. These substances are extremely complex, and often not even identifiable. For that reason, the Bureau has found that it is impossible to identify those substances which are formed within the product, and does not propose to require them to be listed on the label. Water and "incidental additives" would also be exempted from the label listing requirement. Water is present in all malt beverages, and it is assumed that consumers are aware of this fact. It has no nutritive value or allergenic effects. For these reasons, it would appear that listing water would merely crowd the ingredient list without serving any real purpose as far as consumers are concerned. The proposed exclusion of incidental additives (which are defined, in general terms, in the next paragraph) is based on Food and Drug Administration practice with other food products. Any attempt to list every substance which comes into contact with the product, whether or not it reacts within it or remains in it, would result in a long and essentially meaningless list which would not help the consumer and would be chaotic for the brewer. That being the case, the exclusion from the ingredient list of substances whose effect on the product is nominal or nonexistent seems to us to be absolutely essential.

An incidental additive would be defined, in general terms, as (1) a processing aid used in an intermediate product if it has no technical or functional effect on the finished malt beverage (an example of such an incidental additive is citric acid used to preserve a flavor, which, when the flavor is added to produce a flavored malt beverage, is not

present in sufficient quantity to preserve it); or (2) a processing aid that is added to a malt beverage for its mechanical effect only, such as an inert filter aid or some clarifying agents, and is then removed or reduced to a level too small to be measurable by standard laboratory tests; or (3) a processing aid which reacts within the product only to remove other substances (as by forming an insoluble complex) and which is then removed or reduced to a level too small to be measurable by standard laboratory tests; or (4) a yeast food or other fermentation adjunct which does not remain in the finished product, or is reduced to a level too small to be measurable by standard laboratory tests. Any ingredient which causes, catalyzes, or otherwise participates in a chemical or biological reaction within the product, except as noted above, is excluded from the proposed definition of an incidental additive and must be listed in the ingredient list. Standard laboratory tests are defined as those tests prescribed by the latest edition of the "Official Methods of Analysis of the Association of Official Analytical Chemists," or other methods which have been approved by the Director.

Our definition of an incidental additive is intentionally narrower than that of the Food and Drug Administration, reflecting the difference in the legislative mandates of the two agencies, and a basic difference in approach to ingredient labeling. FDA's broader definition of an incidental additive is a workable concept when combined with their approach, which is basically to require the ingredients contained in the finished product to be listed on the label. We have carefully examined that approach, and have found it to be unsuitable for malt beverages, primarily because of the extremely complex nature of the substances formed within the product by fermentation. Our approach, therefore, is to require the substances used to make the product to be listed on the label. On that basis it seems to us that a substance such as yeast, which, although not present in the finished product, has a profound effect on it, should be listed on the label. FDA would not require the listing of yeast under their approach.

The proposed amendments would provide for natural ingredients to be listed by common name, such as "malt", "corn syrup", "invert sugar syrup", "yeast", "enzymes"; chemical mixtures which have no common names would be broken down into their component compounds. An example of the latter would be a foam stabilizer composed of propylene glycol alginate and gum arabic, which would require listing of both component compounds. Nomenclature for these chemical compounds would be that used by the Food and Drug Administration in 21 CFR Part 121.

Functional statements, such as "to preserve", would not be permitted in the ingredient list because they are felt to provide little or no benefit in comparison with the label space they occupy,

and because such statements tend to become meaningless euphemisms unless very closely controlled. In addition, the use of any word or phrase denoting quality (e.g., "finest" corn or "best" yeast) would be prohibited in connection with any ingredient shown on the list. Further, the use of negative statements such as "contains no additives" or "contains no preservatives" would be prohibited. The two latter provisions are intended to keep the ingredient list as clear and concise as possible by avoiding puffery and other unnecessary verbiage. These prohibitions would apply only to the ingredient list and would not preclude statements otherwise authorized by this part.

In the case of sodium an exception would be made to our general approach (i.e., listing only those substances added to the product). It is quite possible for a malt beverage to which the producer has added no sodium to contain far more than one to which sodium salts have been added. Under those conditions the consumer on a low sodium diet might well choose a product which shows no sodium salts added in the ingredient list and thereby consume more sodium than if he had chosen a product which listed several sodium salts. Because the sodium content of a malt beverage can be an important consideration for a consumer who must restrict his sodium intake, we propose to require the listing, immediately following the ingredient list, of the sodium content of malt beverages in substantially the following form: "This product contains less than \_\_\_\_\_ mg. of sodium per 237 ml. (8 ounce) serving" (in the case of containers holding less than 237 ml., the size of the serving shall be the size of the container); except that the listing of sodium will not be required for malt beverages which contain less than 8 mg. of sodium per 237 ml. (8 oz.) serving. We feel that a sodium content of less than 1 mg. per ounce is so insignificant that its disclosure would not benefit the consumer. Our intent is to provide the consumer with valuable information as to the sodium content of the product without requiring the producer to obtain new labels each time there is a minor change in the sodium content. We realize that it is quite possible under the proposed regulation for a beverage to actually contain less sodium than the maximum listed, but we feel that this provision is an equitable compromise between the needs of the consumer and the compliance problems of industry.

Other rules would provide, through practical necessity and in accordance with Food and Drug Administration practice, for listing colors and flavors by class names, such as "artificial color". Specifically, artificial or synthetic colors would be identified by the term "artificially colored", except that "certified color added" could be used if the colors came from lots certified by the manufacturer to be from lots certified by the Food and Drug Administration. The brewer would be required to keep such

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certificates available for inspection. The Bureau has available information as to the specific artificial color(s) used in each malt beverage and plans to provide this information to any interested party upon written request.

Natural colors could be identified as "natural colors", or by a true statement of the source of color (e.g., "colored with caramel" or "caramel"). Flavoring materials could be identified by the use of the terms "artificially flavored" or "naturally flavored", or, in the case of the latter, a truthful and adequate statement of the source of the natural flavor. A new definition would be added to define "natural flavors" as, in general, essential oils, essences, distillates and like substances, or products of roasting, maceration, heating, or enzymolysis of natural animal and vegetable products, whose significant function is flavoring. Artificial flavors, for purposes of the list of ingredients, would be defined as those which are not natural.

Present regulations provide (with very limited exceptions) that imported malt beverages may not be released from customs custody without a certificate of label approval issued by the Bureau. The application for a certificate includes a copy of the label used, and each such application is closely examined for compliance with the labeling provisions of the Federal Alcohol Administration Act before approval. The proposed regulations would provide that, in addition to listing ingredients on labels of imported malt beverages, each application for a certificate of label approval covering bulk or bottled imported malt beverages must be accompanied by a list of such ingredients certified by an official of each foreign country in which the malt beverages have been blended or treated. In connection with these requirements, an accelerated sampling program is planned to insure the label integrity of imported as well as domestic malt beverages.

It is anticipated that these regulations would become effective approximately 45 days after publication of the final rule making document in the **FEDERAL REGISTER**. Domestic and foreign brewers would then be granted an additional period before compliance with these regulations would be mandatory. The mandatory compliance date is intended to coincide with that for "metrication". ("Metrication" refers to proposed amended regulations in 27 CFR Parts 4 and 5 which will prescribe bottle sizes for wine and distilled spirits entered into interstate or foreign commerce, based on the metric system of measurement.) The mandatory compliance date is expected to be approximately January 1, 1977. Although there are no present plans for metrication of malt beverage containers, so metrication will not effect brewers, it will have a significant effect on bottlers of wine and distilled spirits. We have decided that it would be unreasonable to ask the producers of those beverages to obtain two new sets of labels to comply with two regulatory changes, when the expense can be cut considerably by making the two compliance dates coincide.

That being the case, we feel that brewers should not be forced to show ingredients on their labels before other alcoholic beverage producers are required to do so.

During the period between the proposed effective date and the proposed mandatory compliance date, brewers would be expected to obtain Bureau approval for ingredient lists. A new form would be provided for that purpose, for use as a supplement to Form 1649, in lieu of the refiling of that form if no other mandatory label information is deleted, modified, or relocated. This supplemental form (to be designated Form 1649 Supplemental) would provide for a typed list of ingredients which could be used to cover any number of labels to which that specific list is applicable, identified in accordance with the instructions on the form.

Proposed amendments to 26 CFR Part 245, Beer (which will be affected by these regulations), will be announced by a notice of proposed rule making to be issued in the near future. Basically, these amendments will provide (1) record-keeping requirements conforming to this part; and (2) for ingredient lists containing all necessary information to be supplied by the transferor to the transferee when malt beverages are transferred, whether in bond or taxpaid.

A change, unconnected with ingredient labeling, has been made in the definition of a "gallon", as applied to malt beverages, to bring it into agreement with current laboratory and brewery practice. Formerly, the gallon was defined as 231 cubic inches at 39.2 F.° (4 C.°); it is now defined as 231 cubic inches at 68 F.° (20 C.°).

The proposed regulations also include minor editorial, conforming, and clarifying changes.

In consideration of the foregoing, it is proposed that the regulations in 27 CFR Part 7, Labeling and Advertising of Malt Beverages, be amended as follows:

**PARAGRAPH 1.** Section 7.10 is completely revised to read as follows:

#### § 7.10 Meaning of terms.

As used in this part, unless the context otherwise requires, terms shall have the meaning ascribed in this subpart.

(a) **Act.** Means the Federal Alcohol Administration Act.

(b) **Director.** Means the Director, Bureau of Alcohol, Tobacco and Firearms, the Department of the Treasury, Washington, D.C. 20226.

(c) **Malt beverage.** Means a beverage made by the alcoholic fermentation of an infusion or decoction, or combination of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(d) **Container.** Means any can, bottle, barrel, keg, or other closed receptacle, irrespective of size or of the material from

which made, for use for the sale of malt beverages at retail. The term "bottler" means any person who places malt beverages in containers of a capacity of 1 gallon or less; and the term "packer" means any person who places malt beverages in containers of a capacity in excess of 1 gallon.

(e) **Gallon.** Means United States gallon of 231 cubic inches of malt beverages at 68 F.° (20 C.°). All other liquid measures used are subdivisions of the gallon as so defined.

(f) **Brand label.** Means the label carrying, in the usual distinctive design, the brand name of the malt beverage.

(g) **United States.** Means the several States, the Commonwealth of Puerto Rico, and the District of Columbia; the term "State" includes Puerto Rico and the District of Columbia; and the term "Territory" means Puerto Rico.

(h) **Interstate commerce.** Means commerce between any State and any place outside thereof, or commerce within the Commonwealth of Puerto Rico or the District of Columbia, or between points within the same State but through any place outside thereof.

(i) **Person.** Means any individual, partnership, joint-stock company, business trust, association, corporation, or other form of business enterprise, including a receiver, trustee, or liquidating agent, and including an officer or employee of any agency of a State or political subdivision thereof.

(j) **Incidental additive (incidental adjunct).** Incidental additive or incidental adjunct means, (1) a processing aid used in an intermediate product but which has no technical or functional effect on the malt beverage (an example of such an incidental additive or incidental adjunct is citric acid used to preserve a flavor, which, when the flavor is added to the malt beverage, is not present in sufficient quantity to preserve it); or (2) a processing aid that is added to a malt beverage for its mechanical effect only (such as an inert filter aid or certain clarifying agents) and is then removed or reduced to a level too small to be measurable by standard laboratory tests as defined in this section; or (3) a processing aid which reacts chemically or biologically within the product only to remove other substances (as by forming an insoluble complex) and both the original substance and all of its reaction products are then removed, or reduced to a level too small to be measurable by standard laboratory tests, and have no further technical or functional effect on the finished product; or (4) a yeast food or other fermentation adjunct which does not remain in the finished product, or is reduced to a level too small to be measurable by standard laboratory tests. Any substance which causes, catalyzes, or otherwise participates in a chemical or biological reaction within the product, except as noted in paragraphs (j)(3) and (j)(4) of this section, is specifically excluded from this definition of an incidental additive or incidental adjunct.

(k) *Natural flavor or natural flavoring.* The term "natural flavor" or "natural flavoring", except as otherwise provided in this part, means the essential oils, oleoresin, essence or extractive, hydrolysate, distillate, or any product of roasting, maceration, heating, or enzymolysis which contains the flavoring constituents derived from a spice, fruit or fruit juice, vegetable or vegetable juice, edible yeast, herb, bark, bud, root, leaf, or similar plant material, meat, seafood, poultry, eggs, dairy products, or fermentation products thereof, whose significant function is flavoring.

(l) *Regional director.* Means a "regional director" who is responsible to, and functions under the direction and supervision of, the Director, Bureau of Alcohol, Tobacco and Firearms.

(m) *Standard laboratory tests.* Means, for purposes of this part, those prescribed by the latest edition of the "Official Methods of Analysis of the Association of Official Analytical Chemists", or other methods which have been approved by the Director.

(n) *Wort.* For purposes of this part, "wort" means the nonalcoholic infusion which is fermented to produce a malt beverage.

(o) *Any other term used.* Any other term defined in the Federal Alcohol Administration Act and used in this part shall have the same meaning assigned to it by such act.

PAR. 2. Section 7.20 is amended by making editorial changes in paragraphs (a), (b) and (c) (1). As amended, § 7.10 (a), (b) and (c) (1) read as follows:

#### § 7.20 General.

(a) *Application.* This subpart shall apply to malt beverages sold or shipped or delivered for shipment, or otherwise introduced into or received in any State from any place outside thereof, only to the extent that the law of such State imposes similar requirements with respect to the labeling of malt beverages not sold or shipped or delivered for shipment or otherwise introduced into or received in such State from any place outside thereof.

(b) *Marking, branding, and labeling.* No person engaged in business as a brewer, wholesaler, or importer of malt beverages, directly or indirectly, or through an affiliate, shall sell or ship, or deliver for sale or shipment, or otherwise introduce in interstate or foreign commerce, or receive therein, or remove from customs custody any malt beverages in containers unless such malt beverages are packaged, and such packages are marked, branded, and labeled in conformity with this subpart.

(c) *Alteration of labels.* (1) It shall be unlawful for any person to alter, mutilate, destroy, obliterate, or remove any mark, brand, or label upon malt beverages held for sale in interstate or foreign commerce or after shipment therein, except as authorized by Federal law: *Provided*, That the regional director may, upon written application, permit additional labeling or relabeling of malt beverages in containers if, in his judg-

ment, the facts show that such additional labeling or relabeling is for the purpose of compliance with the requirements of this subpart or of State law.

PAR. 3. Section 7.22 is amended by adding a new paragraph (b) (1), and by redesignating subparagraphs (b) (1), (2), and (3) as (b) (2), (3), and 4). As amended, § 7.22(b) reads as follows:

#### § 7.22 Mandatory label information.

(b) On the brand label or on a separate label (back or front):

(1) A list of ingredients, in accordance with § 7.27a.

(2) In the case of imported malt beverages, name and address of importer in accordance with § 7.25.

(3) In the case of malt beverages bottled or packed for the holder of a permit or a retailer, the name and address of the bottler or packer, in accordance with § 7.25.

(4) Alcoholic content, when required by State law, in accordance with § 7.26.

PAR. 4. A new § 7.27a, is added immediately following § 7.27, to read as follows:

#### § 7.27a List of ingredients.

(a) *General.* There shall be shown on the brand label or any other label affixed to or part of the container, in such a manner that it is readily visible to the consumer, a list of all ingredients used in the production or treatment of malt beverages, except water and incidental additives as defined in § 7.10.

(b) *Prohibited statements.* Statements of the following types may not be made in the ingredient list: (1) negative statements, such as "contains no additives"; (2) statements of ingredients formed within the product; (3) functional statements, such as "to maintain freshness"; and (4) statements denoting quality, as provided in § 7.29(a) (7).

(c) *Form of list.* The list shall be separate and distinct from all other matter shown on the label, and shall take the following form: "Brewed from:" or "Made from:" followed by a listing of all ingredients required to be listed. Ingredients which are duplicated in the components of a finished product need be listed only once.

(d) *Order of predominance—(1) General.* Ingredients shall be listed in descending order of their predominance by weight in the original formulation of the product except for the options described in paragraph (d) (2) and (3) of this section.

(2) *Cereal grains.* Cereal grains, which are, for purposes of this part, unconverted grains other than malt, regardless of form (i.e., whole, cracked, degerninated, etc.) may in lieu of being listed as in paragraph (d) (1) of this section, be listed as "cereal grains"; if this option is chosen, however, no individual grain may be shown anywhere on the label unless each grain used is listed, in descending order of predominance, in the ingredient list.

(3) *Minor ingredients.* Minor ingredients, which are, for purposes of this part,

individual ingredients, each of which make up less than 0.25 percent by weight in the original formulation of the product, may, in lieu of listing as in paragraph (1), be listed in alphabetical order. If this option is chosen, the listing shall be in the following form: "with less than 0.25 percent each of agar, propylene glycol alginate, \*\*\* added".

(e) *Nomenclature.* Wherever possible, ingredients shall be listed by common name (i.e., a name likely to be recognized by the average consumer as referring to a distinct substance). Natural ingredients shall be broken down into basic foodstuffs, such as "malt", "corn syrup", "sugar", "salt", "yeast", and "enzymes". Ingredients which do not have common names shall be identified by their chemical names. Chemical mixtures, unless they can be identified by common names, will be broken down into their component compounds. As an example, a foam stabilizer which contains propylene glycol alginate and agar will be listed by the names of the two individual components. Chemical nomenclature will be based on that used by the Food and Drug Administration in 21 CFR Part 121.

(f) *Coloring materials—(1) Use of artificial coloring materials.* Artificial coloring materials, other than those certified or approved by the Food and Drug Administration for such use, or for general food use, may not be used in malt beverages.

(2) *Identification of artificial coloring materials.* Artificial coloring materials shall be identified on the ingredient list by the words "artificially colored" or by the specific names of the colors used, such as "colored with FD+C yellow #5". Optionally, artificial colors which are certified by the manufacturer to be from lots certified by the Food and Drug Administration may be designated "certified colors".

(3) *Natural coloring materials.* If no coloring material other than coloring material derived entirely from natural sources, or natural flavoring material which also contributes color, has been added, there may be stated in lieu of the words "artificially colored" the words "naturally colored", or, optionally, a truthful and adequate statement of the source of the color (e.g., "caramel" or "colored with caramel"). Natural flavors which also contribute color shall be identified as both colors and flavors.

(g) *Flavoring materials—(1) General.* No flavoring material for use in malt such use or for general food use by the Food and Drug Administration. Further, any single material added to a malt beverage which comprises more than five percent by volume of the finished product is automatically considered a basic ingredient, and not a flavoring material. However, any single material added to a malt beverage which comprises five percent or less of the finished product is not to be considered a flavoring material for that reason only.

(2) *Artificial flavoring materials.* Artificial flavoring materials are defined as any flavoring materials not included in

## PROPOSED RULES

the definition of "natural flavors" in § 7.10. Such flavoring materials shall be identified in the ingredient list by the words "artificially flavored".

(3) *Natural flavoring materials.* When no flavoring materials other than "natural flavors", as defined in § 7.10, have been used, a truthful and adequate statement of the source of the flavor shall be made, or alternatively, the words "naturally flavored" may be used.

(h) *Sodium.* The presence of sodium in malt beverages, whether added (in the form of sodium salts or otherwise) or naturally present, shall be stated immediately following the ingredient list in the following form: "Contains less than \_\_\_\_ mg. of sodium per 237 ml. (8 oz.) serving", except that the listing for containers of less than 237 ml. (8 oz.) shall be stated in terms of the sodium content, in mg., of the entire container: *Provided*, That no such listing of sodium shall be required if the sodium content is less than 1 mg. per ounce.

PAR. 5. Section 7.28 is amended by making editorial changes in paragraphs (a), (b), (c), and (e), and by adding to paragraph (b) a typesize requirement for ingredient lists. As amended, § 7.28 reads as follows:

**§ 7.28 General requirements.**

(a) *Contrasting background.* All labels shall be so designed that all statements thereon required by this subpart are readily legible under ordinary conditions, and all such statements shall be on a contrasting background.

(b) *Size of type.* Except as to statements of alcoholic content and lists of ingredients, all statements required on labels by this subpart shall be in readily legible script, type, or printing not smaller than 8-point Gothic caps. If contained among other descriptive or explanatory reading matter, the script, type, or printing of all required material shall be of a size substantially more conspicuous than such other descriptive or explanatory reading matter. All portions of any statement of alcoholic content shall be of the same size and kind of lettering and of equally conspicuous color, and such lettering shall not be larger than 8-point Gothic caps, except when otherwise required by State law. Lists of ingredients required by this part shall be in readily legible script, type, or printing not smaller than 6-point Gothic caps.

(c) *English language.* All information, other than the brand name, required by this subpart to be stated on labels shall be in the English language. Additional statements in foreign languages may be made, if such statements in no way conflict with, or are contradictory to, the requirements of this subpart. Labels on containers of malt beverages packaged for consumption within Puerto Rico may, if desired, state the information required by this subpart solely in the Spanish language, in lieu of the English language, except that the net contents shall also be stated in the English language.

(d) *Labels firmly affixed.* All labels shall be affixed to containers of malt bev-

erages in such manner that they cannot be removed without thorough application of water or other solvents.

(e) *Additional information.* Labels may contain information other than the mandatory label information required by this subpart provided such information complies with the requirements of this subpart and does not conflict with, nor in any manner qualify, statements required by any regulation promulgated under the act.

PAR. 6. Section 7.29 is amended by removing the footnote and adding it to paragraph (a) (5), and by adding a new paragraph (a) (7), in numerical order. As amended, § 7.29(a) (5) and (a) (7) read as follows:

**§ 7.29 Prohibited practices.**

(a) *Statements on labels.* \* \* \*

(5) Any statement, design, device, or representation of or pertaining to any guaranty, irrespective of falsity, which the Director finds to be likely to mislead the consumer. Statements in substantially the following form are not considered misleading:

We will refund the purchase price to the purchaser if he is in any manner dissatisfied with the contents of this package.

(Name of Permittee)

\* \* \* \* \*  
(7) Any word or statement in the ingredient list which denotes quality, such as "best" corn or "finest" hops.

PAR. 7. Section 7.31 is completely revised, to read as follows:

**§ 7.31 Label approval and release.**

(a) *Certificate of label approval.* No imported malt beverages in containers shall be released from customs custody for consumption unless there shall have been deposited with the appropriate customs officer at the port of entry the original or a photostatic copy of an "Application for and Certification of Label Approval under the Federal Alcohol Administration Act" (Form 1649). Such certificate shall be issued by the Director upon application made on Form 1649, properly filled out and certified to by the importer or transferee in bond.

(b) *List of ingredients.* After January 1, 1977, each application for a certificate of label approval covering imported malt beverages in containers shall be accompanied by a list of ingredients, certified by a duly authorized official of the appropriate foreign country, and such list shall contain the information required by § 7.27a. Where the malt beverage has been blended or treated in more than one foreign country, an appropriate certified list of ingredients must be prepared by a duly authorized official of each such country.

(c) *Release.* If the original or photostatic copy of Form 1649 bears the signature of the Director, and, after January 1, 1977, is accompanied by the required certified list of ingredients, then the brand or lot of imported malt beverages bearing labels identical with those shown

thereon may be released from customs custody. No container of imported malt beverages will be released from customs custody after January 1, 1977, unless the label of such container bears the list of ingredients required by paragraph (b) of this section.

(d) *Relabeling.* Imported malt beverages in customs custody, which are not labeled in conformity with certificates of label approval issued by the Director, and containing all information required by this section, must be relabeled, prior to release, under the supervision and direction of the customs officers of the port at which such malt beverages are located.

PAR. 8. Section 7.41 is amended by making editorial changes. As amended, § 7.41 reads as follows:

**§ 7.41 Certificates of label approval.**

No person shall bottle or pack malt beverages, or remove such malt beverages from the plant where bottled or packed, unless, upon application to the Director, he has obtained, and has in his possession, an "Application for and Certification of Label Approval Under the Federal Alcohol Administration Act" (Form 1649) covering such malt beverages. Such certificate of label approval shall be issued by the Director upon application made on Form 1649 properly filled out and certified to by the applicant.

PAR. 9. A new § 7.43, is added in numerical sequence, to read as follows:

**§ 7.43 Certificates covering malt beverages produced from imported wort.**

Applications for certificates of label approval covering malt beverages produced from imported wort or wort concentrate shall be accompanied by a list of ingredients certified to by a duly authorized official of the appropriate foreign country. Such certified list of ingredients shall be made a part of any application for a certificate of label approval covering the bottling or packaging of any malt beverage produced from such wort, and shall contain the information required by § 7.27a.

PAR. 10. Section 7.50 is amended by making editorial changes. As amended, § 7.50 reads as follows:

**§ 7.50 Application.**

No person engaged in business as a brewer, wholesaler, or importer of malt beverages, directly or indirectly, or through an affiliate, shall publish or disseminate, or cause to be published or disseminated, by radio broadcast, or in any newspaper, periodical, or other publication, or by any sign or outdoor advertisement, or any other printed or graphic matter any advertisement of malt beverages if such advertisement is in, or is calculated to induce sales in interstate or foreign commerce, or is disseminated by mail, unless such advertisement is in conformity with this subpart: *Provided*, That this subpart shall apply to advertisements of malt beverages intended to be sold or shipped or delivered for shipment, or otherwise introduced into or received in any State

from any place outside thereof, only to the extent that the laws of such State impose similar requirements with respect to advertisements of malt beverages manufactured and sold or otherwise disposed of in such State: *And provided further*, That this subpart shall not apply to the publisher of any newspaper, periodical, or other publication, or radio broadcaster, unless such publisher or radio broadcaster is engaged in business as a brewer, wholesaler, bottler, or importer, of malt beverages, directly or indirectly, or through an affiliate.

*Requests to present oral testimony.* All persons who desire to present oral testimony should so advise the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, not later than September 24, 1974. Requests shall be submitted in an original and three copies

and must include (1) the name and address of the party submitting the request, (2) the name and address of the person or persons who will present oral testimony, and (3) the approximate length of time desired for the presentation of testimony.

*Submission of written material.* Any interested party may submit to the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, in an original and nine copies, relevant written data, views, or arguments for incorporation into the record of hearing. Written material must be submitted not later than September 24, 1974. Written comments or suggestions which are not exempt from disclosure by the Bureau of Alcohol, Tobacco and Firearms, may be inspected by any person upon compliance

with 27 CFR 71.22(d) (7). The provisions of 27 CFR 71.31(b) shall apply with respect to designation of portions of comments or suggestions exempt from disclosure. The name of any person submitting comments (whether or not exempt from disclosure in whole or in part) is not exempt from disclosure.

At the conclusion of the hearing, a reasonable time will be afforded interested parties for the examination of the record and submission of written arguments and briefs.

REX D. DAVIS,  
Director, Bureau of Alcohol,  
Tobacco and Firearms.

JULY 25, 1974.

[FR Doc.74-17720 Filed 7-31-74;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 JUSTICE

### Drug Enforcement Administration

#### METHAQUALONE AND ITS SALTS

##### Proposed 1974 Aggregate Production Quota

Section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for all controlled substances listed in Schedules I and II by July 1 of each year. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration pursuant to § 0.100 of Title 28, Code of Federal Regulations.

On October 4, 1973, an order was published in the FEDERAL REGISTER (38 FR 27517) placing methaqualone and its salts in Schedule II of the Controlled Substances Act (21 U.S.C. 812). On March 12, 1974, a notice was published in the FEDERAL REGISTER (39 FR 9561) establishing an interim aggregate production quota for methaqualone and its salts, pending a determination of the impact of control upon their legitimate usage, as defined by section 306(a) of the Comprehensive Act (21 U.S.C. 826(a)).

The Drug Enforcement Administration has determined that the control of methaqualone and its salts has resulted in a significant decrease in the legitimate use of methaqualone as indicated by a sharp drop in the number of lawful dispensings of the drug during the first quarter of 1974. Data obtained from revised quota requests have also reflected substantially lower demands for methaqualone products.

The 1974 aggregate production quota for methaqualone and its salts shall be adequate to provide for:

- (1) The estimated medical, scientific, research and industrial needs of the United States;
- (2) Lawful export requirements; and
- (3) The establishment and maintenance of reserve stocks.

In determining the 1974 aggregate production quota for methaqualone and its salts the Drug Enforcement Administration considered the following factors:

- (1) Total actual or estimated net disposal by all manufacturers during 1973 and 1974.
- (2) Trends in the national rate of net disposal during 1973 and the first quarter of 1974.
- (3) Projected demand as indicated by procurement quota applications filed pursuant to § 1303.12 of Title 21 of the Code of Federal Regulations.

Based upon the consideration of the above factors, the Administrator of the

Drug Enforcement Administration, under the authority vested in the Attorney General by section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) and delegated to the Administrator by § 0.100 of Title 28 of the Code of Federal Regulations, hereby proposes that the aggregate production quota for methaqualone and its salts for 1974, expressed in kilograms of the anhydrous base be established as follows:

	Production and importation 1973	Requested 1974	Proposed 1974
Basic class: Methaqualone and its salts.....	25,758.108	54,500	13,477.486

The proposed quota is well within the estimate of medical and scientific need recommended by Dr. Charles C. Edwards, Assistant Secretary for Health, Department of Health, Education and Welfare.

All interested persons are invited to submit their comments and objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Office of Chief Counsel, Attention: Hearing Clerk, Drug Enforcement Administration, Department of Justice, Room 1201, 1405 Eye Street, NW, Washington, D.C. 20537, and must be received by August 31, 1974. If a person believes that one or more issues raised by him warrant a full evidentiary hearing, a written request for a hearing should be filed with the Hearing Clerk, in accordance with the provisions of § 133.34, Title 21, CFR on or before August 1974. In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in the sole discretion, warrants a full evidentiary hearing the Administrator shall schedule a public hearing by publishing notice, thereof, in the FEDERAL REGISTER in accordance with the provisions of § 1303.36, Title 21, CFR summarizing the issues to be heard and setting the time for the hearing (which shall not be before September 3, 1974).

Dated: July 29, 1974.

JOHN R. BARTELS, Jr.,  
Administrator.

[FR Doc. 74-17595 Filed 7-31-74; 8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM 20105]

#### NEW MEXICO

##### Application for Pipeline Right-of-Way

JULY 24, 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), Texas-New Mexico Pipe Line Company has applied for a 4 inch oil pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 18 S., R. 30 E.,  
Sec. 27, NW 1/4 SW 1/4, S 1/2 SW 1/4;  
Sec. 28, NE 1/4 SE 1/4.

This pipeline will convey oil across 0.595 mile 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 Mineral Operations.

[FR Doc. 74-17572 Filed 7-31-74; 8:45 am]

[NM 20257]

#### NEW MEXICO

##### Applications for Pipeline Right-of-Way

JULY 24, 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), El Paso Natural Gas Company has applied for a 4 1/2 inch natural gas pipe line right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO  
T. 20 S., R. 29 E.,  
Sec. 8, S 1/2 NE 1/4;  
Sec. 9, SW 1/4 NW 1/4.

This pipeline will convey natural gas across 0.511 mile 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.74-17573 Filed 7-31-74;8:45 am]

[NM 21019]

**NEW MEXICO**

**Application for Pipeline Right-of-Way**

JULY 24, 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), El Paso Natural Gas Company has applied for a natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 22 S., R. 30 E.,  
Sec. 29, E $\frac{1}{2}$  SE $\frac{1}{4}$ ;  
Sec. 33, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ .  
T. 23 S., R. 30 E.,  
Sec. 4, Lot 4, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ ;  
Sec. 9, E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ .

This pipeline will convey natural gas across 3.023 miles 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.74-17574 Filed 7-31-74;8:45 am]

**SUSANVILLE DISTRICT ADVISORY BOARD  
CALIFORNIA**

**Notice of Meeting**

JULY 25, 1974.

Notice is hereby given that the Susanville District Advisory Board will hold a two day meeting on August 29 and 30, 1974 at the Susanville District Office of the Bureau of Land Management, 705 Hall Street, Susanville, California. The business meeting will begin at 1:30 p.m. on August 29 and will be followed by a range tour of the Cal-Neva Planning Unit on August 30.

The agenda for the business meeting will include (1) discussion of proposed makeup of the district advisory board, (2) range improvement program principally related to advisory board funding, (3) review of District's F.Y. 75 Annual Work Plan and (4) brief review of the

Cal-Neva Planning Unit, its uses and resources.

The meeting will be open to the public. Interested members of the public who wish to take part in the field tour should plan to furnish their own transportation and sack lunch. Requests for additional information should be submitted to the District Manager, Post Office Box 1090, Susanville, California 96130, Telephone Number (916) 257-5385.

HERMAN KAST,  
Acting District  
Manager, Susanville.

[FR Doc.74-17541 Filed 7-31-74;8:45 am]

**Geological Survey**

**ALASKA AREA**

**Intention To Develop OCS Orders**

Pursuant to 39 FR 654, February 20, 1974, the Department of the Interior solicited comments concerning areas of the Outer Continental Shelf with the greatest potential for production of oil and gas. Responses to this solicitation indicated that the Gulf of Alaska OCS is of interest as a target for the future development of frontier oil and gas areas.

Should a decision be made to conduct a lease sale in the Gulf of Alaska, it will be necessary to develop operating orders for this area prior to the commencement of drilling or producing operations. Such OCS Orders are currently in effect in the Pacific and Gulf of Mexico Areas.

Consistent with current procedures of the Geological Survey comments and suggestions are solicited as to the content of the following proposed, or any additional, OCS Orders for the Alaska Area:

OCS Order No. 1	Marking of wells, platforms, and fixed structures.
OCS Order No. 2	Drilling procedures.
OCS Order No. 3	Plugging and abandonment of wells.
OCS Order No. 4	Suspension and determination of well producibility.
OCS Order No. 5	Installation of subsurface safety device.
OCS Order No. 6	Procedure for completion of oil and gas wells.
OCS Order No. 7	Pollution and waste disposal.
OCS Order No. 8	Platforms and structures.
OCS Order No. 9	Approval procedures for oil and gas pipelines.
OCS Order No. 11	Oil and gas production rates, prevention of waste, and protection of correlative rights.
OCS Order No. 12	Public inspection of records.
OCS Order No. 13	Production measurement and commingling.
OCS Order No. 14	Hydrogen sulfide in drilling operations.

Interested persons may submit written comments and suggestions to the Director, U.S. Geological Survey, Na-

tional Center, Mail Stop 101, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before September 15, 1974.

HENRY W. COULTER,  
Acting Director.

[FR Doc.74-17554 Filed 7-31-74;8:45 am]

**Office of the Secretary**

[DES 74-53]

**FEDERAL COAL LEASING PROGRAM**

**Public Hearing on Draft Environmental Statement**

The FEDERAL REGISTER notice of July 18, 1974, indicating locations and times for pending public hearings is amended to include:

Aug 21, 1974:  
State Highway Department Auditorium  
Bismarck, North Dakota

Time:

2 p.m.-5 p.m.  
7 p.m.-10 p.m.

Prior to giving testimony at the public hearings, individuals or spokesmen are requested to complete a hearing registration form. Registration forms may be obtained from and returned to Bureau of Land Management Offices at:

Federal Building & U.S. Courthouse, 316 N.  
26th Street, Billings, Montana 59101  
Miles City District Office  
West of Miles City  
P.O. Box 940  
Miles City, Montana

GEORGE L. TURCOTT,  
Associate Director.

[FR Doc.74-17544 Filed 7-31-74;8:45 am]

[DES 74-58]

**NATIONAL RESOURCE LANDS  
MANAGEMENT ACT**

**Draft Environmental Statement, Extension  
of Time**

There was published in the FEDERAL REGISTER of May 31, 1974 (39 FR 19265) a notice concerning the availability of a draft environmental statement on proposed national resource lands. The statement refers to a legislative proposal which is intended to provide basic policies and authorities for the management of national resource lands by the Secretary of the Interior through the BLM. The notice provided a forty-five day period for public review and comment.

Because of the requests for extension of time to comment by reviewers, the time originally established for commenting on the Draft EIS has been extended to August 5, 1974.

ROLAND G. ROBINSON, Jr.,  
Acting Deputy Assistant  
Secretary of the Interior.

JULY 22, 1974.

[FR Doc.74-17555 Filed 7-31-74;8:45 am]

## NOTICES

## SOUTHWESTERN POWER ADMINISTRATION, CHIEF, DIVISION OF ADMINISTRATIVE MANAGEMENT ET AL.

## Redelegations of Authority

The redelegations of authority set forth herein as Chapter 11 of Part 205 of the SPA Manual supersede the corresponding redelegations in that chapter contained in SPA Manual Release 122, as published in 35 FR 17068, November 5, 1970, and shall become effective August 1, 1974.

## PART 205

## CHAPTER 11 PROCUREMENT AND CONTRACTING

## 1. Contracts—property and services.

A. *Redelegation.* The authority of the Secretary of the Interior delegated to the Administrator by 205 DM 11.1 is redelegated to the officials listed below who are designated Contracting Officers and authorized to enter into procurement contracts and amendments or modifications thereof: (1) Chief, Division of Administrative Management (2) Chief, Branch of General Services.

B. *Exercise of authority.* Contracts may be entered into under this authority unless specifically prohibited by statute, by the provisions of Title 41 of the United States Code (Public Contracts), or by Chapter 1 of Title 41 of the Code of Federal Regulations (the Federal Procurement Regulations).

2. *Negotiated purchases and contracts for property and services—redelegation.* The officials listed in 205.11.1A, above, are authorized to make determinations and decisions required to support contract negotiation, and to exercise the authority of the Secretary of the Interior (as delegated to the Administrator by 205 DM 11.2A) to negotiate contracts without advertising under sections 302(c) and 307 (a) and (b) of the Federal Property and Administrative Services Act of 1949, as amended [41 U.S.C. 252 (c) and 257], subject to the limitations set forth in 205 DM 11.2B and 2C.

3. *Bureau limitations.* Amendments or modifications to contracts involving an increase in cost exceeding \$2,500 shall not be executed by officials listed in 205-11.1A, above, without the prior written approval of the Administrator or his designated representative.

4. *Small purchases of \$2,500 or less.* The authority of the Secretary of the Interior delegated to the Administrator by 205 DM 11.1 is redelegated to employees occupying the position of Purchasing Agent and Procurement Assistant with authority only to purchase property and non-personal services in amounts not to exceed \$2,500 by small purchase procedures prescribed in Part 404 of the SPA Manual.

5. *Small purchases of \$1,000 or less.* The authority of the Secretary of the Interior delegated to the Administrator by 205 DM 11.1 is redelegated to employees occupying the position of Area Engineer to purchase non-personal services for repair of vehicles and equipment in amounts not to exceed \$1,000 by small

purchase procedures prescribed in Part 404 of the SPA Manual.

6. *Small purchases of \$250 or less.* The authority of the Secretary of the Interior delegated to the Administrator by 205 DM 11.1 is redelegated to employees occupying the position of Area Engineer, Clerk (Office Services); Supervisory System Operator; Foreman III Electrician; Foreman III Lineman; Foreman I Laborer (Equipment Operator); Foreman I Laborer (Mixed Gang); and Clerk (Maintenance Depot); to purchase property and nonpersonal services in amounts not to exceed \$250 by small purchase procedures prescribed in Part 404 of the SPA Manual.

Dated: July 25, 1974.

JAMES T. CLARKE,  
Assistant Secretary  
of the Interior.

[FR Doc.74-17540 Filed 7-31-74;8:45 am]

## DEPARTMENT OF AGRICULTURE

## Forest Service

BOULDER LAKE COUNTRY ESTATES  
SUBDIVISION POWER LINE

## Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Boulder Lake Country Estates Subdivision Power Line, Bridger-Teton National Forest, Wyoming. The Forest Service report number is USDA-FS-DES (Adm) R4-74-10.

The purpose of the project is to provide a secondary underground electrical power line (14,400 volts) extending from existing lines to service the Boulder Lake Country Estates Subdivision (containing 120 acres) being part of Homestead Entry Survey No. 159 of T33N, R107W, Sublette County, Wyoming.

This environmental statement is concerned only with that portion of proposal which involves National Forest lands. Specifically, the National Forest lands involved in this proposal include: the SW $\frac{1}{4}$  and N $\frac{1}{2}$  of Section 9 of the NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 10, and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 3, T33N, R107W, 6th p.m., Sublette County, Wyoming.

The proposed line crosses lands of the United States of America administered by the Bridger-Teton National Forest, and will be approximately 11,705 feet in length. The line will be constructed with motorized equipment which plows a trench, lays the cable, and then covers the line in one simultaneous operation. No actual use of surface area is contemplated.

The proposed route of the power line crosses a portion of the National Forest which has been designated as part of Sweeney-Fayette-Soda Lakes Roadless Area #50. This Roadless Area contains 23,090 acres. Approximately 6,700 feet of the proposed line would be located in this roadless area.

Although some of the area involved in this project is in an inventoried Roadless Area, several developments and activities exist in the vicinity.

This draft environmental statement was transmitted to CEQ on July 23, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3230  
12th St. & Independence Ave., SW,  
Washington, D.C. 20250

Regional Planning Office  
USDA, Forest Service  
Federal Building, Room 4403  
324-25th Street  
Ogden, Utah 84401

Forest Supervisor  
Bridger-Teton National Forest  
Forest Service Building  
Jackson, Wyoming 83001  
District Forest Ranger  
Pinedale Ranger District  
Box 220  
Pinedale, Wyoming 82941

A limited number of single copies are available upon request to Forest Supervisor Charles T. Coston, Bridger-Teton National Forest, Forest Service Building, Jackson, Wyoming 83001.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Charles T. Coston, Bridger-Teton National Forest, Forest Service Building, Jackson, Wyoming 83001. Comments must be received by September 25, 1974, in order to be considered in the preparation of the final environmental statement.

Dated: July 23, 1974.

M. C. GALBRAITH,  
Acting Regional Forester.

[FR Doc.74-17556 Filed 7-31-74;8:45 am]

## DESCHUTES, FREMONT, OCHOCO, AND WINEMA NATIONAL FORESTS, OREGON

## Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for vegetation management using selective herbicides on the Deschutes, Fremont, Ochoco, and Winema National Forests, Oregon, for the period January 1, 1974, through June 30, 1975. USDA-FS-FES-(Adm)-74-53.

The environmental statement concerns a proposed use of selective herbicides for

vegetation management on four National Forests located in central Oregon. The proposed uses are for conifer crop tree release, site preparation prior to planting, utility and road right-of-way maintenance, range improvement, noxious weed control, and poison plant control.

This final environmental statement was transmitted to CEQ on July 25, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3231  
12th & Independence Ave., SW.  
Washington, D.C. 20250

USDA, Forest Service  
Pacific Northwest Region

319 S.W. Pine Street  
Portland, Oregon 97204  
Deschutes National Forest  
211 East Revere  
Bend, Oregon 97701

Fremont National Forest  
34 D Street N

Lakeview, Oregon 97630

Ochoco National Forest  
P.O. Box 490  
Prineville, Oregon 97754

Winema National Forest  
P.O. Box 1390  
Klamath Falls, Oregon 97601

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

C. MERLE HOFFERBER,  
Acting Regional Forester, R-6.

JULY 25, 1974.

[FR Doc.74-17547 Filed 7-31-74;8:45 am]

#### DESCHUTES NATIONAL FOREST

##### Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service Department of Agriculture, has prepared a final environmental statement for the Timber Management Plan for the Deschutes National Forest, USDA-FS-R6-FES (Adm)-74-4.

The environmental statement concerns a proposed revision of the Timber Management Plan for the Deschutes National Forest for the period July 1, 1974 to June 30, 1984.

This final environmental statement was transmitted to CEQ on July 26, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Room 3231  
12th St. & Independence Ave., SW.  
Washington, D.C. 20250  
USDA, Forest Service  
Pacific Northwest Region  
319 S.W. Pine Street  
Portland, Oregon 97204

Deschutes National Forest  
211 N.E. Revere  
Bend, Oregon 97701

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

C. MERLE HOFFERBER,  
Acting Regional Forester.

JULY 26, 1974.

[FR Doc.74-17570 Filed 7-31-74;8:45 am]

#### Soil Conservation Service UPPER NORTH LARAMIE RIVER WATERSHED, WYOMING

##### Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and part 1500.6e of the Council on Environmental Quality Guidelines issued on August 1, 1973, the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Upper North Laramie River Watershed Project, Albany County, Wyoming.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Blaine O. Halliday, State Conservationist, Soil Conservation Service, USDA, 3110 Federal Building, Casper, Wyoming, has determined that the preparation and review of an environmental statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, and irrigation water management. The planned works of improvement include conservation land treatment supplemented by one multiple purpose reservoir for the purposes of floodwater protection, irrigation, and recreation.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA  
3110 Federal Building  
Casper, Wyoming 82601

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

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

Dated: July 26, 1974.

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

[FR Doc.74-17561 Filed 6-31-74;8:45 am]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Food and Drug Administration

##### DRUG ABUSE RESEARCH ADVISORY COMMITTEE

##### Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announces the renewal by the Secretary, Department of Health, Education, and Welfare, of the Food and Drug Administration/National Institute on Drug Abuse (FDA/NIDA) Drug Abuse Research Advisory Committee for an additional period of two years beyond June 30, 1974.

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

Dated: July 26, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-17558 Filed 7-31-74;8:45 am]

#### PANEL ON REVIEW OF ANTIPERSPIRANT DRUG PRODUCTS

##### Notice of Change of Open Session

In the FEDERAL REGISTER of July 19, 1974 (39 FR 26457), the Food and Drug Administration announced, pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776; 5 U.S.C. App.), a meeting of the Panel on Review of Antiperspirant Drug Products for August 8 and 9.

Notice is given that the open session scheduled for 9 a.m. to 10 a.m. on August 8 is changed to August 9.

Dated: July 31, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-17736 Filed 7-31-74;11:40 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### Federal Disaster Assistance Administration

##### NEW YORK

[FDAA-447-DR; Docket No. NFD 228]

##### Major Disaster Notice

Notice of Major Disaster for the State of New York, dated July 24, 1974, is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 24, 1974:

## NOTICES

## The Counties of:

Herkimer  
Oswego

Dated: July 25, 1974.

(Catalog of Federal Domestic Assistance No. 14,701, Disaster Assistance)

THOMAS P. DUNNE,  
Administrator, Federal Disaster  
Assistance Administration.

[FR Doc. 74-17603 Filed 7-31-74; 8:45 am]

Office of Interstate Land Sales  
Registration

[Docket No. N-74-245]

## PAN AM INDUSTRIES, INC.

## Notice of Hearing

In the matter of Rio Lomas, Unit I, Tract 1084-A, *et al.* Land Sales Enforcement Division Docket No. 74-59.

Notice is hereby given that:

1. Pan Am Industries, Inc., B. Wendell Stephenson, President and Director, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated June 3, 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 Rio Lomas, Unit I, Tract 1084-A, located in Mohave County, Arizona, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property

2. The Respondent filed an answer June 24, 1974, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

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

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), *It is hereby ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge John W. Earman, in Room 7155, Department of HUD Building, 451 7th Street, SW., Washington, D.C. on August 20, 1974, at 10 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before August 13, 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 26, 1974.

By the Secretary.

JOHN R. McDOWELL,  
Interstate Land Sales  
Deputy Administrator.

[FR Doc. 74-17605 Filed 7-31-74; 8:45 am]

## ATOMIC ENERGY COMMISSION

[Docket No. STN 50-454, etc.]

## COMMONWEALTH EDISON CO.

## Reconstitution of Board

In the matter of Commonwealth Edison Co., (Bryon Stations, Units 1 and 2 Braidwood Stations, Units 1 and 2); Docket Nos. STN 50-454, STN 50-455, STN 50-456, STN 50-457.

Jerome Garfinkel, Esq., who was Chairman of the Atomic Safety and Licensing Board established to consider the above application, died on July 23, 1974.

Carl W. Schwarz, Esq., whose address is Metzger, Noble, Schwarz & Kempler, #1 Farragut Square South, Washington, D.C., 20006, who was the alternate Chairman, is hereby appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Bethesda, Md. this 26th day of July 1974.

NATHANIEL H. GOODRICH,  
Chairman, Atomic Safety and  
Licensing Board Panel.

[FR Doc. 74-17567 Filed 7-31-74; 8:45 am]

[Docket No. STN 50-488, etc.]

## DUKE POWER CO.

## Designation of Successor Chairman

In the matter of Duke Power Co., (Perkins and Cherokee Nuclear Stations); Docket Nos. STN 50-488, STN 50-489, STN 50-490, STN 50-491, STN 50-492, STN 50-493.

Jerome Garfinkel, Esq., the designated Chairman in the above entitled proceeding, died on July 23, 1974.

Frederic J. Coufal, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545, is designated as the successor Chairman of this Board.

Dated at Bethesda, Md. this 26th day of July 1974.

ATOMIC SAFETY AND LICENSING BOARD PANEL,  
NATHANIEL H. GOODRICH,  
Chairman.

[FR Doc. 74-17569 Filed 7-31-74; 8:45 am]

[Dockets Nos. 50-463, 50-464]

## PHILADELPHIA ELECTRIC CO.

## Reconstitution of Board

In the matter of Philadelphia Electric Co., (Fulton Generating Station, Units 1 and 2); Docket Nos. 50-463, 50-464.

Jerome Garfinkel, Esq., who was Chairman of the Atomic Safety and Licensing Board established to consider the above application, died on July 23, 1974.

Max D. Paglin, Esq., whose address is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545, who was the alternate Chairman, is hereby appointed Chairman of this Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Bethesda, Md. this 26th day of July 1974.

NATHANIEL H. GOODRICH,  
Chairman, Atomic Safety and  
Licensing Board Panel.

[FR Doc. 74-17566 Filed 7-31-74; 8:45 am]

[Docket Nos. 50-361A, 50-362A]

SOUTHERN CALIFORNIA EDISON CO. AND  
SAN DIEGO GAS & ELECTRIC CO.Receipt of Addendum to Attorney General's  
Advice

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, a supplemental letter of advice from the Attorney General of the United States, dated June 27, 1974, a copy of which is attached as Appendix A.

On the assumption that the conditions included in Appendix A will be imposed by the Commission on the license that has been issued in connection with this matter the Department of Justice has concluded that the antitrust hearing recommended in its advice letter of July 12, 1971 will not now be required.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,  
Chief, Office of Antitrust &  
Indemnity, Directorate of  
Licensing.

## APPENDIX A

San Onofre Nuclear Generating Station, Units 2 and 3, Southern California Edison Company and San Diego Gas & Electric Company, AEC Docket Nos. 50-361A and 50-362A.

JUNE 27, 1974.

DEAR MR. SHAPAR: On July 12, 1971, the Attorney General, pursuant to Section 105c of the Atomic Energy Act, as amended, advised the Atomic Energy Commission that an antitrust hearing concerning the activities of Southern California Edison Company would be required in connection with the above-captioned application. On August 29, 1972, Southern California Edison advised the Commission that the Company and the various intervenors in this proceeding had entered into a settlement. On October 25, 1972,

the Commission supplied a copy of that settlement to the Department and requested that "the Attorney General further advise the Commission as to the effect the above settlement has upon the recommendation that a hearing is necessary in this matter." Our initial review of that settlement agreement required the Department to conclude that it was not adequate to protect the public interest. The Department therefore entered into discussions with the Company which have resulted in agreement by the Company and the Department on the Conditions attached hereto.

In addition to the matters referred to in the attached Conditions, it is to be noted that the wholesale territorial allocation agreement between the Company and Imperial Irrigation District, which the Department's original advice letter discussed, was remedied on September 5, 1972. On that date, an "Interpretive Supplement No. 1 to Service Area Boundary Agreement Between Southern California Edison Company and Imperial Irrigation District" was executed. This agreement, which specifies that the Service Area Boundary Agreement does not prohibit the sale or wheeling of bulk power for resale, was filed with the California Public Utilities Commission on October 4, 1972.

On the assumption that the attached Conditions will be imposed by the Commission on the license to be issued in this proceeding, we conclude that an antitrust hearing will not now be required.

THOMAS E. KUYPER, Esq.

Assistant Attorney General, Antitrust Division, Department of Justice, Washington, D.C. 20530.

Re: Southern California Edison Company, San Onofre Nuclear Generation Station, Nuclear Units #2 and #3, AEC Dockets 50-361A and 50-362A

JUNE 6, 1974.

DEAR MR. KUYPER: On July 12, 1971, the Department of Justice Antitrust Division completed its review in connection with the above generating station and recommended to the Atomic Energy Commission that an antitrust hearing be held pursuant to Section 105(c) of the Atomic Energy Act of 1954, as amended. Southern California Edison Company ("Edison") denied then and continues to deny every allegation that Edison has violated any of the antitrust laws of the United States or that any activities under the proposed license would create or maintain a situation inconsistent with those laws.

Edison has entered into agreements with all of its large resale customers which provide, among other things, for integrated operations and coordinated planning of customer resources with Edison resources, partial requirements service, transmission service, and participation by such customers in certain future Edison generating units.

Edison is agreeable to the imposition of conditions to the San Onofre license which will embody, for the period of the license, provisions generally in accord with such agreements with its large resale customers. Edison agrees, therefore, that conditions in the form attached may be made part of the license for the above units on the following express understandings with the Department of Justice:

a. Nothing in these conditions shall be deemed to enlarge or modify the extent to which Edison has heretofore dedicated any of its properties to public service.

b. Edison does not intend to become a common carrier by reason of these conditions.

c. These commitments by Edison are made in order to render unnecessary an antitrust hearing with respect to the pending applications for these units. The Department of Justice will recommend to the Atomic En-

ergy Commission that there be no antitrust hearing in this matter as a hearing is no longer needed.

d. These commitments do not constitute an admission of any of the allegations contained in the Department of Justice letter of July 12, 1971, to the Atomic Energy Commission.

e. Edison reserves the right to contend in any other proceedings before the Atomic Energy Commission and with respect to any attempt in this proceeding to modify these conditions should they be imposed by the Atomic Energy Commission as license conditions, that the Atomic Energy Commission does not have jurisdiction to impose such conditions.

The undersigned is authorized by Edison to act on its behalf and to submit the foregoing to the Department of Justice and the Atomic Energy Commission.

Very truly yours,

WILLIAM R. GOULD,  
Executive Vice President, Southern,  
California Edison Company.

SOUTHERN CALIFORNIA EDISON COMPANY

Conditions to San Onofre Nuclear Units No. 2 and No. 3, AEC License, AEC Dockets Nos. 50-361A and 50-362A.

1. As used herein:

1.1 "Bulk Power" means the electric power, and any attendant energy, supplied or made available at transmission or subtransmission voltage by one entity to another.

1.2 "Entity" means, person, a private or public corporation, a municipality, a cooperative, an association, a joint stock association or business trust owning, operating or proposing in good faith to own or operate equipment or facilities for the generation, transmission or distribution of electricity to or for the public as a utility.

2. Applicant recognizes it is generally in the public interest for electric utilities to interconnect, coordinate reserves, and/or engage in bulk power supply transactions in order to provide mutual, though not necessarily equal benefits, to each of the parties in such arrangements. However, Applicant should not be obligated to enter into such an arrangement if (1) to do so would violate, or incapacitate it from performing any lawfully existing contracts it has with another party or (2) there is contemporaneously available to it a mutually exclusive competing or alternative arrangement with another party which affords it greater benefits. In implementing the commitments in the succeeding paragraphs, Applicant will act in accordance with these principles.

3. Applicant shall, pursuant to such principles, permit participation on mutually agreeable terms in new nuclear generating units initiated by Applicant, upon timely application<sup>1</sup> by any entity(ies) within or contiguous to Applicant's service area which at that time does not have access to an alternative comparably-priced source of bulk power supply. With respect to those units not initiated by Applicant in which Appli-

cant is a joint participant with other utilities, Applicant shall cooperate in facilitating the participation of any such entity(ies) which seeks such participation upon timely application.

4. Applicant shall permit interconnection and coordination of reserves by means of agreements for the sale and purchase of emergency bulk power with any entity(ies) within or contiguous to Applicant's service area and thereby allow such other entity(ies), as well as Applicant, full access on a proportionate basis to the benefits of reserve coordination. ("Proportionate basis" refers to the equalized percentage of reserves concept rather than the largest single-unit concept, unless the participants have otherwise agreed.) Interconnections will not be limited to low voltages when higher voltages are available from Applicant's installed facilities in the area where interconnection is desired, when the proposed arrangement is found to be functionally, technically and economically feasible. Emergency service to be provided under such agreements will be furnished to the fullest extent available and desired where such supply does not jeopardize or impair service to the supplier's customers.

5. Applicant shall sell bulk power to or purchase bulk power from any other entity(ies) within or contiguous to Applicant's service area. This refers to the mutually beneficial opportunity to coordinate in the planning of new generation, related transmission and associated facilities. This provision shall not be construed to require Applicant to purchase or sell bulk power if such purchase or sale cannot be found to be functionally, technically and economically feasible.

6. Applicant shall, pursuant to such principles, transmit bulk power over its transmission facilities within its service area, both between or among two or more entities with which it is interconnected to the extent that such transmission can be found to be functionally, technically and economically feasible and can be effected without an adverse affect on service to its own customers. Applicant is obligated under this condition to transmit bulk power on the terms stated above, and in connection with Applicant's plan to construct new transmission facilities for its own use within its service area, to include in its planning and construction program sufficient transmission capacity as required for such transmission, provided that such entity(ies) give Applicant sufficient advance notice as may be required to accommodate the arrangement from a functional and technical standpoint and that such entity(ies) are obligated to compensate Applicant fully for the use of its system. Applicant shall use its best efforts to facilitate the transmission of bulk power over then existing transmission facilities outside its service area for such entities.

7. The foregoing conditions shall be implemented in a manner consistent with the provisions of the Federal Power Act and all rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

[FIR Doc.74-17568 Filed 7-31-74;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 20522; Order 74-7-130]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Relating to North Atlantic Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of July 1974.

## NOTICES

By petition filed June 5, 1974, Pan American World Airways, Inc., (Pan American) requested that the Board further amend Orders 73-2-24 and 73-7-9 issued in the above entitled proceeding,<sup>1</sup> so as to permit the carriers to maintain rates at Detroit, Michigan which do not exceed rates to/from Windsor, Canada. In support of its petition Pan American alleged, *inter alia*, that geographically, Windsor and Detroit are more closely related than New York and Newark; that Detroit's metropolitan airport is 23 miles from downtown Detroit, whereas Windsor airport is eight miles from downtown Detroit; that the proximity of Windsor to Detroit results in intense competition between transatlantic carriers operating out of those two cities; and that any difference in rates between Detroit and Windsor will result in wholesale diversion from one airport to the other. The carrier further asserted that no undue prejudice or preference to any other cities will result from holding Detroit rates at Windsor levels; that with the proposed amendment, United States carriers will be able to compete with Canadian carriers for Detroit-originating

traffic on an equal basis and that without the proposed amendment, much of the traffic now carried by U.S. carriers out of Detroit will be lost to carriers operating out of Windsor.

The only document submitted in response to Pan American's petition was filed by Seaboard World Airlines, Inc. (Seaboard) in support thereof. In its answer, Seaboard noted that the relief requested by Pan American is occasioned by the failure of the Canadian carriers to implement a rate increase similar to the recently approved 5 percent North Atlantic fuel surcharge which has resulted in the Detroit rates being higher than the Windsor rates. Seaboard further asserted that the need to maintain the same cargo rates at Detroit and Windsor is *sui generis* because of the close proximity of Detroit and Windsor and the fact that the Windsor airport is actually closer to downtown Detroit than is the Detroit airport; that the case for maintaining the same rates at Detroit and Windsor is far more crucial than is the case for passenger fares; that virtually all cargo is delivered to an airport by truck and it makes little difference whether the truck travels 10 miles or 50 miles; that the only difficult period is the loading and unloading of the truck and consequently, unless the carriers are allowed to maintain the same rates at Detroit and Windsor, there will be a substantial diversion of sorely needed cargo revenues from the U.S. carriers serving Detroit to the Canadian carriers serving Windsor. Finally Seaboard states that the U.S. balance of payments will also be adversely affected unless the requested relief is granted.

Upon consideration of the Petition, the answer thereto, the record in this proceeding, and all relevant matters, the Board will grant the petition of Pan American to the extent necessary to permit it and other carrier parties to this proceeding, to the extent of their authority, to participate on an interim basis in North Atlantic rates to/from Detroit at a level to meet the North Atlantic rates to/from Windsor, Canada.

In taking this action the Board recognizes the close proximity of Detroit to Windsor; the historical relationship of common air freight rates on the North Atlantic at those two cities; the fact that this relationship has but recently been disrupted by the five percent North Atlantic fuel surcharge permitted at Detroit, but not at Windsor; and the competitive situation between these cities which would preclude Detroit and the carriers which serve it from a fair opportunity to participate in North Atlantic traffic at rates above those applicable at Windsor. The Board is not by this order abandoning the concept that the relationships of North Atlantic rates at the other gateway cities of Baltimore, Washington, Boston, Philadelphia, Cleveland, Detroit, and Chicago to European points should be upon the same rate-per-mile basis as at New York to meet the problem of undue preference and prejudice which was found

to exist under the previous rate structure noted above. The Board recognizes that a competitive situation may, on some occasions, justify rates which would otherwise be considered unduly preferential or unduly prejudicial. The Board finds that such situation exists in this instance at this time.

The Board will, therefore, stay the application of Orders 73-2-24 and 73-7-9 heretofore entered in this proceeding until further order to the extent necessary to permit the filing of tariffs for North Atlantic cargo rates at Detroit at the same level as those applicable at Windsor. In taking this interim action, the Board emphasizes that the interim departure from the rate-per-mile concept is taken to meet the problem of the disrupted relationship between Windsor and Detroit occasioned by the approval of the fuel surcharge in the United States but not in Canada, and that it expects that future cargo rate agreements adopted by the member carriers of the International Air Transport Association (IATA) will resolve this difference, and permit the rates at Detroit to revert to the rate-per-mile basis described above, upon a competitive basis with Windsor.

In view of the urgency of the situation, the Board will consider special tariff permission applications to revise tariffs on less than 30 days notice.

Accordingly, pursuant to the provisions of the Federal Aviation Act of 1958 and particularly sections 204(a), 403, 404(a), 412, 414, and 1002 thereof,

*It is ordered, That:*

1. The application of Board Orders 73-2-24 and 73-7-9 in this proceeding is hereby stayed until further order of the Board to the extent necessary to permit the carrier parties to this proceeding to establish and maintain North Atlantic tariff rates at Detroit, Michigan, to/from points in Europe at a level to meet the applicable rates to/from Windsor, Canada.

2. Copies of this order shall be served upon all parties in Docket 20522.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] **EDWIN Z. HOLLAND,**  
Secretary.

[FR Doc.74-17577 Filed 7-31-74; 8:45 am]

[Docket No. 24694]

**MIAMI-LOS ANGELES COMPETITIVE  
NONSTOP CASE**

**Availability of Draft Statement of  
Environmental Assessment**

The Civil Aeronautics Board's Bureau of Operating Rights has released a "Draft Statement of Environmental Assessment" in connection with the *Miami-Los Angeles Competitive Nonstop Case*.

The Statement concludes that the authorization of competitive nonstop service between Miami and Los Angeles by any one of nine carriers seeking authority to provide competitive service with

National Airlines would not constitute a "major federal action significantly affecting the quality of human environment."

Interested persons and agencies of the Federal, state and local governments will be given 45 days to submit comments in response to the draft statement. In the *Miami-Los Angeles* case, comments are due by September 16, 1974. Upon receipt of comments, the Bureau of Operating Rights will prepare and issue a revised statement. Comments so received will be made available to the public.

Copies of the draft statement are available from the Bureau of Operating Rights, Civil Aeronautics Board, Washington, D.C. 20428.

Dated at Washington, D.C., July 29, 1974.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 74-17575 Filed 7-31-74; 8:45 am]

[Dockets Nos. 26250, 26251; Order 74-7-133]

**SOUTHERN AIRWAYS, INC.**

**Order To Show Cause and Granting  
Temporary Suspension**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of July, 1974.

By application filed on December 21, 1973, and a petition for an order to show cause filed on the same date, Southern Airways, Inc. (Southern) has requested amendment of its certificate of public convenience and necessity for route 98 so as to delete Anderson and Greenwood, South Carolina therefrom. Southern also seeks authority to suspend service pending decision on its application for deletion of the two communities.

The Greenwood Chamber of Commerce filed a letter stating it is not opposed to the application. There has been no official response from any Anderson civic parties.<sup>1</sup>

Upon consideration of Southern's request and all the relevant facts, we have decided to issue an order to show cause why the deletions should not be granted. In addition, we will authorize Southern to suspend service at Anderson and Greenwood *pendente lite*. Accordingly, we tentatively find and conclude that the public convenience and necessity require the amendment of Southern's certificate for route 98 so as to delete the points, Anderson and Greenwood, South Carolina therefrom.

In support of our ultimate conclusions, we make the following tentative findings and conclusions. Southern's service at both Anderson and Greenwood has been characterized by minimal traffic, has produced financial losses for the carrier in recent years, and is not likely to become economically sound in the future. In 1973, only 3,676 passengers or 3.0 per

departure were enplaned at Anderson, while for Greenwood the 1973 figure was 2,986 or 3.1 passengers per departure. One of the primary reasons for the marginal traffic generation of these cities is their proximity to other airports, particularly the airport at Greenville-Spartanburg, South Carolina. Anderson and Greenwood are 39 and 65 road miles, respectively, from Greenville-Spartanburg, a small hub airport with scheduled air service by three certificated carriers: Piedmont Aviation, Inc. and Eastern Air Lines, Inc. as well as Southern. The three carriers together provide about 20 daily departures, including seven daily nonstop flights to Atlanta and daily nonstop service to New York.<sup>2</sup> Access by highway to both Atlanta and Columbia, the primary communities of interest for Anderson and Greenwood, is not unduly inconvenient.

Southern submitted exhibits indicating that it incurred a subsidy need of approximately \$150,000 in serving Anderson and Greenwood in fiscal year 1973. A significant reduction in Southern's subsidy need would occur in future years as a result of the deletion of the two communities.<sup>3</sup> Moreover, these results can be achieved without seriously inconveniencing the traveling public. Because of the volume of air service provided at nearby Greenville/Spartanburg, Anderson and Greenwood will continue to have ready access to the nation's air transportation system in the absence of Southern's service at the local airports.<sup>4</sup> There is bus service from Anderson and Greenwood to the Greenville/Spartanburg area and limousine service from the bus station to the airport.

Finally, we tentatively find and conclude that the deletion of Southern at Anderson and Greenwood would not constitute a major Federal action significantly affecting the quality of the human environment within the terms of the National Environmental Policy Act of 1969. The elimination of Southern's operations at the two airports will result in a decrease in aircraft-related noise and air pollution and fuel consumption. These effects will be offset by some increases in air pollution and fuel consumption which will result as persons who now fly to and from Anderson and Greenwood switch to surface travel, particularly private automobiles. In view of the small number of passengers involved, however, these effects should be *de minimis*. See *Southern Airways, Service to Crossville*, Order 74-4-61, dated April 10, 1974.

Interested persons will be given twenty days following the date of service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if

any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If any evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Pending final decision on the tentative findings set forth above, we have also concluded that the public interest requires the temporary suspension of Southern pending the effectiveness of the proposed certificate amendment. As noted above, Southern's service is uneconomical, alternatives are available and the community has interposed no objection to having the service discontinued.<sup>5</sup> In view of all these factors, it would be contrary to the public interest to require the carrier to continue its minimum level of service while its unopposed application for deletion is being processed.

*Accordingly, it is ordered, That:*

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Southern Airways, Inc.'s certificate of public convenience and necessity for route 98 so as to delete Anderson and Greenwood, Southern Carolina, therefrom;

2. Any interested persons having objections to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein shall, within 20 days after the date of service of this order, file with the Board and serve upon all persons listed in paragraph 7 a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein;

5. Southern Airways, Inc. be and it hereby is authorized to suspend service temporarily at Anderson, South Carolina and at Greenwood, South Carolina on

<sup>1</sup> An answer in opposition to the deletion of both points was initially filed by the South Carolina Aeronautics Commission but was subsequently withdrawn.

<sup>2</sup> OAG, May 15, 1974.

<sup>3</sup> We need not here pass upon the accuracy of Southern's figures or on the precise reduction in subsidy need likely to result from the action we propose herein.

<sup>4</sup> Compare that with the local service deletion standards in Orders 72-4-96/97, April 18, 1972 and 72-7-25, July 7, 1972.

<sup>5</sup> In addition, suspension of Southern's service will conserve valuable fuel resources (in this case aviation gasoline).

<sup>6</sup> All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

## NOTICES

route 98 until 60 days after the effective date of the Board's final decision in the application to delete Anderson and Greenwood, Docket 26250;

6. The authority granted in paragraph 5 above may be amended or revoked at any time at the discretion of the Board without hearing; and

7. A copy of this order shall be served upon Southern Airways, Inc.; Mayor, City of Anderson, South Carolina; Mayor, City of Greenwood, South Carolina; Governor, State of South Carolina; South Carolina Aeronautics Commission; Airport Manager, Anderson, South Carolina; Airport Manager, Greenwood, South Carolina; the Postmaster General; the Environmental Protection Agency; and the Council for Environmental Quality.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] **EDWIN Z. HOLLAND,**  
Secretary.

[FR Doc. 74-17578 Filed 7-31-74; 8:45 am]

[Docket No. 22859; Order 74-7-120]

**UNITED AIR LINES, INC.**

**Order of Suspension**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 26th day of July 1974.

By tariff revisions variously bearing posting dates of June 14 and 24, and marked to become effective July 29 and August 8, 1974, United Air Lines, Inc. (United) proposed to increase domestic freight rates as indicated below:

1. Bulk general commodity rates in selected markets generally as follows:

	Weight (Pounds)	Percentage increase
Westbound.....	100	1 to 8.
	1,000	1 to 3.
	2,000	2 to 5.
	3,000	2 to 8.
Eastbound.....	100	3 to 9.
	1,000	1 to 13.
	2,000	1 to 8.
	3,000	1.5 to 10.

2. General commodity container rates and charges for selected container types.

By Order 74-5-88, dated May 17, 1974, the Board suspended many of United's rate increases scheduled for effectiveness June 1, based essentially upon a comparison of United's proposed rates with industry average costs increased for recent fuel price escalations.

In support of its proposal, United asserts, *inter alia*, that it is refiling rate increases in many markets where its prior proposals were suspended, and that the new proposed rates are set at a lower level in order to remain below "industry average cost" while attempting to recover much of the needed revenue increases otherwise lost. United alleges that the cost and structure studies of the Bureau of Economics, as developed in Docket 22859, and now being prematurely used to evaluate the reason-

ableness of proposed rates, contain serious deficiencies and are predicated on new theories and methods untried historically and not adjudicated.<sup>1</sup>

United notes that its approach is not to be construed as acceptance of the Bureau of Economics' costing position in the *Domestic Freight Rate Case*, but rather as a method of obtaining needed revenues in the interim period prior to the final decision of the Board in that investigation. The carrier states that the total annualized revenue generated by this filing, on 1974 anticipated freight volume, is 1.1 million dollars, or about 0.7 percent increase in total freight revenue.

The proposed rates and charges come within the scope of the *Domestic Air Freight Rate Investigation*, Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

This United filing, as indicated above, is a refiling in which the carrier is attempting to recover as much revenue as possible without exceeding the cost criteria, based on industry averages, which the Board has used in evaluating proposed increased rates.

As set forth in United's justification, the "industry average costs" used by the Board as cost criteria upon which earlier suspensions of United and others have been based, stem from studies which include terminal handling costs as well as capacity costs revised to reflect the most recently experienced fuel costs and augmented to include the additional cost for on-line transfers. These costs, which include a full return on investment, were used by the Board's staff in the *Freight Rate Investigation*, and their bases are familiar to the domestic air freight industry.

While, as noted above, United has not accepted but has challenged numerous aspects of the staff costs submitted in that case, the Board, however, cannot conclude that these differences in views indicate the Board should use different criteria pending completion of the investigation.

In this regard, our orders are all interim suspension orders which are used for the purpose of striking a reasonable balance between the interests of the shipping and receiving public to obtain rates at the lowest cost consistent with the furnishing of such service, and, at

<sup>1</sup> Additionally, United reiterates its assertions in its prior justifications that freight rates should be based solely on all-cargo costs. It states that as long as no rate is permitted to exceed a structured cost line but other rates are permitted to fall below that line, there is no possibility for the carriers to achieve an overall allowable rate of return on investment. United contends that the general commodity rate structure should be set above average costs to recognize that developmental rates are set below average costs, or, in the absence of this recognition, average costs should be determined by dividing total costs (less the marginal cost associated with developmental traffic) by general commodity rated traffic only.

the same time, in a fluid economy to recognize the need of each carrier for revenue sufficient to enable it to provide adequate and efficient air carrier service under honest, economical, and efficient management. The Board's action is limited under the Federal Aviation Act of 1958 (the Act) to the shorter of the 180-day suspension period prescribed therein, or to the issuance of the Board's decision in Docket 22859, a proceeding upon which the evidentiary hearing has been held before the Administrative Law Judge, and is now in the brief-filing stages.

Our action herein is not to resolve the various substantive contentions of United as to the appropriate cost criteria to be used for ratemaking purposes in Docket 22859. These issues will be resolved in the final determination of the *Rate Investigation*, and our action herein is without prejudice as to such determination the Board may make in its ratemaking decision in its final order in that proceeding.

We consider our action herein consistent with the statutory scheme which Congress has set forth in the Act with respect to suspension of interim rate proposals pending the conclusion of the ratemaking process in a final decision following hearing.<sup>2</sup>

We would further note that in tariff filings or petitions for reconsideration of similar suspension orders by other carriers, the use of the staff's costing approach has been criticized. It is essential, however, in the day-to-day screening of tariff proposals that the criteria applied be as nearly uniform among the carriers as the exigencies of the situation permit.<sup>3</sup>

Although United asserts that the refiled rate increases in many markets are below the level of those previously filed in order to remain below the industry average cost criteria, certain of the increases are above these costs and will be suspended. While it appears that these variations above the cost maximums were filed for the purpose of maintaining appropriate rate relationships, i.e., as between different weightbreaks, the Board will not depart from its cost approach because of these structural considerations. To permit departure from the cost

<sup>2</sup> The Supreme Court, in *Arrow Transportation Co. v. The Southern Railroad Co.*, 372 U.S. 658, 672 (1963), recognized that suspension orders (of the Interstate Commerce Commission) involve only a brief and informal consideration. Of course, the time period of a total of 30 days in which to consider tariff proposals, justification, complaints, and answers and issuance of an order upon a tariff filing cannot provide the necessary time for the procedures and consideration essential to the full ratemaking process.

<sup>3</sup> Had the staff developed the cost studies used by the Board in the absence of a pending investigation, no one could argue that the Board was precluded from a consideration of such work product in dealing with the issue as to suspension of tariff proposals pending investigation. A fortiori, the Board has a better basis for the use of such studies in the present circumstances where the domestic air freight rates and revisions thereto are already under investigation.

approach on this basis would nullify the Board's efforts to maintain the balance appropriate in the interim stages, pending a decision in the *Rate Case*.<sup>4</sup>

Consequently, the Board has reviewed United's proposed increases in the light of its cost criteria (including a full return on investment), which reflect recognition of sharp increases in fuel costs experienced through May 1974, and converted to an on-line trip basis. Based upon these cost criteria, the Board finds a number of the increased bulk general commodity rates and just three container minimum charges to be excessive in relation to costs.

In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it applies to rates and charges as set forth in detail in Appendix A, should be suspended. The remaining portions of the proposal, including most bulk general commodity rates and virtually all increases in container rates and charges, appear sufficiently related to costs that the Board will permit them to become effective.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

*It is ordered*, That:

1. Pending hearing and decision by the Board, the increased rates described in Appendix A<sup>5</sup> are suspended and their use deferred to and including October 26, 1974; and the increased rates and charges described in Appendix B<sup>6</sup> are suspended and their use deferred to and including November 5, 1974; unless otherwise ordered by the Board and that no change be made therein during the period of suspension except by order or special permission of the Board;

2. Copies of this order shall be filed with the tariffs and served upon United Air Lines, Inc.

<sup>4</sup> When the Board is confronted, for example, with a flat across-the-board percentage increase, the proposal in many situations will involve increases in rates to levels which are above the Board's criteria, i.e., proposals which would result in some rates being in excess of costs and leave yet other rates below costs. The Board recognizes that suspension action may operate to create certain rate anomalies in the relationships of the carrier's domestic system rates. In this situation, the Board had available another alternative, i.e., to suspend the entire package on the grounds that certain of the proposals were above costs and that the filing should be considered as a package in order to prevent the creation of structural anomalies. In order to permit the prompt adjustment of rates to provide carriers those additional revenues which we conclude are warranted, the Board has chosen to suspend only those rates which it has identified as being above cost. It is expected, however, that following suspension orders of this kind, the carriers will seek to make such adjustments, consistent with the cost criteria, as may be necessary to remove these anomalies. Such steps, in fact, have been taken in various circumstances by numerous carriers following this selective suspension approach.

<sup>5</sup> Appendices A and B are filed as part of the original document.

This order will be published in the *FEDERAL REGISTER*.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.74-17476 Filed 7-31-74;8:45 am]

## CIVIL SERVICE COMMISSION DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 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 Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Housing Management, Office of Assistant Secretary for Housing Management.

UNITED STATES CIVIL SER-  
VICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc.74-17591 Filed 7-31-74;8:45 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 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 Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Executive Assistant, Office of the Assistant Secretary for Housing Management.

UNITED STATES CIVIL SER-  
VICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[FR Doc.74-17592 Filed 7-31-74;8:45 am]

## FEDERAL EMPLOYEES PAY COUNCIL

### Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Monday, August 5, 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 re-

lating 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 employee organizations can play a meaningful role in the Federal pay comparability process.

Therefore, the President's agent has determined that, since this meeting of the Federal Employees Pay Council will consist of exchanges of opinions which, if written, would fall within exemption (5) of 5 U.S.C. 552(b), the meeting 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.74-17593 Filed 7-31-74;8:45 am]

## GENERAL SERVICES ADMINISTRATION

### 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 General Services Administration to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Administrator, Office of the Administrator.

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

[FR Doc.74-17588 Filed 7-31-74;8:45 am]

## OVERSEAS PRIVATE INVESTMENT CORPORATION

### Listing of Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found effective July 10, 1974 that there is a manpower shortage for the single position of Vice President for Finance, Overseas Private Investment Corporation. The appointee may be paid for the expense of travel and transportation to his first post of duty.

[SEAL] JAMES C. SPRY,  
Executive Assistant to the  
Commissioners.

[FR Doc.74-17589 Filed 7-31-74;8:45 am]

## SMALL BUSINESS ADMINISTRATION

### 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 Small Business Administration to fill by noncareer executive assignment in the excepted service the position of Assistant

## NOTICES

Administrator for Management Assistance.

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

[FR Doc. 74-17587 Filed 7-31-74; 8:45 am]

## SMITHSONIAN INSTITUTION

## Listing of Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found effective July 5, 1974 that there is a manpower shortage for the single position of Deputy Director, Hirshhorn Museum and Sculpture Garden, Smithsonian Institution. The appointee may be paid for the expense of travel and transportation to his first post of duty.

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

[FR Doc. 74-17590 Filed 7-31-74; 8:45 am]

## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-74-3]

## FIREWORKS DEVICES

## Notice of Hearing and Prehearing Conference

A notice announcing the stay of the effective date of regulations relating to banning and labeling fireworks devices issued by the Commission on May 16, 1974 (39 FR 17435), pending a public hearing on the matter, was published in the *FEDERAL REGISTER* on July 11, 1974 (39 FR 25473). The purpose of the instant notice is to schedule a prehearing conference and evidentiary rulemaking hearing on the matter and to announce the appointment of an Administrative Law Judge to act as Presiding Officer in these proceedings.

The regulations that have been stayed would, as of June 18, 1974, have (1) banned firecrackers (16 CFR 1500.17(a)(8)), (2) banned other fireworks devices not meeting specified safety requirements (16 CFR 1500.17(a)(9)), (3) established safety requirements for fireworks (16 CFR 1507.1-11), (4) established specific labeling requirements for fireworks (16 CFR 1500.14(b)(7)(i)-(xv)), and (5) revoked an existing exemption for certain fireworks devices from classification as banned hazardous substances (16 CFR 1500.85(a)(2)).

Following publication of the regulations in question on May 16, 1974, four objections were filed to that order requesting a hearing. These objections were received from Blogin Sales Company, Parkville, Mo., Mikes Fireworks & Toys, Inc., Kansas City, Kansas, the State of Hawaii, and on behalf of the Oklahoma Pyrotechnics Association, the Macao Fireworks Association, Li and Fung (Trading) Ltd., Hong Kong, and the Taiwan Fireworks Manufacturers Association.

The Commission concludes that the objections state reasonable grounds for a hearing including the following issues, *inter alia*:

(1) Do firecrackers (as specified in § 1500.17(a)(8) of the order issued May 16, 1974 (39 FR 17435)), when intended or packaged in a form suitable for use in the household, involve a hazard of such a degree or nature that notwithstanding cautionary labeling the protection of the public health and safety can be assured only by prohibiting such articles from the channels of interstate commerce?

(2) Do fireworks devices (as specified in section 1500.17(a)(9) of the order issued May 16, 1974 (39 FR 17435)), failing to meet certain safety requirements when intended or packaged in a form suitable for use in the household, involve a hazard of such a degree or nature that notwithstanding cautionary labeling the protection of the public health and safety can be assured only by prohibiting such articles from the channels of interstate commerce?

(3) Should an exemption from the banning of firecrackers and other fireworks be provided for certain controlled religious and cultural uses?

(4) Are the labeling requirements (as specified in § 1500.14(b)(7) of the order issued May 16, 1974 (39 FR 17435)), necessary and appropriate in the interest of the public health and safety?

(5) Are the performance requirements and other requirements for fireworks devices (as specified in Part 1507 of the order issued May 16, 1974 (39 FR 17435)), sufficiently clear to be enforceable?

Therefore, pursuant to the provisions of the Federal Hazardous Substances Act (secs. 2(q)(1)(B), (2), (3), (b), 74 Stat. 374-375, as amended, 80 Stat. 1304-1305; (15 U.S.C. 1261, 1262)), the Federal Food, Drug and Cosmetic Act (sec. 701(e), 52 Stat. 1055, as amended; (21 U.S.C. 371(e))), and under authority vested in the Commission by the Consumer Product Safety Act (sec. 30(a), 86 Stat. 1231; (15 U.S.C. 2079(a))), notice is hereby given that the public hearing provided for in the announcement of July 11, 1974 (39 FR 25473), is subject to further order of the Presiding Officer, tentatively scheduled to commence at 10 a.m. Eastern Daylight Savings Time, Tuesday, September 24, 1974 in the sixth floor hearing room, 1750 K Street, NW., Washington, D.C. for the purpose of receiving evidence on the issues raised by the objections. The hearing will continue thereafter at such times and places as directed by the Presiding Officer. The rules of practice applicable to this hearing are contained in §§ 2.48 through 2.104 of Title 21 of the Code of Federal Regulations (21 CFR 2.48-2.104).

A prehearing conference for the simplification of issues, stipulation and admission of facts and documents, identification, limitation, and scheduling of witnesses, and such other matters as may aid in the expeditious disposition of the proceeding will be held in the sixth floor hearing room, 1750 K Street NW., Wash-

ington, D.C., beginning at 10 a.m. Eastern Daylight Savings Time on Tuesday, September 10, 1974.

Any interested person intending to introduce documentary evidence at the hearing shall submit five copies thereof at the prehearing conference.

Any person desiring to appear at the prehearing conference or the hearing should file with the Secretary, Consumer Product Safety Commission, tenth floor, 1750 K Street, NW., Washington, D.C. 20207, by the close of business Thursday, September 5, 1974, a written notice of appearance as specified in 21 CFR 2.60, 2.64, setting forth the person's name, address, interest, and the objection or issue concerning which such person desires to be heard.

Hon. Paul N. Pfeiffer, Chief Administrative Law Judge of the Maritime Administration, Room 6708, 14th and E St., NW., Washington, D.C. 20230, has been designated by the Civil Service Commission to serve as the Presiding Officer of this proceeding in accordance with the Rules of Practice as published in 21 CFR 2.48-2.104. All communications of a procedural nature including notices of appearance may be addressed directly to Judge Pfeiffer at the above address with 5 copies to the Secretary of the Commission.

Dated: July 29, 1974.

SHELDON BUTTS,  
Acting Secretary, Consumer  
Product Safety Commission.

[FR Doc. 74-17565 Filed 7-31-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/91]  
(244-6)

## 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 30, 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 September 30, 1974.

## APPLICATIONS RECEIVED

EPA File Symbol 12014-T. A & V Inc., PO Box 211, Butler WI 53007. POOL PAL QAC CONCENTRATE. Active Ingredients: Poly[oxyethylene (dimethylimino) ethylene (dimethylimino)ethylene dichloride] 60.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 12014-I. A & V Inc. POOL PAL QAC. Active Ingredients: Poly[oxyethylene (dimethylimino) ethylene (dimethylimino)ethylene dichloride] 40.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 12014-0. A & V Inc. AUTROL-Q. Active Ingredients: Poly[oxyethylene (dimethylimino) ethylene (dimethylimino)ethylene dichloride] 60.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 14651-RE. Agricultural Enterprises, Inc., 933 W. 6th St., Fremont NE 68025. LIVESTOCK DUSTING POWDER CONTAINS TOXAPHENE. Active Ingredients: Toxaphene (Technical Chlorinated Camphene Containing 67 to 69% Chlorine) 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10770-RN. Predicted Environments, Div. of Air Shields, Inc., Noncks Corner SC 29461. KLEENASEPTIC-B. Active Ingredients: Disobutylphenoxyethoxyethyl dimethyl benzyl ammonium chloride 0.25%; Isopropanol 14.85%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 264-EOR. A Rorer-Amchem Co., Amchem Products, Inc., Brookside Ave., Ambler PA 19002. ETHREL PLANT GROWTH REGULATOR. Active Ingredients: Ethephon (2-chloroethyl) phosphonic acid 21.6%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA Reg. No. 12465-7. Aqua Chemical Corp., 1 Allen St., Springfield MA 01108. AQUA-MAID WINTER ALGAECIDE 15. Active Ingredients: n-Alkyl [60% C14, 30% C16, 5% C12, 5% C18] dimethyl benzyl ammonium chlorides 12.6%; n-Dialkyl [60% C14, 30% C16, 5% C12, 5% C18] methyl benzyl ammonium chlorides 2.4%. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 12465-RO. Aqua Chemical Corp., 1 Allen St., PO Box 2249, Springfield MA 01108. AQUAMAID WINTER GUARD. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 6.3%; n-Dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methyl benzyl ammonium chlorides 1.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7312-G. Burlington Industries, Inc., Chemical Division, PO Box 523, Jamestown NC 27282. BI CHEM ANTI-FOULANT TREATMENT CWL-110. Active Ingredients: Disodium cyanodithiocarbamate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9404-UG. Chase & Co., Chemical Department, PO Box 1697, Sanford FL 32771. SUNNILAND ZECTRAN CONTROLS SNAILS AND SLUGS Active Ingredients: 4-dimethylamino-3,5-xylyl methylcarbamate 22.7%; Aromatic petroleum derivative solvent 30.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9404-UO. Chase & Co., Chemical Department, PO Box 1697, Sanford FL 32771. SUNNILAND SULFUR WET-TABLE POWDER. Active Ingredients: Sulfur 90.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34224-R. Chemrite Corp., 12600 S. Daphne Ave., Hawthorne CA 90250. CR 505 PLUS ALGAERITE. Active Ingredients: Poly[oxyethylene (dimethylimino) ethylene (dimethylimino)ethylene dichloride] 20.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34224-E. Chemrite Corp. CR 505 ALGAERITE. Active Ingredients: Poly[oxyethylene (dimethylimino) ethylene (dimethylimino)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34224-G. Chemrite Corp. CR 506 ALGAERITE. Active Ingredients: Disodium cyanodithiocarbamate 5.4%; Ethylenediamine 2.1%; Potassium N-methyldithiocarbamate 7.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 31968-E. Coastal Engineering Corp., PO Box 23526, New Orleans LA 70183. CECCO-CIDE NB. Active Ingredients: Disodium cyanodithiocarbamate 4.23%; Ethylenediamine 1.60%; Potassium N-methyldithiocarbamate 5.83%. Method of Support: Application proceeds under 2 (b) of interim policy.

EPA File Symbol 115-EL. Continental Chemical Co., 2750 Grand Ave., Cleveland OH 44104. CLEANER - DISINFECTANT - DEODORIZER PYNEKO 60. Active Ingredients: Pine Oil 60.0%; Soap 20.0%. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 115-EA. Continental Chemical Co., 2750 Grand Ave., Cleveland OH 44104. CLEANER - DISINFECTANT - DEODORIZER PYNEKO 80. Active Ingredients: Pine Oil 80.0%; Soap 10.0%. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 34077-E. Excelsior Varnish, Inc., 1219-43 W. 74th St., Cleveland OH 44102. PINE CLEANER AND DISINFECTANT NO. 80. Active Ingredients: Pine Oil 80.0%; Soap 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34077-G. Excelsior Varnish, Inc., 1219-43 W. 74th St., Cleveland OH 44102. PINE CLEANER AND DISINFECTANT NO. 60. Active Ingredients: Pine Oil 60.0%; Soap 20.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1990-GTL. Farmland Industries, Inc., PO Box 7305, 3315 North Oak Trafficway, Kansas City MO 64116. CO-OP ROCAN RAT AND MOUSE BAIT. Active Ingredients: (2-pivalyl-1,3-indandione) 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279-1380. FMC Corp., Agricultural Chemical Division, 100 Niagara St., Middleport NY 14105. THIODAN 50 WET-TABLE POWDER INSECTICIDE. Active Ingredients: Endosulfan; Hexachloro-hexahydromethano - 2,4,3-benzodioxathiepin oxide 50.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 279-EOIE. FMC Corp., A.C.D. Industrial Sales Department, 100 Niagara St., Middleport, NY 14105. ALLETHRIN 7% COIL BASE INSECTICIDE. Active Ingredients: Allethrin (Allyl homolog Cinerin I) 7.00%; Other related compounds 0.778%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8823-LL. Habco, Inc., 7301 W. Lake St., Minneapolis, MN 55426. HABCO 404 (LIQUID WEED KILLER). Active Ingredients: Mixed aliphatic hydrocarbons 95.888%; 2,4-Dichlorophenoxyacetic acid (isooctyl ester) 1.630%; Bromacil (5-bromo-3-sec-butyl 6-methyluracil) 0.980%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8823-LA. Habco, Inc., 7301 W. Lake St., Minneapolis MN 55426. HABCO 404 CONCENTRATE (LIQUID WEED KILLER). Active Ingredients: Mixed aliphatic hydrocarbons 61.817%; 2,4-Diclorophenoxyacetic acid (isooctyl ester) 15.030%; Bromacil (5-bromo-3-sec-butyl 6-methyluracil) 9.639%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34314-R. Laboratorios Torres, PO Box 14153, Bo. Obrero, San Juan, P.R. 00916. CRESOLIN (CONCENTRADO) DESINFECTANTE-DESODORIZANTE. Active Ingredients: Coal Tar Neutral oil 15.59%; Soap 5.32%; Coat Tar Acid 2.09%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9440-E. Lopez Exterminating Co., 715 Monroe St., Hoboken NJ 07070. LOPEZ ROACH AND ANT KILLER PRESURIZED SPRAY. Active Ingredients: Pyrethrins 0.050%; Piperonyl Butoxide, Technical 0.100%; N-octyl bicycloheptene dicarboximide 0.166%; O-Isopropoxyphenyl methylcarbamate 0.500%; Petroleum distillate 84.700%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6020-RR. Mom Chemical Co., Inc., 7775 N. W. 66 St., Miami FL 33166. MOM ZAP - THE SPACE AGE INSECTICIDE THAT DOES THE JOB. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, technical 1.0%; Petroleum distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3635-ENN. Oxford Chemicals, PO Box 80202, Atlanta GA 30341. OXFORD LEMON-D CLEANER - DISINFECTANT - DEODORIZER - FUNGICIDE. Active Ingredients: n-Alkyl (C14 50%, C12 40%, C16 10%) dimethyl benzyl ammonium chloride 5.82%; 2-coconut-1-ethyl-oxypropionic imidazoline 5.82%; Tetrasodium ethylenediamine tetraacetate 4.00%; Nonyl phenoxyl polyethyleneoxy ethanol 3.00%; Triethanolamine 3.00%; n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 2.92%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium

## NOTICES

chloride 2.92%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33955-LGT. Acme Division, PBI-Gordon Corp., 300 S. Third St., Kansas City KA 66118. A C M E CHINCHBURG SPRAY CONTAINS DURSBAN. Active Ingredients: Chlorpyrifos, O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 22.4%; Xylene 44.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 675-GT. National Laboratories, Lehn & Fink Industrial Products Division of Sterling Drug Inc., 225 Summit Ave., Montvale NJ 07645. NEW LF-10 HOSPITAL DISINFECTANT CONCENTRATE. Active Ingredients: O-Benzyl-p-chlorophenol 8.0%; Isopropyl Alcohol 7.0%; Tetrasodium Ethylenediamine Tetraacetate 2.4%; o-Phenylphenol 2.4%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 9078-U. Tennessee Farmers Cooperative, LaVerge TN 37086. CO-OP PLANT FOOD WITH 50% HEPTACHLOR. Active Ingredients: 4.7 Methanotetrahydroindene 0.50%; Related Compounds 0.19%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10352-RA. Union Carbide Corp., 270 Park Ave., New York NY 10017. SENTRY FORMIC ACID. Active Ingredients: Formic Acid 90%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 400-92. Uniroyal Chemical, Div. of Uniroyal Inc., Amity Rd., Bethany CT 06525. VITAVAX-200 FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4-oxathin-3-carboxanilide) 37.5%; Thiram (tetramethylthiuram disulfide) 37.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 400-RRL. Uniroyal Chemical, Div. of Uniroyal, Inc. VITAVAX-25 DB FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4-oxathin-3-carboxanilide) 25.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 400-107. Uniroyal Chemical, Div. of Uniroyal, Inc. VITAVAX FLOWABLE FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4-oxathin-3-carboxanilide) 34.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 400-RRA. Uniroyal Chemical, Div. of Uniroyal, Inc. VITAVAX-R FLOWABLE FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4-oxathin-3-carboxanilide) 17.0%; Thiram (tetramethylthiuram disulfide) 17.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 22556-E. Val-Chem Inc., PO Box 172, Edison NJ 08817. VAL-CIDE 1240. Active Ingredients: Disodium Cyanodithiolidomocarbonate 4.23%; Ethylenediamine 1.60%; Potassium N-methylthiocarbamate 5.83%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1270-RTU. Zep Manufacturing Co., PO Box 2015, Atlanta GA 30301. (NEW) ZEPHENE HATCH KLEEN CLEANER-DISINFECTANT-DEODORANT. Active Ingredients: Diethanolamine coconut soap 15.00%; Isopropanol 13.21%; Potassium orthobenzyl - parachlorophenate 5.28%; Tetrasodium ethylene diamine tetraacetate 2.00%; Potassium ortho-phenylphenate 1.00%; Potassium 4-chloro-2-phenylphenate 0.59%; Potassium 6-chloro-2-phenylphenate 0.59%; Formaldehyde 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1270-RTG. Zep Manufacturing Co., PO Box 2015, Atlanta GA 30301. (NEW) ZEPHENE CLEANER-DISINFECTANT-DEODORANT. Active Ingredients: Diethanolamine coconut soap 15.00%; Isopropanol 13.21%; Potassium orthobenzyl - para - chlorophenate 5.28%; Tetrasodium ethylene diamine tetraacetate 2.00%; Potassium ortho-phenylphenate 1.00%; Potassium 4-chloro-2-phenylphenate 0.59%; Potassium 6-chloro-2-phenylphenate 0.59%; Formaldehyde 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

## REPUBLISHED ITEMS

The following item represents a correction and/or change in the list of Applications Received published in the FEDERAL REGISTER of May 31, 1974 (39 FR 19267).

EPA File Symbol 15382-RN. Kalo Laboratories, Inc., 10236 Bunker Ridge Rd., Kansas City, MO 64137. HEXRIN LIQUID INSECTICIDE, FUNGICIDE, MITICIDE SPRAY. Change: EPA File Symbol originally published 34279-R.

The following item represents 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 602-EUI. Ralston Purina Co., Checkerboard Square, St. Louis, MO 63188. PURINA CHLORINE SANITIZER II. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c) as published.

Dated: July 25, 1974.

MARTIN H. ROGOFF,  
Acting Director,  
Registration Division.

[FR Doc. 74-17513 Filed 7-31-74; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Report 711]

COMMON CARRIER SERVICES INFORMATION<sup>1</sup>Domestic Public Radio Services Applications Accepted for Filing<sup>2</sup>

JULY 29, 1974.

Pursuant to §§ 1.227(b)(3) and 21-30(b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application.

<sup>1</sup> All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

<sup>2</sup> The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

cation (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates as set forth in the alternative applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to §§ 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING:  
DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

20206-C2-P-74-(B). Mobile Tel & Pager, Inc. (new). C.P. for a new 1-way station to operate on 152.24 MHz located 1.5 miles NE of Barnesville on Hog Mtn., Barnesville, Georgia.

20066-CD-AL/AP-(6)-75. D. N. Molitor and Mildred Terry Molitor, Executrix of the Estate of W. D. Molitor, deceased, d/b/a Canaveral Communications. Consent to Assignment of License from Donald N. Molitor and Mildred Terry Molitor, Executrix of the Estate of W. D. Molitor, deceased, d/b/a Canaveral Communications, Assignor, to Canaveral Communications, Inc., Assignee. KU0610—North of Indian River City, Florida; KU0561—Vero Beach, Florida; KTS225—Cocoa, Florida; KIY516—Cocoa, Fla.; KFL876—Vero Beach Florida; & pending application 5400-C2-P-73—New Smyrna Beach, Florida.

20067-CD-P-75. General Telephone Company of California (KSV982). C.P. to add location No. 3: 0.4 miles S.W. of Jct. Sunset Dr. and Alta Vista Dr., Sunset Dr. Reservoir, Redlands, California, to operate on 158.100 MHz.

20068-CD-P-(3)-75. Radio Dispatch, Inc. (new). C.P. for a new 2-way station to operate on 454.100 MHz, 454.250 MHz, 454.300 MHz to be located ¾ mile south on New Hampshire Road, near Harlingen, Texas.

20069-CD-P-(3)-75. Radio Dispatch, Inc. (new). C.P. for a new 2-way station to operate on 454.050 MHz, 454.250 MHz, 454.350 MHz, to be located at 600 Leopard Street, Corpus Christi, Texas.

20070-CD-P-(2)-75. Airsignal International, Inc. (KJL358). C.P. to relocate antenna and replace facilities operating on 152.05 MHz and 454.200 MHz located at Fruitville Road & Christie Avenue, Sarasota, Florida.

20071-CD-P-75. South Georgia Communications, Inc. (KJY765). C.P. to relocate control station at location No. 2: 141 East Cherry Street, Jesup, Georgia, operating on 158.52 MHz.

20072-CD-P-75. Answer, Inc. (new). C.P. for a new 1-way station to operate on 158.70 MHz located at Guaranty Bank Plaza Bldg., Corpus Christi, Texas.

20073-CD-P-75, General Communications Service, Inc. (KOE257). C.P. to change antenna location operating on 35.22 MHz located at Arizona Title Building, 111 W. Monroe, Phoenix, Arizona, location #2. (1-way-signaling).

20074-CD-MP-(2)-75, General Communications Service, Inc. (KOA265). Mod. C.P. to change antenna system and replace transmitter, also change repeater frequency 6415 MHz to 2168.4 MHz at Loc. #1: White Tanks Mountain, 9.1 miles SSW of Waddell, Arizona; also Mod. C.P. to change antenna system, replace transmitter and change Control frequency 6295 MHz to 2118.4 MHz at Loc. #2: 365 N. 6th Avenue, Phoenix, Arizona.

20075-CD-P-(3)-75, The Mountain States Telephone and Telegraph Company (KOA-607). C.P. for additional base facilities to operate on 454.575 and 454.625 MHz at Loc. #1: 7.5 miles South of Phoenix, Arizona; and additional test facilities to operate on 459.575 and 459.625 MHz at 228 W. Adams St., Phoenix, Arizona.

#### Corrections

21629-C2-P-(3)-74, Comex, Inc. (KCI295). Correct PN #707 dated July 1, 1974, to add: control facilities to operate on 459.325 MHz at Loc. #2: Uncanoonuc Mountain, near Goffstown, New Hampshire. All other particulars to remain the same as reported.

21846-C2-P-(5)-74, General Telephone Company of Florida (KJY397). Correct PN #708 dated July 8, 1974 to add: additional test facilities to operate on 157.92 MHz located at NW corner of Constitution Avenue and Swift Road, Sarasota, Florida. All other particulars to remain the same as reported.

#### RURAL RADIO

60007-CR-AL-75, Donald N. Molitor and Mildred Terry Molitor, Executrix of the Estate of W. D. Molitor, deceased, dba Canaveral Communications. Consent to Assignment of License from Canaveral Communications, Assignor, to Canaveral Communications, Inc., Assignee. Station: KJJ25, Temporary fixed.

60008-CR-P-75, Continental Telephone Company of California dba Continental Telephone Company of Nevada (new). C.P. for a new rural subscriber station to operate on 157.83 MHz to be located at Monarch Mine, Lapon Canyon, 35.6 miles SW of Yerington, Nevada.

#### POINT-TO-POINT MICROWAVE RADIO SERVICE

4682-C1-ML-74, New York Telephone Company (KEK84), Buffalo, New York. Mod. of License for a Partial Assignment to transfer freqs. 6175V and 6415V MHz and (2) Motorola FSTM-30 transmitters from A.T. & T. Long Lines (KEA25) to station KEK84.

35-CF-P-75, Midwestern Relay Company (WLJ43), The Merchandise Mart, Chicago, Illinois. Lat. 41°53'18" N., Long. 87°38'07" W. C.P. to add 5945.2V MHz toward Glen-dale, Ill., on azimuth 273°14'.

36-CF-P-75, Same (WLJ44), Schmale Road, Glendale Heights, Illinois. Lat. 41°54'25" N., Long. 88°05'48" W. C.P. to add 6375.2H MHz toward Crystal Lake, Ill., on azimuth 338°10'; 6197.2H MHz toward Chicago, Ill., on azimuth 92°56'.

37-CF-P-75, Same (WLJ45), 1.9 miles East of Crystal Lake, Illinois. Lat. 42°15'14" N., Long. 88°17'02" W. C.P. to add 6152.8H MHz toward Lake Geneva, Wisc., on azimuth 158°02'; 6063.8H MHz toward Glen-dale Heights, Ill., on azimuth 158°02'.

38-CF-P-75, Same (WLJ46), 3.0 Miles East of Lake Geneva, Wisconsin. Lat. 42°35'49" N., Long. 88°21'30" W. C.P. to add 6404.8V MHz toward North Prairie, Wisc., on azimuth 00°53'; 6375.2V MHz toward Crystal Lake, Wisc., on azimuth 170°50'.

39-CF-P-75, Same (WLJ47), 2.5 Miles East of North Prairie, Wisconsin. Lat. 42°55'52" N., Long. 88°21'05" W. C.P. to add 6123.1V MHz toward Milwaukee, Wisc., on azimuth 63°56'; 5974.8V MHz toward Lake Geneva, Wisc., on azimuth 180°53'.

40-CF-P-75, Same (WLJ52), 720 East Capitol Drive, Milwaukee, Wisconsin. Lat. 43°05'29" N., Long. 87°54'07" W. C.P. to add 6404.8H MHz toward N. Prairie, Wisc., on azimuth 244°14'.

4872-C1-P-74, Fidelity Telephone Company (new), Fourth Street, Gerald, Missouri. Lat. 38°23'59" N., Long. 91°19'52" W. Resubmitted a C.P. for a new station on freq. 2175.4H MHz toward Sullivan, Mo., on azimuth 144°37'.

4872-C1-P-74, Same (WAN39), 48 West Euclid, Sullivan, Missouri. Lat. 38°12'40" N., Long. 91°09'39" W. Resubmitted a C.P. to change antenna location and add freq. 2125.4H MHz toward a new point of communication at Gerald, Mo., on azimuth 324°44'.

44-CF-P-75, Bell Telephone Company of Nevada (KOP45), 745 East Tropicana Avenue, Las Vegas, Nevada. Lat. 36°06'03" N., Long. 115°08'49" W. C.P. to add 2165.2V MHz toward Potosi Mtn., Nev., on azimuth 233°40'.

45-CF-P-75, Same (KOR51), Potosi Mountain, 5.5 Miles NW of Goodsprings, Nevada. Lat. 35°53'33" N., Long. 115°29'39" W. C.P. to add 2115.2V MHz toward Las Vegas, Nev., on azimuth 53°28'; 2125.0V MHz toward a new point of communication at Sandy, Nev., on azimuth 232°42'.

46-CF-P-75, Same (new), 1.5 Miles West of Sandy, Nevada. Lat. 35°48'38" N., Long. 115°37'34" W. C.P. for a new station on freq. 2175.0V MHz toward Potosi Mtn., Nev., on azimuth 52°37'.

47-CF-P-75, Illinois Bell Telephone Company (KSN55), 211 N. Church Street, Rockford, Illinois. Lat. 42°16'23" N., Long. 89°05'39" W. C.P. to change 10775V and 11015H MHz to 11095V and 10935V MHz toward Caledonia, Ill., on azimuth 68°44'.

48-CF-P-75, Same (WAN61), 1.1 Mile WNW of Woodstock, Illinois. Lat. 42°19'10" N., Long. 88°28'09" W. C.P. to change 6078.6V to 6049.0V MHz toward Caledonia, Ill., on azimuth 272°16'; change 5989.7H MHz to 6019.3V MHz toward Silver Lake, Ill., on azimuth 112°12'.

49-CF-P-75, Same (WBO65), 2.4 Miles South of Caledonia, Illinois. Lat. 42°19'52" N., Long. 88°53'33" W. C.P. to change 11345V and 11585H to 11665V and 11505V MHz toward Rockford, Ill., on azimuth 248°52'; change 6241.7H to 6301.0H MHz toward Woodstock, Ill., on azimuth 91°59'.

50-CF-P-75, The Lincoln Telephone and Telegraph Company (KAR71), 1440 "M" Street, Lincoln, Nebraska. Lat. 40°48'42" N., Long. 96°41'58" W. C.P. to add 4150.0H MHz toward Gretna, Nebr., on azimuth 51°48'.

51-CF-P-75, Southern Bell Telephone and Telegraph Company (KJN26), 2627 Norwich Street, Brunswick, Georgia. Lat. 31°09'55" N., Long. 81°29'53" W. C.P. to add 6390.0V MHz toward Everett, Ga., on azimuth 312°51'.

51-CF-P-75, Same (WSL43), 6.0 Miles SW from Everett, Georgia. Lat. 31°20'40" N., Long. 81°43'24" W. C.P. to add 6137.9H MHz toward Brunswick, Ga., on azimuth 132°44'; 5974.8H MHz toward a new point of communication at Eulonia, Ga., on azimuth 46°59'.

53-CF-P-75, Same (new), 2.4 Miles ESE of Eulonia, Georgia. Lat. 31°33'07" N., Long. 81°27'48" W. C.P. for a new station on 6226.9V MHz toward Everett, Ga., on azimuth 227°07'; 6226.9V MHz toward Keller, Ga., on azimuth 39°58'.

54-CF-P-75, Southern Bell Telephone and Telegraph Company (new), 3.6 Miles SE of Keller, Georgia. Lat. 31°47'53" N., Long. 81°13'18" W. C.P. for a new station on 5974.8V MHz toward Eulonia, Ga., on azimuth 220°05'; 5974.8V MHz toward Savannah, Ga., on azimuth 21°49'.

55-CF-P-75, Same (new), 1300 Bull Street, Savannah, Georgia. Lat. 32°03'44" N., Long. 81°05'51" W. C.P. for a new station on 6226.9V MHz toward Keller, Ga., on azimuth 201°53'.

56-CF-P-75, Illinois Bell Telephone Company (KIL65), Silver Lake, 1.3 Miles NW of Oakwood Hills, Illinois. Lat. 42°15'15" N., Long. 88°15'16" W. C.P. to change 6271.4H to 6330.7V MHz toward Woodstock, Ill., on azimuth 292°20'; add 6390.0H MHz toward Lake Zurich, Ill., on azimuth 118°22'.

57-CF-P-75, Same (new), 2305 Sanders Road, Northbrook, Illinois. Lat. 42°06'44" N., Long. 87°52'16" W. C.P. for a new station on 6390.0V MHz toward Lake Zurich, Ill., on azimuth 295°3'.

58-CF-P-75, Same (new), 0.5 Mile South of Lake Zurich, Illinois. Lat. 42°11'20" N., Long. 88°05'32" W. C.P. for a new station on 6108.3V MHz toward Northbrook, Ill., on azimuth 114°55'; 6108.3H MHz toward Silver Lake, Ill., on azimuth 298°29'.

59-CF-P-75, Pacific Northwest Bell Telephone Company (new), Lot 6, S. Broadman, East side of S.E. Main, Broadman, Oregon. Lat. 45°50'07" N., Long. 119°41'56" W. C.P. for a new station on 6063.8H MHz toward Joe Butte, Wash., on azimuth 55°47'.

60-CF-P-75, Same (KQJ93), Joe Butte, 7 Miles South of Kennewick, Washington. Lat. 46°06'13" N., Long. 119°07'43" W. C.P. to add 6197.2H MHz toward a new point of communication at Broadman, Oreg., on azimuth 236°19'.

66-CF-ML-75, The Ohio Bell Telephone Company (KQO27), Paris, Ohio. Mod. of License to change polarizations from Horizontal to Vertical on 6056.4 and 6115.7 MHz towards Edinburg, Ohio.

67-CF-ML-75, Same (KQO24), Edinburg, Ohio. Mod. of License to change polarization from Horizontal to Vertical on 6308.4 and 6367.7 MHz toward Paris, Ohio.

68-CF-P-75, New England Telephone and Telegraph Company (KCL85), 25 Concord Street, Manchester, New Hampshire. Lat. 42°59'32" N., Long. 71°27'46" W. C.P. to add 10935H MHz toward Dunbarton, N.H., on azimuth 317°27'.

69-CF-P-75, Same (KZI59), One Mile North of Dunbarton, New Hampshire. Lat. 43°06'53" N., Long. 71°36'59" W. C.P. to add 11425H MHz toward Manchester, N.H., on azimuth 137°21'; 11285V MHz toward Concord, N.H., on azimuth 32°45'.

70-CF-P-75, New England Telephone and Telegraph Company (KCK52), 12 South Street, Concord, New Hampshire. Lat. 43°12'08" N., Long. 71°32'22" W. C.P. to add 10995V MHz toward Dunbarton, N.H., on azimuth 212°48'.

71-CF-P-75, General Telephone Company of Florida (KJY21), 830 Arlington Avenue, St. Petersburg, Florida. Lat. 27°46'19" N., Long. 82°38'44" W. C.P. to add 2126.8H, 6286.2V, and 6345.5V MHz toward Wimauma, Fla., on azimuth 101°29'.

72-CF-P-75, Same (WIU84), 2.4 Miles from Wimauma, Florida. Lat. 27°42'57" N., Long. 82°20'13" W. C.P. to add 2176.8H, 6034.2V, and 6093.5V MHz toward St. Petersburg, Fla., on azimuth 281°37'; 5945.2H and 6063.8H MHz toward a new point of communication at Lithia, Fla., on azimuth 47°36'.

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73-CF-P-75, Same (new), Lithia, Florida. Lat. 27°50'49" N., Long. 82°10'33" W. C.P. to add 6197.2H and 6315.9H MHz toward a new point of communication at Winona, Fla., on azimuth 200°40'; 6256.5H MHz toward Highland City, Fla., on azimuth 63°03'.

74-CF-P-75, Same (KIB48). Seward Lake Drive, Highland City, Florida. Lat. 27°57'40" N., Long. 81°55'21" W. C.P. to add 6004.5H MHz toward Lithia, Fla., on azimuth 243°10'; 3970.0H MHz toward Winter Haven, Fla., on azimuth 69°57'.

75-CF-P-75, Same (KIT47). 200 Avenue B, N.W., Winter Haven, Florida. Lat. 28°01'24" N., Long. 81°43'48" W. C.P. to add 4010.0H MHz toward Highland City, Fla., on azimuth 250°02'; 2162.4V, 3830.0H, 3910.0H, 3990.0H MHz; change polarity from V to H on 3750 MHz toward Eva, Fla., on azimuth 341°27'.

76-CF-P-75, Same (KGP53) 2.8 Miles South of Eva, Florida. Lat. 28°17'37" N., Long. 81°49'57" W. C.P. to add 3790.0H, 3870.0H, 3950.0H, and 2112.4V MHz; change polarity from V to H on 3710 MHz toward Winter Haven, Fla., on azimuth 161°24'.

The following radio stations for Navajo Communications, Inc., are applying for renewal of licenses for Term: 10-31-74 to 10-31-75:

77-CF-R-75 (WCZ46) Ganado Mesa, Arizona.

78-CF-R-75 (WCZ43) Preston Mesa, Arizona.

79-CF-R-75 (WCZ44) Chinle, Arizona.

80-CF-R-75 (WCZ45) Cottonwood Jct., Arizona.

81-CF-R-75 (WCZ39) Black Mesa, Arizona.

82-CF-R-75 (WCZ41) Peabody Coal Mine, Arizona.

83-CF-R-75 (WCZ49) Shonto, Arizona.

84-CF-R-75 (WCZ42) National Monument, Arizona.

85-CF-R-75 (WCZ47) Defiance Summit, Arizona.

86-CF-R-75 (WCZ38) Kayenta, Arizona.

87-CF-R-75 (WCZ50) Graveyard Jct., Arizona.

88-CF-P-75, Southwestern Bell Telephone Company (new), 1.8 Miles West of Rosenberg, Texas. Lat. 29°33'15" N., Long. 95°50'51" W. C.P. for a new station on 3730H MHz toward Wharton, Tex., on azimuth 222°33'.

89-CF-P-75, Same (new), Hawes and North Fulton Streets, Wharton, Texas. Lat. 29°18'47" N., Long. 96°05'59" W. C.P. for a new station on 4090H MHz toward Rosenberg, Tex., on azimuth 42°25'.

*Correction: (Major Amendments)*

3401-Cl-P-71, GTE Satellite Corporation (new). C.P. for a new station. Correct freqs. 6226.9H and 6375.2V MHz toward Brooksville, Florida, to read 6226.9V and 6375.2H MHz. (All other particulars the same as reported in Public Notice #707, dated July 1, 1974.)

[FR Doc. 74-17564 Filed 7-31-74; 8:45 am]

[Dockets Nos. 20107, 20108; FCC 74-757]

JOHNSTOWN CABLE TV AND TELE-PROMPTER NEW JERSEY CABLE NETWORK, INC.

*Order Scheduling Oral Argument*

In re: Teleprompter Cable Systems, Inc., d/b/a Johnstown Cable TV, Johnstown, Pennsylvania; Docket No. 20107, CAC-2785 (PA325); and Teleprompter New Jersey Cable Network, Inc., Trenton,

New Jersey; Docket No. 20108, CAC-664, CSR-257 (NJ105); applications for certificates of compliance.

1. In TelePrompTer Cable Systems, Inc., 40 FCC 2d 1027 (1973), the Commission directed TelePrompTer Corporation to supplement its pending application for authorization to carry additional television signals on its cable television system at Johnstown, Pennsylvania, with an application for a certificate of compliance under §§ 76.11(b) and 76.13(c). Pursuant to this directive, TelePrompTer filed the above-captioned Johnstown application. In addition, as noted in TelePrompTer Cable Systems, supra, the Commission already has on file an application for certificate of compliance for a new TelePrompTer cable system at Trenton, New Jersey (CAC-664). In considering the issues raised by these applications, and before reaching a final decision, the Commission would prefer to have the benefit of oral presentations by the interested parties.

2. *Accordingly, it is ordered*, That the above-captioned applications ARE SET for oral argument before the Commission on September 24, 1974, commencing at 9:30 a.m. in Room 856, 1919 M Street, N.W., Washington, D.C., to determine, in light of the conduct discussed in the opinion in 40 FCC 2d 1027, whether TelePrompTer is disqualified from operating cable television systems at Johnstown and Trenton. The parties are free to argue such associated issues as they believe relevant.

3. *It is further ordered*, That the parties who within 10 days after release of this Order file written notice of intention to participate in oral argument shall each be allowed 20 minutes for argument; that the parties may reallocate their time among themselves; that counsel for TelePrompTer Corporation may reserve part of his time for rebuttal; and that the order of appearance shall be:

TelePrompTer Corporation  
Alleghany Area CATV Corporation  
740 Associates  
City of Johnstown  
City of Trenton  
Office of Cable Television, Department of  
Public Utilities, State of New Jersey  
Special FCC Trial Staff  
Cable Television Bureau

4. *It is further ordered*, That written briefs concerning the issues described in paragraph two above shall be filed on or before September 3, 1974.

Adopted: July 9, 1974.

Released: July 11, 1974.

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

[FR Doc. 74-17563 Filed 7-31-74; 8:45 am]

<sup>1</sup> Commissioner Hooks concurring in the result. Dissenting statement of Commissioner Quello is filed as part of the original document.

## FEDERAL MARITIME COMMISSION

## GREATER BATON ROUGE PORT COMMISSION AND CARGILL, INC.

## Notice of Agreements Filed

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before August 21, 1974. Any person desiring a hearing on the proposed agreements shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreements (as indicated hereinafter) and the statement should indicate that this has been done.

## Notice of agreements filed by:

Mr. George Mathews, General Counsel  
Dale, Owen, Richardson, Taylor & Mathews  
Post Office Box 3177  
Seventh Floor Reymond Building  
Baton Rouge, Louisiana 70801

Agreement No. 8225-10, between the Greater Baton Rouge Port Commission (Port) and Cargill, Inc. (Cargill), modifies the parties' basic agreement which provides for the lease to Cargill of a grain terminal facility at Baton Rouge, Louisiana. The purpose of the modification is to permit Cargill to place and maintain the insurance on a work boat and work barge.

Agreement No. 8225-11, between the same parties, modifies the basic agreement, No. 8225, as amended. The purpose of the modification is to (1) add two additional parcels of land to the leased premises, (2) clarify the Port's responsibility for providing access to the leased premises for ocean-going vessels, (3) establish the amount of annual rental for the renewal term or terms of the lease and (4) delete the provision that Cargill be required to provide and furnish stevedoring services to vessels loading or unloading at the wharf.

Agreement No. 8225-12, between the same parties, modifies the basic agreement, No. 8225, as amended. The purpose of the modification is to renew the basic agreement for an additional 10-year period, commencing September 7, 1975.

Dated: July 29, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 74-17607 Filed 7-31-74; 8:45 am]

[Docket No. 72-40]

**PUBLICATION OF DISCRIMINATORY RATES IN THE U.S. NORTH ATLANTIC/CONTINENTAL EUROPEAN TRADE**

**Further Discontinuance of Proceeding in Part**

Pursuant to procedures authorized by Commission order of October 26, 1972, respondents in this proceeding propose to eliminate the disparity between eastbound and westbound rates on the commodities listed below:

- A. Aluminum Paste, In Drums, Cans or Cases
- B. Cellulose Wadding, Packed
- C. Wallpaper, Packed
- D. Personalized Electric Hair Dryers (Not Commercial), Packed
- E. Batteries and Cells, Electrical and Dry (Not Storage Type)
- F. Commercial Hair Dryers, Packed
- G. Lanterns, Common, Incl. Propane Gas Fired, Packed

In view of this rate action, respondents move the Commission for discontinuance of this proceeding insofar as it places the rates on the above commodities in issue. Hearing Counsel support the motion and the Commission is disposed to grant it.

Accordingly, as to the commodities listed above, this proceeding is hereby discontinued, provided respondents effectuate their proposed rate action by appropriate tariff modifications within 45 days of the service of this order.

By the Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 74-17606 Filed 7-31-74; 8:45 am]

**STEAMSHIP OPERATORS INTERMODAL COMMITTEE**

**Notice of Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW, Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing,

may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before August 21, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

**Notice of agreement filed by:**

John K. Cunningham, Executive Secretary  
Steamship Operators Intermodal Committee  
Atlantic Regional Committee  
67 Broad Street  
New York, New York 10004

Agreement No. 9735-7, among the member lines of the Steamship Operators Intermodal Committee, modifies the basic agreement by adding in the second paragraph of the Preamble a new clause (9) reading as follows:

(9) Per diem charges and practices with respect to free time allowance as applicable to containers and related equipment of the parties hereto.

as a matter in which the parties have common interest.

The basic agreement is a cooperative working arrangement which allows the parties to discuss matters enumerated in the agreement to try to arrive at a common position to be taken in consultation with governmental agencies or private associations, and in appearances at hearings and other public or private proceedings.

Dated: July 29, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 74-17608 Filed 7-31-74; 8:45 am]

**FEDERAL POWER COMMISSION**

[Docket No. RM74-8]

**BLUE DOLPHIN PIPELINE CO. ET AL.**  
Findings and Order Denying Requests for  
Waiver

JULY 26, 1974.

The Commission's Order No. 498, Docket No. RM74-8, issued on December 21, 1973, requires all Class A and B pipelines to report on January 1 and July 1 each year on what actions have been taken by them and their customers to conserve natural gas; the quantities of natural gas estimated to be conserved by such actions during the 12 months following the report date; and an estimate of the volume of gas actually conserved

during the 12 months prior to the report date.

Blue Dolphin Pipe Line Company (Blue Dolphin), Equitable Gas Company (Equitable), Texas Gas Pipe Line Corporation (Texas Gas), and Valley Gas Transmission, Inc. (Valley Gas), have requested a waiver of the reporting requirement. Blue Dolphin requests a waiver on the grounds that it does not own any of the gas it transports and has no gas sales customers. Blue Dolphin transports gas for Shell Oil Company and Dow Chemical Company which own the gas. As a consequence, Blue Dolphin contends that it does not believe the information requested in the semi-annual reports are applicable to it and requests that it be exempted from filing all reports ordered in the subject docket.

Equitable had annual sales for resale of approximately 111,000 Mcf out of total sales of almost 88,000,000 Mcf during the 12 months ending September 1973. This is about  $\frac{1}{10}$  of 1 percent of total sales and is claimed to be typical of past and anticipated sales patterns. In view of its de minimis sales in interstate commerce and the fact that Equitable's actions and those of its customers will be reported by its interstate pipeline suppliers, Equitable petitions the Commission for a waiver of the reporting requirements of Order No. 498.

Texas Gas states that it has a small pipeline system serving its two customers, who are also interstate pipelines, and that as a result, most of the conservation measures set forth in Order No. 498 are not applicable to its operations.

Valley Gas sells all the gas it purchases and transports to three interstate natural gas pipeline companies. Valley Gas states that it has no control over or knowledge of the resale or ultimate end-use of this gas and, therefore, it believes it is not required to file reports in accordance with Order No. 498 except to the extent that its letter constitutes such a report.

In the face of a national energy emergency, Order No. 498 was promulgated to focus attention on the need for gas conservation and to enlist the assistance of all pipeline companies, gas distributors, and state regulatory commission to that end. The order requested the pipeline companies to consider taking the following actions, *inter alia*, to conserve natural gas:

(1) Curtail non-essential uses of gas in company facilities to reduce consumption to the lowest practicable level consistent with prudent and reliable service operations.

(2) Improve maintenance techniques with the view to reducing pipeline leaks and losses.

(3) Provide sufficient insulation in company buildings to reduce heat losses.

(4) Eliminate use of ornamental gas lights on company property.

Most of the responding pipelines have cited numerous operational economies in their pipeline system and compressor

## NOTICES

station operations as well as conservation measures in the heating and cooling of company buildings. Thus, the fact that Blue Dolphin, Texas Gas, and Valley Gas do not control the end use of the gas they transport does not preclude them from reporting their operational economies with respect to gas conservation in their own facilities. While Equitable has shown no further cause for granting a waiver of the Order No. 498 reporting requirement than the other three pipeline companies, Equitable may file a letter on each report date stating that its conservation measures and those of its customers have been reported through its pipeline suppliers, if that is the way it prefers.

The Commission finds:

Blue Dolphin, Equitable, Texas Gas, and Valley Gas have failed to demonstrate good cause for waiver of the reporting requirement under Order No. 498 to file semi-annual reports on conservation measures.

The Commission orders:

The requests by Blue Dolphin, Equitable, Texas Gas and Valley Gas for waiver of the reporting requirement under Order No. 498 are denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-17527 Filed 7-31-74; 8:45 am]

[Docket No. CI74-526, etc.]

**CONTINENTAL OIL CO. ET AL.**  
Order Consolidating Proceedings and  
Dismissing Applications

JULY 25, 1974.

In the matter of Continental Oil Co., Docket No. CI74-526; Getty Oil Co., Docket No. CI74-542; Cities Service Co., Docket No. CI74-549; and Atlantic Richfield Co., Docket No. CI74-551.

The four above captioned natural gas producers (Applicants) each have filed applications pursuant to Section 7 of the Natural Gas Act (Act) requesting permanent certificates for sales of natural gas to Tennessee Gas Pipeline (Tennessee) from Block 45, Grand Isle Area, Offshore Louisiana at an initial rate of 47.0 cents per Mcf.<sup>1</sup> Applicants also petition for waiver of the area rate established by Opinion No. 598,<sup>2</sup> pursuant to the procedure set forth in Order Paragraph (A) (j) thereof.

In support of their requests, Applicants state that they, as joint interest owners each owning 25 percent of the lease, intend to drill one well on Grand Isle Block 45. Applicants aver, however,

<sup>1</sup> Continental Oil Company filed in Docket No. CI74-526 on March 29, 1974; Getty Oil Company filed in Docket No. CI74-542 on April 1, 1974; Cities Service Oil Company filed in Docket No. CI74-549 on April 5, 1974; Atlantic Richfield Company filed in Docket No. CI74-551 on April 8, 1974.

<sup>2</sup> At 15,025 psia subject to upward and downward Btu adjustment.

<sup>3</sup> Opinion No. 598, Area Rate Proceeding, et al., (Southern Louisiana Area), Docket No. AR69-1, 46 F.P.C. 86 (1971).

that they " \* \* \* cannot economically justify \* \* \* the cost of drilling a well on the dedicated lease based on the currently applicable Area Rate".<sup>4</sup> Applicants also request that " \* \* \* (u)less such waiver is granted and a Certificate issued \* \* \* at the contract rate of 47.0 cents per Mcf, [Applicants] will have no alternative except to withdraw this Application and allow the lease to expire".<sup>5</sup>

In response to a Staff request, Applicants supplied data on May 28, 1974, in addition to the data included in their original filings.

Responding to notices of the applications issued by the Commission's Secretary,<sup>6</sup> the Public Service Commission of the State of New York filed notices of intervention in three of the four subject dockets and requested formal hearings to be held pursuant to the provisions of Section 7 of the Act. We therefore provide for the orderly disposition of the applications and petitions herein by consolidating the four dockets for the purposes of our consideration. Tennessee and Associated Gas Distributors have also petitioned to intervene.

The Continental, et al., applications were filed prior to the issuance of Opinion No. 699,<sup>7</sup> and, therefore, they do not reflect the changes wrought by that decision.<sup>8</sup> Undoubtedly, the gas that might be discovered by this proposed project will be within the classes of gas that are subject to the provisions of Opinion No. 699<sup>9</sup> since the gas will be dedicated to the interstate market "on or after January 1, 1973". However, for proposals such as this one, which involves one or more undrilled wells, a petitioner who seeks a rate in excess of the applicable

<sup>4</sup> Continental Oil Company's Application, paragraph (G).

<sup>5</sup> *Id.*

<sup>6</sup> Notice issued April 9, 1974, in Docket No. CI74-526; April 16, 1974, in Docket No. CI74-542; April 29, 1974, in Docket No. CI74-549; April 24, 1974, in Docket No. CI74-551.

<sup>7</sup> Just And Reasonable National Rates For Sales Of Natural Gas From Wells Commenced On Or After January 1, 1973, And New Dedications Of Natural Gas To Interstate Commerce On Or After January 1, 1973, Docket No. R-389-B, \_\_\_\_ F.P.C. \_\_\_\_.

<sup>8</sup> To the extent that the orders of May 15, 1974, in Ashland Oil, Inc., Docket No. RI74-40, and Continental Oil Co., Docket No. RI74-108, indicate that special relief under the area rate opinions is available with respect to future drilling efforts, those orders are overruled.

<sup>9</sup> Opinion No. 699 applies to the "following classes of jurisdictional sales of natural gas: (1) sales made from wells commenced on or after January 1, 1973, (2) sales made pursuant to contracts executed on or after January 1, 1973, for the sale of natural gas in interstate commerce where such gas has not previously been sold in interstate commerce except pursuant to the provision of 18 C.F.R. §§ 2.68, 2.70, 157.22 or 157.29, or sales made pursuant to contracts executed on or after January 1, 1973, where the sales were formerly made pursuant to permanent certificates of unlimited duration under contracts which expired by their own terms on or after January 1, 1973". Opinion No. 699, slip opinion at 1.

area rate, or the nationwide rate must file under the Optional Procedure.<sup>10</sup>

This is true, because since the issuance of Opinion No. 699, the applicants in these cases may not proceed under the provisions of Opinion No. 598, file for special relief thereunder, and retain their refund credits or contingent escalations. As we indicated at p. 105 of Opinion No. 699, a natural gas producer may not obtain a rate that is greater than the rate established by Opinion No. 598 and retain the refund credits or contingent escalations.<sup>11</sup> We will not allow any producer to obtain a "double benefit".<sup>12</sup>

Therefore, because of the intervening issuance of Opinion No. 699 and the Stingray decision, it is necessary for these applicants to inform the Commission as to the procedures they desire to follow in light of Opinion No. 699, the Stingray decision, and this order. Consequently, we will provide that the applicants shall inform the Commission within 20 days of the issuance of this order whether they will proceed under Order No. 455. In the event the applicants should desire to proceed under Order No. 455, we find that a hearing now appears necessary to establish the cost, reserve potential and estimated deliverability of this proposal since such information cannot be ascertained from the filings made in support thereof.<sup>13</sup>

The Commission orders:

(A) The applications in Docket Nos. CI74-526, CI74-542, CI74-549 and CI74-551 are consolidated for the purpose of disposition.

(B) For the above-stated reasons, the applications and petitions for special relief filed by Applicants in Docket Nos. CI74-526, CI74-542, CI74-549 and CI74-551, for a well not yet drilled, are dismissed without prejudice to the resubmission by Applicants, or any of them, or their respective applications under Section 2.75 of the Commission's Statements of General Policy (18 C.F.R. 2.75) within 20 days of the date of issuance of this order.

(C) The above named petitioners are permitted to intervene in this proceeding subject to the rules and regulations of this Commission; *Provided, however,*

<sup>10</sup> 18 C.F.R. § 2.75; Optional Procedure For Certificating New Producer Sales Of Natural Gas, Docket No. 441, Order No. 455, 48 F.P.C. 218 (1972), as amended by Order No. 455-A, 48 F.P.C. 477 (1972), appeal pending sub nom. John E. Moss, et al. v. F.P.C. Nos. 72-1837, et al. (D.C. Cir. September 11, 1972).

<sup>11</sup> This rationale applies to the other area rate opinions which provided for contingent escalations and refund credits: Texas Gulf Coast Area, 45 F.P.C. 674 (1971); Other Southwest Area, 46 F.P.C. 9000 (1971); Permian Basin Area, II, Opinion No. 662, \_\_\_\_ F.P.C. \_\_\_\_ (August 7, 1973).

<sup>12</sup> Stingray Pipeline Company, et al., Opinion No. 693, \_\_\_\_ F.P.C. \_\_\_\_ slip op. at 5-8, Opinion No. 693-A, \_\_\_\_ F.P.C. \_\_\_\_ slip op. at 6-7 (1974).

<sup>13</sup> See e.g., Texas Eastern Exploration Company, Docket No. CI74-530, \_\_\_\_ F.P.C. \_\_\_\_ (May 15, 1974).

That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in its respective petition for leave to intervene; and *provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

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

[FR Doc.74-17528 Filed 7-31-74;8:45 am]

[Docket No. E-8918]

**DUKE POWER CO.**  
Supplemented Agreement

JULY 25, 1974.

Take notice that on July 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract (designated as Rate Schedule FPC No. 141) with Union Electric Membership Corporation. The supplemental information provides a description of a new connection (Delivery Point No. 6) and an estimate of sales and revenues derived therefrom for the 12 months succeeding the proposed effective date of August 20, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

**KENNETH F. PLUMB,**  
Secretary.

[FR Doc.74-17529 Filed 7-31-74;8:45 am]

[Docket No. E-8917]

**DUKE POWER CO.**  
Supplemented Agreement

JULY 25, 1974.

Take notice that on July 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract (designated as Rate Schedule FPC No. 146) with York Electric Cooperative, Inc. The supplemental information provides a description of a new connection (Delivery Point No. 11) and an estimate of sales and revenues derived therefrom for the 12 months succeeding the proposed effective date of August 20, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 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.74-17530 Filed 7-31-74;8:45 am]

[Docket No. E-8919]

**DUKE POWER CO.**  
Supplemented Agreement

JULY 25, 1974.

Take notice that on July 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract (designated as Rate Schedule FPC No. 134) with Davidson Electric Membership Corporation. The supplemental information provides for an increase in demand of from 17,000 KW to 24,000 KW. Duke also provides an estimate of sales and revenues for the 12 months immediately succeeding the proposed effective date of August 20, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

**KENNETH F. PLUMB,**  
Secretary.

[FR Doc.74-17531 Filed 7-31-74;8:45 am]

[Docket No. E-8920]

**DUKE POWER CO.**  
Supplemented Agreement

JULY 25, 1974.

Take notice that on July 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract (designated as Rate Schedule FPC No. 260) with the City of Kings Mountain.

The supplemental information provides a description of a temporary connection (Delivery Point No. Temp. 1) which will be needed for approximately six months. Duke also has provided an estimate of sales and revenues derived from the connection for the 12 months immediately succeeding the proposed effective date of August 20, 1974. Duke states that service will be billed according to Schedule 10.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

**KENNETH F. PLUMB,**  
Secretary.

[FR Doc.74-17532 Filed 7-31-74;8:45 am]

[Docket No. CP74-164]

**KANSAS-NEBRASKA NATURAL GAS CO., INC.**

Notice of Application

JULY 25, 1974.

The attached Notice of Application is being reissued because the original notice of application issued January 3, 1974, was not published in the FEDERAL REGISTER. The new due date for filing protests and petitions to intervene is August 12, 1974.

**KENNETH F. PLUMB,**  
Secretary.

[Docket No. CP74-164]

**KANSAS-NEBRASKA NATURAL GAS COMPANY, INC.**

NOTICE OF APPLICATION

JULY 25, 1974.

Take notice that on December 3, 1973, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), Hastings, Nebraska 68901, filed in Docket No. CP74-164 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas with Northern Natural Gas Company (Northern) and the construction and operation of facilities for use in the exchange and purchase of natural gas from Northern, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a four-inch tap valve to be installed on Applicant's Buffalo Wallow system in Hemphill County, Texas, to serve as the point of delivery by Northern to Applicant pursuant to said parties' gas purchase and exchange agreement dated June 4, 1973, as amended July 31, 1973.

## NOTICES

Under said agreement Northern will deliver up to 5,500 Mcf per day of gas at the proposed tap valve connection on Applicant's system in Hemphill County. Applicant will purchase 25 percent of such gas and the remaining 75 percent will be redelivered by Applicant to Northern through existing measuring facilities near an existing connection with Northern in Seward County, Kansas.

Applicant states that balancing of exchange volumes will be on a thermal basis to be achieved as nearly as possible on a monthly basis. Applicant states further that Northern will pay Applicant an estimated 5.6-cents per Mcf for all volumes of exchange gas as a treating charge plus a transportation charge of approximately 1.9-cents per Mcf and in addition will furnish its pro rata share of shrinkage gas.

The application states that Applicant will pay Northern for purchased gas the same price Northern paid its seller for such gas, including simple interest at the rate of 7 percent per annum attributable to the portion of advance payments made by Northern to its seller, plus the cost of dehydration.

Applicant estimates the cost of construction of the proposed tap facility will be \$400 for which Applicant will be reimbursed by Northern for 75 percent of all costs associated with its installation.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 12, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-17526 Filed 7-31-74;8:45 am]

[Docket No. RP73-97]

**KENTUCKY WEST VIRGINIA GAS CO.**

**Proposed Rate Changes**

JULY 25, 1974.

Take notice that on July 15, 1974, Kentucky West Virginia Gas Company (Kentucky West) tendered for filing Fourth Revised Sheet No. 12-A and Third

Revised Sheet No. 12-E to its FPC Gas Tariff, Original Volume No. 1, containing changes in the rate in its Rate Schedule S-1. Kentucky West states that the change in rate results from the application of the Purchased Gas Cost Adjustment provision in section 9, General Terms and Conditions of the Tariff, which was approved by the Commission in Docket No. RP73-97.

Kentucky West states that Fourth Revised Sheet No. 12-A reflects a change in the definition of purchased gas in Section 11.1 of the General Terms and Conditions to reflect the effect of Commission orders. Kentucky West also proposes that Third Revised Sheet No. 12-E be made effective on September 1, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-17537 Filed 7-31-74;8:45 am]

[Docket No. CI67-1594, etc.]

**KERR-MCGEE CORP. ET AL.**

**Certification of Proposed Settlement**

JULY 25, 1974.

On July 11, 1974, Kerr-McGee Corporation, *et al.*, (Producers) and Associated Gas Distributors (AGD) filed a Motion for Promulgation of Settlement Proposal, copies of which were served on all parties, along with a Joint Request for Inclusion in Record of Matters on File With the Commission and Request for Promulgation of Stipulation (Joint Request). On July 12, 1974, the Administrative Law Judge (ALJ) certified the proposed settlement to the Commission.

Petitioners seek the release of funds currently being held in escrow pursuant to Commission orders approving settlement agreements between Petitioners, Transcontinental Gas Pipe Line Corporation (Transco) and certain of Transco's customers. Under the Commission's order of December 27, 1973, a prehearing conference was convened by the ALJ on January 9, 1974. Several formal and informal conferences have been held since that date, the last having been held June 11, 1974. At the conference on June 11, certain of the parties indicated a desire to file a proposed settlement for the Commission's consideration. The ALJ directed that such settlement proposal be filed on July 10, 1974, with any sup-

porting documentation. The material which Petitioners request be included in the joint record of this proceeding consists of documents on file with the Commission and Commission orders and stipulations which Petitioners believe are necessary for the resolution of the matters raised by these proceedings.

The basic concept of the Settlement Proposal is that the Escrow Fund should be used to finance additional gas exploration and development for the benefit of those consumers served by or through the Transco system. The Producers' right so to use the Escrow Fund, however, is subject to a number of conditions. Primary among these conditions is their obligation to expend on Transco-accessible gas E&D projects \$3.00 of the Producers' own money for each \$2.00 of monies withdrawn from the Escrow Fund. This arrangement, therefore, creates a gas exploration and development fund, exclusive of producer lease acquisition costs, totalling some \$57.5 million. In addition to this basic feature the Settlement Proposal provides for the amendment of certain Producer gas sales contracts to include "area rate clauses". These amendments are intended to provide an economic climate more conducive to further exploration on and development of gas prospects accessible to the Transco system.

All parties will have 20 days from the date of the certification to file and serve their objections or comments, if any, on the proposed settlement with the Commission and the other parties to the proceeding. Replies may be filed and served within 10 days thereafter (Tr. 61).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-17535 Filed 7-31-74;8:45 am]

[Docket No. E-8721]

**NEVADA POWER CO.**

**Revised Fuel Adjustment Clause**

JULY 25, 1974.

Nevada Power Company (Nevada Power) on July 1, 1974, tendered for filing a revised Fuel Adjustment Clause pursuant to an order of the Commission issued May 31, 1974. The Commission order accepted for filing and suspended Nevada Power's rate filing on April 9, 1974. No effective date is specified or requested.

Nevada Power states that copies of the rate filing have been mailed to California Pacific Utilities Company and interested State commissions.

(No proposed notice for publication in the *FEDERAL REGISTER*, pursuant to § 35.8 (a) of the Commission's regulations, prescribed by Order No. 487, issued July 17, 1973, was included in the rate filing.)

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All

such petitions or protests should be filed on or before August 7, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-17534 Filed 7-31-74;8:45 am]

[Docket No. ID-1669]

SEYMOUR H. ROBINSON  
Supplemental Application

JULY 25, 1974.

Take notice that on July 17, 1974, Seymour H. Robinson (Applicant) filed a supplemental application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following position:

Director, Connecticut Valley Electric Company, Incorporated, Public Utility.

Connecticut Valley is engaged in the purchase of electric energy and its transmission, distribution and sale for light, power, heat, and other purposes to about 8,100 customers in Claremont and 18 other towns and villages in New Hampshire.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 22, 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 available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-17533 Filed 7-31-74;8:45 am]

[Docket No. RP75-3]

TRANSCONTINENTAL GAS PIPE LINE  
CORP.

Proposed Changes in FPC Gas Tariff

JULY 25, 1974.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco), on July 16, 1974, tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1 and Original

Volume No. 2. Transco states that the proposed changes would increase revenues from jurisdictional sales and service by approximately \$48,600,000 based on the 12 month period ending April 30, 1974, as adjusted.

Transco further states that the principal reasons for the revenue deficiency giving rise to the rate increase are: (1) increase in unit cost of operation of the pipeline system due to a declining gas supply and the consequent reduction in annual sales volume; (2) increased payroll and related costs; (3) increase in rate of return to 9.95 percent in order to compensate for the higher cost of capital to the company and to maintain the company's credit rating; (4) costs related to certain unsuccessful projects which were undertaken to acquire alternate gas supplies; and (5) increased storage service costs.

Included in the filing were pro forma tariff sheets to the General Terms and Conditions which will provide Transco the right to (1) "track" in its GSS Storage Service rate schedule any changes in the rates for storage service furnished to Transco by Consolidated Gas Supply Corporation under the latter's Rate Schedule GSS and (2) "track" in its Rate Schedule S-2 any changes in the rates for storage service furnished to Transco by Texas Eastern Transmission Corporation under the latter's Rate Schedule X-28.

In addition, pro forma tariff sheets were submitted in the filing incorporating a Volumetric Variation Adjustment Clause (VVAC) in the General Terms and Conditions of Transco's tariff. According to Transco, this provision would permit Transco to change its rates to reflect changes in unit fixed costs as a result of changes in gas supply and to collect the jurisdictional portion of such fixed costs based on formula contained therein.

Copies of the filing were served upon the company's jurisdictional customers and interested State Commissions.

The proposed effective date of this filing is September 1, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 9, 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.74-17536 Filed 7-31-74;8:45 am]

## FEDERAL RESERVE SYSTEM

### FIRST OGDEN CORP.

#### Formation of Bank Holding Company and Proposed Retention of First Data Services

First Ogden Corporation, Naperville, Illinois 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 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Bank of Naperville, Naperville, Illinois (38 FR 28869). Concurrently, First Ogden Corporation, applied pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) § 225.4(b)(1), (6), and (8) of the Board's Regulation Y, for permission to retain voting shares of First Data Services, First Claren Corporation, and Firstline Leasing Corporation, all located in Naperville, Illinois (38 Federal Register 28869). Notice of the applications was published on May 10, 1973, in the Naperville Sun, a newspaper circulated in Naperville, Illinois. On June 6, 1974, notice of the applications (as amended) was published in the Naperville Sun.

Applicant has filed amendments to the applications which update financial and other information and restructure the proposal with respect to certain services. Applicant originally proposed to perform for nonaffiliated banks.

Applicant states that First Data Services would provide data processing facilities and services for the internal operations of the holding company and its subsidiaries; and provide data processing facilities and services, including billing and payroll, for the internal operations of banks as an accommodation for bank customers; that First Claren Corporation would provide a source of capital for small and medium size business entities through commercial accounts receivable financing; and that Firstline Leasing Corporation would engage in the leasing of personal property, excluding automobiles, to business and financial institutions, on a full payout basis. 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).

Applicant proposes to divest its ownership, within a two year period if this application receives Board approval, of (1) First Ogden Insurance Company, a company engaged in reinsuring through an agent for American United Life Insurance Company, Indianapolis, Indiana, credit life, accident and health on installment credit for banks, (2) Firstline Equipment Corporation, engaged in furnishing all equipment for banking offices including assistance in the construction of bank buildings, (3) Naperville Stationers and Office Supply, a retail and wholesale company selling stationery and office supplies, including furniture to

## NOTICES

banks and others, and (4) First Suburban Services, activities include employment agencies, credit bureaus, answering services and collection agencies for banks and others.

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 applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

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 20, 1974.

Board of Governors of the Federal Reserve System, July 23, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc. 74-17546 Filed 7-31-74; 8:45 am]

## NATIONAL DETROIT CORP.

## Acquisition of Bank

National Detroit Corporation, Detroit, Michigan, 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 80 percent or more of the voting shares of Grand Valley National Bank, Grandville, Michigan. 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 Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than August 21, 1974.

Board of Governors of the Federal Reserve System, July 24, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc. 74-17545 Filed 7-31-74; 8:45 am]

GENERAL SERVICES  
ADMINISTRATION

[Federal Property Management Regs.  
Temp. Reg. E-33]

## FEDERAL CATALOG SYSTEM

## Implementation of National Stock Numbers

1. *Purpose.* This regulation provides procedures for the implementation and

utilization of the 13-digit national stock number in the Federal Catalog System.

2. *Effective date.* This regulation is effective September 30, 1974.

3. *Expiration date.* This regulation expires December 31, 1974, unless sooner revised or superseded.

4. *Applicability.* The provisions of this regulation apply to all Federal agencies.

5. *Background.* GSA Bulletin FPMR E-123 provided information to Federal agencies concerning utilization and scheduled implementation of a 13-digit North Atlantic Treaty Organization (NATO) stock number. In recognition of the U.S. Government commitment to adopt the NATO stock numbers and agreements, including those between the Department of Defense and the General Services Administration, the Federal stock number (FSN) system will be superseded. Effective September 30, 1974, the Federal stock number will be replaced by the new number which conforms to the NATO stock number and will be known as the national stock number (NSN).

6. *Explanation of terminology.* Upon conversion to the national stock number system, the terms Federal stock number (FSN) and Federal item identification number (FIIN) will be obsolete. The following terms are defined to reflect their use in conjunction with the conversion to the 13-digit numbering system:

a. "National stock number" (NSN) means the 13-digit stock number replacing the 11-digit Federal stock number (FSN). It consists of the 4-digit Federal supply classification (FSC) code, and the 9-digit national item identification number (NIIN).

b. "Federal supply classification" (FSC) code means a 4-digit number which groups similar type items into classes.

c. "National Codification Bureau" (NCB) code means a 2-digit number designating the central cataloging office of the NATO or other friendly country which assigned the national item identification number (NIIN). It is used as the first two digits of the NIIN. The NCB codes are:

NCB code:	Country
00	United States.
01	United States.
11	NATO.
12	Germany.
13	Belgium.
14	France.
15	Italy.
17	Netherlands.
18	South Africa.
21	Canada.
22	Denmark.
23	Greece.
24	Iceland.
25	Norway.
26	Portugal.
27	Turkey.
28	Luxembourg.
29	Argentina.
66	Australia.
98	New Zealand.
99	United Kingdom.

d. "National item identification number" (NIIN) is the NCB code number (2-

digits) combined with 7 other nonsignificant digits.

7. *NSN structure.* The NSN consists of the 4-digit Federal supply classification code number and the 9-digit national item identification number. The written, typed, and printed national stock number shall be arranged as follows:

9999-00-999-9999  
(FSC) (NIIN)

8. *Conversion.* Effective September 30, 1974, all transactions involving stock numbers shall have the 13-digit NSN. In consonance with this new stock numbering system, the following actions will be taken:

a. Existing Federal stock numbers will be converted to national stock numbers by inserting the U.S. National Codification Bureau code 00 between the FSC and the item identification number. For an interim period after September 30, 1974, the 00 code will be used in stock numbers assigned to new items of supply. At a date to be determined later, new stock numbers as assigned by the United States will have the National Codification Bureau code 01.

b. Catalogs and other supply publications which currently reference or list FSN's will be changed prior to September 30, 1974. Each publication will contain instructions that the NSN will not be used in requisitions until the established effective date.

c. The GSA/DOD agreement has recently been modified to provide a 60-day period during which a special conversion procedure will be used on requisitions which omit the NCB code. During this period, the Defense Automatic Addressing System and supply sources will enter the 00, thus avoiding disruption in the processing of the requisition. Documents resulting from requisitions on which the FSN was expanded to an NSN will contain the 13-digit number when furnished to the requisitioner, as will all other supply source status/shipping documents on or after September 30, 1974. Requisitions containing FSN's will be rejected after November 30, 1974.

9. *Effect on other issuances.* This regulation cancels GSA Bulletin FPMR E-123, Implementation of National Stock Numbers, dated October 11, 1973.

10. *Agency comments.* Agency views concerning the effect or impact of this regulation on agency operations or programs should be submitted to General Services Administration (FDX), Washington, DC 20406, no later than August 15, 1974, for consideration and possible incorporation into the permanent regulation.

DWIGHT A. INK,  
Acting Administrator  
of General Services.

JULY 24, 1974.

[FR Doc. 74-17548 Filed 7-31-74; 8:45 am]

## NOTICES

NATIONAL TRANSPORTATION  
SAFETY BOARD

[Docket No. SS-R-31]

## NORFOLK AND WESTERN RAILWAY YARD

## Accident Investigation Hearing

In the matter of the investigation of the puncture of a tank car of propane in a derailment in the Norfolk and Western Railway Yard and subsequent open air explosion which resulted in the deaths of four, injuries to more than one hundred, and property damage of millions of dollars at Decatur, Illinois, on July 19, 1974.

Notice is hereby given that an accident investigation hearing on the above matter will be held commencing at 9 a.m., c.s.t., on Tuesday, August 20, 1974, in the Holiday Inn, 3633 West U.S. Route 36 in Decatur, Illinois.

Dated this 26th day of July, 1974.

For the Board.

LOUIS M. THAYER,  
Chairman, Board of Inquiry.

[FR Doc.74-17553 Filed 7-31-74;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 29, 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 COMMERCE

Bureau of the Census, 1974 Census of Agriculture; Thank You Card, Forms 74-A1, 74-A2, 74-A3, Single time, Lowry, Farm operators & others with income from agricultural sources.

DEPARTMENT OF HEALTH, EDUCATION, AND  
WELFARE

## Health Resources Administration:

Dental Site Characteristics, Form HRAB HRD 0322, Single time, Collins, Dental ambulatory care sites.

Medical Site Characteristics, Form HRABHRD 0322, Single time, Collins, Medical ambulatory care sites.

## DEPARTMENT OF TRANSPORTATION

Departmental, Boston Area Commuter Survey, Form \_\_\_\_\_, Single time, Strasser, Individuals in Boston Metropolitan area.

## REVISIONS

## DEPARTMENT OF THE INTERIOR

Bureau of Sport Fisheries and Wildlife, Application for Federal Fish and Wildlife License/Permit, Form 3-200, Occasional, Lowry, Aviculturist, farmers, scientists, educators, animal dealers & importers.

## U.S. CIVIL SERVICE COMMISSION

Availability and Qualifications Information and Application for Federal Summer Employment, Form CSC 843A-905A, Occasional, Caywood, Persons applying for Federal summer employment.

## EXTENSIONS

## DEPARTMENT OF COMMERCE

Bureau of East-West Trade, RWA Rider No. 223, Occasional, Evinger, Foreign exporters.

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT

Housing Production and Mortgage Credit, Title I Claim for Loss and Application Voucher, Form FH-7, Occasional, CVA, Banks, Savings and Loans, credit union, etc.

PHILLIP D. LARSEN,  
Budget and Management Officer.

[FR Doc.74-17707 Filed 7-31-74;8:45 am]

SECURITIES AND EXCHANGE  
COMMISSIONCHICAGO BOARD OPTIONS EXCHANGE,  
INC.Non-Disapproval of Proposed Amendments  
to Option Plan

Notice is hereby given that the Commission has considered and did not disapprove any of the below noted proposed amendments filed by the Chicago Board Options Exchange, Inc. (CBOE) to its option plan pursuant to Rule 9b-1 (17 CFR 240.9b-1).

One proposed amendment, noticed at 39 FR 19317 on May 31, 1974, would delete CBOE's Rule 14.7 which presently fixes minimum intra-member clearance commission rates for orders of \$30,000 or less. The effect of deleting this rule would be to eliminate any fixed minimum with respect to intra-member clearance commissions and any such intra-member charges would be negotiated.

The following proposed changes were originally noticed on May 9, 1974 at 39 FR 16521. The proposed amendment to Rule 101(c) of its Clearing Corporation would eliminate the requirement that Clearing Banks be located in Chicago, Illinois.

The proposed amendment to Rule 204 of the Clearing Corporation would designate the copy of any item delivered by the Clearing Corporation to a Clearing Member's lock box in Chicago as the original and definitive copy of that item.

The proposed amendment to Rule 903 of the Clearing Corporation would expressly require Clearing Members delivering and receiving underlying securities in jurisdictions other than Illinois to pay any applicable stock transfer or other taxes imposed by the jurisdiction where

delivery takes place, to hold the Clearing Corporation harmless in respect of such taxes, and to furnish to the Clearing Corporation on request evidence as to the payment thereof.

In addition the following changes were noticed April 17, 1974 at 39 FR 13815.

The proposed guideline under Rule 6.42 would change the expression of bids and offers for series trading below \$2 from eights to sixteenths. Proposed Rule 6.54 would establish cabinet trading for closing transactions only at a price of \$1 per contract. The rationale for these changes is discussed in the following paragraphs.

Proposed guideline .01 under Rule 6.42 reflects the Floor Procedure Committee's determination that continuity is improved and more meaningful bids and offers obtained where quotations may be made in sixteenths for series trading under \$2.

Proposed Rule 6.54 would establish a procedure for all persons trading on the Exchange to liquidate a position in options at the fixed price of \$1 per contract. This will enable persons to close out essentially worthless positions in situations where they otherwise would not do so, even at a price of 1/16 (per unit of underlying stock, or \$6.25 per contract). All trades under this rule would be reported on the CBOE tape prior to the opening the following morning. On such trades the commission would be as mutually agreed, under Rules 14.3 and 14.5. This proposed rule would not prohibit members from executing transactions off the Exchange pursuant to Rule 6.49.

The proposed amendments to Rules 6.53 and 7.7 were originally noticed on March 13, 1974 at 39 FR 9717. The change in Rule 6.53 will eliminate the triggering of a contingent order by a quotation at the specified price. The change in Rule 7.7 would require the board broker to display a reasonable indication of the full amount of the best bid or offer over 25 units.

All interested persons are invited to submit their views and comments on the proposed amendments to CBOE's plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The proposed amendments including the reasons for such amendments are, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street NW., Washington, D.C.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

JULY 22, 1974.

[FR Doc.74-17522 Filed 7-31-74;8:45 am]

[70-5499]

## GEORGIA POWER CO.

## Exception From Competitive Bidding

JULY 24, 1974.

Georgia Power Company ("Georgia"), 270 Peachtree Street NW., Atlanta, Geor-

## NOTICES

gia 30303, an electric utility subsidiary of The Southern Company ("Southern"), a registered holding company, has filed a post-effective amendment to its application-declaration filed in this proceeding pursuant to sections 6(b) and 12(c) of the Public Utility Holding Company Act of 1935 ("Act"), and Rules 42(a) and 50(a)(5) promulgated thereunder, requesting exception from the competitive bidding requirements of Rule 50 regarding the proposed issue and sale of 600,000 shares of its no-par value preferred stock ("Preferred Stock") and up to \$130,000,000 principal amount of its first mortgage bonds ("Bonds").

By Order dated July 9, 1974 (HCAR No. 18491), the Commission authorized Georgia, among other things, to issue and sell the Bonds and Preferred Stock at competitive bidding. Accordingly, Georgia publicly invited bids for the Bonds and Preferred Stock, to be submitted on July 17, 1974, but failed to receive any bids for either one.

In order to effectuate the sale of these securities as promptly as feasible, to enable it to proceed with its current construction program, Georgia now requests that it be excepted from the competitive bidding requirements of Rule 50, pursuant to paragraph (a)(5) thereof, permitting it to negotiate for a public offering or a private placement of the Bonds or Preferred Stock or both. If a public offering appears most desirable, Georgia states it will select an investment banking firm or group of firms believed by it to assure Georgia the maximum benefits from the sale.

Georgia believes that, in any negotiated sale for the Bonds or Preferred Stock, the terms and conditions of those securities may have to be changed in some respects not previously contemplated. In the case of the Preferred Stock, such change may provide for a sinking fund obligating the company to retire annually a specified number of shares.

The issuance and sale of the Bonds and Preferred Stock without competitive bidding has been approved by the Georgia Public Service Commission. No other State commission, and no Federal commission other than this Commission, has jurisdiction over the proposed transaction.

Notice is hereby given that any interested person may, not later than August 16, 1974, request in writing that a hearing be held in respect of the inclusion of a sinking fund for the Preferred Stock, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated

address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration as amended in respect of that matter, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

On the basis of the facts in the record, it appears to the Commission that the amended application-declaration, insofar as it pertains to the issuance and sale of the Bonds and Preferred Stock without competitive bidding, should be granted and permitted to become effective:

*It is ordered*, That the amended application-declaration, insofar as it pertains to the requested exception from the competitive bidding requirements of Rule 50, be granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule 24 promulgated under the Act; and

*It is further ordered*, That jurisdiction be, and the same hereby is, reserved to pass on the terms and conditions of the Bonds and Preferred Stock, together with the interest and dividend rates thereon, respectively, the prices to Georgia and related matters.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FIR Doc.74-17519 Filed 7-31-74;8:45 am]

[70-5493]

**INDIANA & MICHIGAN ELECTRIC CO. AND  
AMERICAN ELECTRIC POWER CO.**

**Exception From Competitive Bidding**

JULY 23, 1974.

Notice is hereby given that American Electric Power Company, Inc. ("AEP"), 2 Broadway, New York, New York 10004, a registered holding company, and its electric utility subsidiary company, Indiana & Michigan Electric Company ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, have filed with this Commission post-effective amendments to the application-declaration previously filed in this matter, pursuant to sections 6(b) and 12(c) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 42 and 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, as now amended, which is summarized below, for a complete statement of the proposed transaction.

By order dated June 12, 1974 (Holding Company Act Release No. 18456), this Commission, among other things, authorized the issuance and sale of 300,000 shares of I&M's Cumulative Preferred Stock. Shortly before bids were to be received for the Cumulative Preferred Stock, I&M was informed that a substantial possibility existed that the groups bidding on the stock might not be able to bid for all of the 300,000 shares which I&M proposed to issue and sell. Because of these unfavorable developments, I&M cancelled bidding on the stock prior to receipt of any bids.

I&M now proposes to discuss a public offering or private placement of the Cumulative Preferred Stock and the terms thereof with representatives of at least one of the managers of each of the three bidding groups which were formed prior to June 18, 1974, for the purpose of considering the submission of a proposal for the Cumulative Preferred Stock and others and, upon the conclusion of such discussion, to select, among available alternatives, a financing arrangement which, in the view of I&M, will result in the issue and sale of Cumulative Preferred Stock on terms which, under current conditions, are reasonable. I&M will not proceed with any such sale of the Cumulative Preferred Stock without a supplemental order of the Commission.

The post-effective amendments states that, during the course of such negotiations, it may become necessary to include in the proposed offering of the Cumulative Preferred Stock a provision for a sinking fund pursuant to which I&M will be required to retire annually shares of the Cumulative Preferred Stock. Authority for such sinking fund acquisition is requested, pursuant to section 12(c) of the Act and as an exemption from the limitations prescribed by Rule 42(b).

The Public Service Commission of Indiana and the Michigan Public Service Commission have jurisdiction with respect to the terms of the securities to be offered. No other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than August 15, 1974, request in writing that a hearing be held in respect of such sinking fund, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended, or as it may be further

amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

Upon the basis of the facts in the record, it is hereby found that the applicable standards of the Act and the rules thereunder are satisfied and that no adverse findings are necessary insofar as said application-declaration, as amended, relates to the request for an exception from the competitive bidding requirements of Rule 50:

*It is ordered.* That the application-declaration, insofar as it requests exception from the requirements of competitive bidding be, and it hereby is, granted and permitted to become effective forthwith; and

*It is further ordered.* That jurisdiction be, and it hereby is, reserved to pass upon the terms and conditions of I&M's Cumulative Preferred Stock, including the dividend rate, the price to I&M, the terms of the proposed sinking fund, and other matters.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] **GEORGE A. FITZSIMMONS,**  
Secretary.

[FR Doc.74-17520 Filed 7-31-74;8:45 am]

[70-5467]

**JERSEY CENTRAL POWER & LIGHT CO.**  
Exception From Competitive Bidding

JULY 25, 1974.

Jersey Central Power & Light Company ("Jersey Central"), Madison Avenue at Punch Bowl Road, Morristown, New Jersey 07960, an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, has filed with this Commission a post-effective amendment to the application-declaration previously filed in this matter, pursuant to sections 6(b) and 12(c) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 42(a) and 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, as now amended, which is summarized below, for a complete statement of the proposed transaction.

By orders dated April 3, 1974 and May 24, 1974 (Holding Company Act Release Nos. 18361 and 18423), this Commission, among other things, authorized the issuance and sale of 350,000 shares of Jersey Central's Cumulative Preferred Stock. Pursuant to its public invitation for bids, Jersey Central received only one bid on May 30, 1974 for 200,000

shares of said stock at \$100 per share and a dividend rate and cost to the company of 12.56 percent. Jersey Central accepted such bid, but concluded the following day that it would not proceed with the consummation of the sale because it could not be certain that the ultimate purchasers of such 200,000 shares of Cumulative Preferred Stock would have knowledge, prior to confirmation of their purchase, of certain material developments which had occurred subsequent to the distribution of its prospectus, upon the basis of which such bids had been invited.

Jersey Central now requests that it be granted an exception from the competitive bidding requirements of Rule 50 with respect to the proposed issuance and sale by it of up to 350,000 shares of Cumulative Preferred Stock, in order that it may enter into negotiations for a sale on a private placement basis, or through a negotiated public underwriting, of such shares. The post-effective amendment states that, during the course of such negotiations, it may become necessary to include in the proposed offering of the Cumulative Preferred Stock a provision for a sinking fund pursuant to which Jersey Central will be required to retire annually shares of the Cumulative Preferred Stock.

The Board of Public Utility Commissioners of New Jersey has jurisdiction with respect to the terms of the securities to be offered and no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than August 12, 1974, request in writing that a hearing be held in respect of such sinking fund, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

Upon the basis of the facts in the record, it is hereby found that the applicable standards of the Act and the rules thereunder are satisfied and that no adverse findings are necessary insofar as said application-declaration, as amended, relates to the request for an exception from the competitive bidding requirements of Rule 50:

*It is ordered.* That the application-declaration, insofar as it requests exception from the requirements of competitive bidding be, and it hereby is, granted and permitted to become effective forthwith; and

*It is further ordered.* That jurisdiction be, and it hereby is, reserved to pass upon the terms and conditions of Jersey Central's Cumulative Preferred Stock, including the dividend rate, the price to Jersey Central, the terms of the proposed sinking fund, and other matters.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] **GEORGE A. FITZSIMMONS,**  
Secretary.

[FR Doc.74-17521 Filed 7-31-74;8:45 am]

[70-5526]

**MICHIGAN WISCONSIN PIPE LINE CO.**  
Proposed Issue and Sale of Promissory Notes

JULY 26, 1974.

Notice is hereby given that Michigan Wisconsin Pipe Line Company ("Michigan Wisconsin"), One Woodward Avenue, Detroit, Michigan 48226, a pipe line subsidiary of American Natural Gas Company ("American"), a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 of the Act and Rules 50(a)(2) and 70(b)(2) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Michigan Wisconsin proposes to issue and sell from time to time to August 29, 1975, up to a maximum of \$100,000,000 on its promissory notes ("Notes"). Accordingly, Michigan Wisconsin has arranged lines of credit with ten commercial banks providing for the borrowing of up to \$100,000,000 on its Notes maturing August 29, 1975. The banks and their respective commitments are as follows:

	<i>Name of bank</i>	<i>Amount of commitment</i>
First National City Bank, New York, N.Y.		\$20,000,000
Manufacturers Hanover Trust Company, New York, N.Y.		20,000,000
Chase Manhattan Bank, New York, N.Y.		10,000,000
National Bank of Detroit, Detroit, Mich.		13,000,000
The Detroit Bank & Trust Company, Detroit, Mich.		9,800,000

## NOTICES

Name of bank	Amount of commitment
Manufacturers National Bank of Detroit, Detroit, Mich.	8,000,000
First Wisconsin National Bank of Milwaukee, Milwaukee, Wis.	7,000,000
Michigan National Bank, Detroit, Mich.	6,000,000
M & I Marshall & Ilsley Bank, Milwaukee, Wis.	4,200,000
Marine National Exchange Bank, Milwaukee, Wis.	2,000,000
	100,000,000

Each Note will be dated as of the date of issuance, will mature August 29, 1975, and will bear interest at the prime rate in effect at the lending bank on the date of each borrowing, which interest rate will be adjusted to the prime rate effective with any change in said rate. Interest shall be payable at the end of each 90-day period subsequent to the date of borrowing and at maturity. There is no commitment fee, closing or other related charges payable to the banks, and the Notes may be prepaid at any time without penalty. In connection with the lines of credit, Michigan Wisconsin is required to maintain compensating balances with the banks, the effect of which is to increase the effective interest cost by approximately two percent above the prevailing prime rate of 12 percent.

Michigan Wisconsin also proposes, in lieu of the issuance and sale of its Notes to the above listed banks, to issue and sell through August 29, 1975, commercial paper ("notes"), to the extent funds are available, up to a maximum of \$75,000,000 outstanding at any one time to Goldman, Sachs & Co., New York, New York, a dealer in commercial paper. The commercial paper will have varying maturities of not more than 270 days after the date of issue and will be issued and sold in varying denominations of not less than \$50,000 and not more than \$2,000,000 directly to Goldman, Sachs & Co. at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and like maturities. Michigan Wisconsin proposes to sell commercial paper only so long as the discount rate or the effective interest cost for such commercial paper does not exceed the equivalent cost of borrowings from commercial banks (after taking into consideration compensating balances) on the date of sale, except for commercial paper of maturity not exceeding 90 days issued to refund outstanding commercial paper, if in the judgment of Michigan Wisconsin, it would be impractical to borrow from commercial banks to refund such outstanding commercial paper.

Goldman, Sachs & Co., as principal, will reoffer such notes at a discount not to exceed  $\frac{1}{8}$  of 1 percent per annum less than the prevailing discount rate to Michigan Wisconsin. Such notes will be reoffered to not more than 200 identified and designated customers in a list (non-public) prepared in advance by Goldman, Sachs & Co. and no additions will

be made to the customer lists without approval of the Securities and Exchange Commission. It is anticipated that the commercial paper will be held by customers to maturity; however, if any commercial paper is repurchased by Goldman, Sachs & Co., such paper will be reoffered to others in the group of 200 customers. No commission or fee will be payable by Michigan Wisconsin in connection with the issue and sale of such commercial paper notes.

Michigan Wisconsin issued and sold, in June 1974, \$38,000,000 of common stock to American and \$50,000,000 principal amount of first mortgage bonds (Holding Company Act Release No. 18391, April 25, 1974). Funds provided by these sources and by the \$100,000,000 of borrowings for which authorization is requested will be used by Michigan Wisconsin for advance payments relating to gas purchases, to finance its 1974 construction program (estimated to cost \$112 million), and to pay borrowings incurred for either of these purposes in July and August, 1974 under the Company's existing \$75,000,000 line of credit (Holding Company Act Release No. 18050, dated August 3, 1973) or other short-term borrowings. It is anticipated that funds required to retire the Notes and commercial paper will ultimately be obtained from additional long-term financing and funds generated internally.

Michigan Wisconsin requests that the sale of its proposed commercial paper be exempted from the competitive bidding requirements of Rule 50 on the grounds that the commercial paper will have maturities of 9 months or less, that current rates for prime borrowers such as Michigan Wisconsin are published daily in financial publications, and that it is not practical to invite bids for commercial paper.

Notice is further given that any interested person may, not later than August 22, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulation promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100

thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] **GEORGE A. FITZSIMMONS,**  
Secretary.

[FR Doc. 74-17523 Filed 7-31-74; 8:45 am]

[811-1684]

**TECHNIVEST FUND, INC.**

**Filing of Application**

JULY 26, 1974.

Notice is hereby given that Technivest Fund, Inc. (P.O. Box 823, Valley Forge, Pa. 19482) ("Applicant"), an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein which are summarized below.

Technivest Fund, Inc. was originally incorporated in Delaware on June 14, 1968, and registered under the Act by filing its Notification of Registration on Form N-8A on July 9, 1968. On that same date, it filed a Registration Statement under the Act on Form N-8B1 and a Registration Statement under the Securities Act of 1933 on Form S-5. On April 1, 1973, it was merged into Applicant, a Maryland corporation of same name which was organized solely for this purpose.

On November 19, 1973, the shareholders of Applicant approved Articles of Transfer and Agreement and a Plan of Reorganization (the "Agreement") which provided for (i) the acquisition by Ivest Fund, Inc. ("Ivest"), a registered investment company, of substantially all the property and assets of Applicant (and the assumption by Ivest of Applicant's liabilities) in exchange solely for shares of common stock of Ivest, (ii) the distribution of such shares of Ivest common stock to the shareholders of Applicant according to their respective interests and (iii) the dissolution of Applicant.

The acquisition by Ivest of substantially all the property and assets of Applicant took place on November 30, 1973. Pursuant to the Agreement, Ivest issued 3,485,746 shares of its common stock to Applicant which represented an exchange ratio of .8489 shares of Ivest for each share of Applicant then issued and outstanding. Such shares of Ivest have been delivered to shareholders of Applicant according to their respective interests in liquidation of Applicant pursuant to the Agreement.

Applicant represents that it has no assets and no shareholders and is engaged in no business activity and that it has been liquidated and has filed its Articles of Dissolution with the State of Maryland.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than August 23, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] **GEORGE A. FITZSIMMONS,**  
Secretary.

[FR Doc. 74-17518 Filed 7-31-74; 8:45 am]

[34-10889]

#### WARNING TO INVESTORS

The Securities and Exchange Commission has issued the following warning to investors. The Commission said it was issuing this warning because the recent promotion of get-rich-quick schemes, promising spectacular returns without any basis in fact, had resulted in the loss of millions of dollars. The Commission noted that its statement was not directed at the thousands of securities issues lawfully and properly offered to investors in this country. The Commission's statement follows:

Recent fraudulent schemes have been promoted by claims of a quick and high rate of return on money invested. Unfor-

tunately, these investments are often stimulated by tips and rumors spread by friends, relatives and neighbors.

Some of these promotions are a variation of the Ponzi or pyramid-type schemes in which the purported operation yields little or no income and early investors are repaid with money obtained from later investors who are left with substantial losses when the scheme collapses.

This statement is issued because of the serious losses to investors, many of whom cannot afford such losses. In some cases investors have parted with their life savings and find themselves on the verge of bankruptcy. In addition to the substantial impact on the defrauded investor, schemes of this sort result in drawing the public's funds away from legitimate investment areas where they are urgently needed for useful economic purposes.

Here are circumstances that should make you wary of a proffered investment opportunity:

1. Promises of spectacular returns or profits far above those normally expected.

2. Sales approaches from strangers.

3. Rumors you hear from friends, neighbors and acquaintances about unusual investment opportunities.

4. Telephone calls from strangers, particularly in other cities, trying to persuade you to invest.

5. The use of post office box numbers in connection with communications.

6. The failure to receive full written information about the people involved, the terms of the offering, the financial condition of the enterprise and its prior business record.

7. The promise of an instant solution to all your financial problems.

8. Pressure to make a quick investment decision.

9. Claims of a new or exotic product or enterprise.

10. Claims that you have been selected to get in on the ground floor.

The Commission repeats its basic guide: Investigate before you invest. Make the kind of inquiry that a person normally makes before making any substantial purchase. The following guidelines are suggested:

1. If possible, consult with a person who is knowledgeable in investments and whom you trust. Discuss the advantages, disadvantages and risks with him before investing.

2. Before investing, where no information has been provided, ascertain whether the offeror is regulated by any Federal or State authority. If so, contact such authority for information on the offeror and the investment.

3. Insist on written literature such as a prospectus, offering circular or other document or material giving details on the investment and the potential risks involved. Save the material, including envelopes.

4. You should be suspicious of high pressure sales persons urging you to act immediately to receive some special benefit or that indicate you are in a select group specially designated to re-

ceive preferential advantages, or that imply you can earn all or part of your investment back by promoting sales.

5. You should be extremely cautious in dealing with strangers and especially unknown persons located in another area with only a post office box number. Ask such persons to send you financial and background information about themselves. Read this carefully and save it, including the envelopes.

6. Before making any investment, think carefully and answer the following question. Why should someone offer you a special opportunity to earn an extremely high rate of return on an investment? Beware of offers made entirely or primarily orally, including high-pressure telephone calls. Insist that any representation on which you may expect to rely be put in writing and signed, unless it has been filed with a governmental authority.

7. Where a person is offering an investment in a particular business and no filing has been made with a governmental authority, find out where the business is located, and, before making a substantial investment, try to visit the premises and view the operation. Also insist upon receiving periodic financial information about the investment.

8. If you really need the money and cannot afford to lose it, be particularly cautious. Beware of the promotion which proposes to solve all of your financial problems quickly.

9. Don't make payments to, or accept payments from, third persons. Always insist on making payments in the name of and directly to the broker or other financial institution with whom you are dealing. In addition, you should not enter into any joint arrangement, including profit sharing agreements, with the individual handling your account at such institution, and you should insist that when you are to receive the proceeds of an investment they come directly from the entity from whom due.

10. If, after all these precautions, you still have questions on the investment, consult your local office of the Better Business Bureau, State Securities Authority or the nearest office of the Securities and Exchange Commission.

The Commission is especially interested in being notified promptly as to investment schemes which may be questionable. In this way the Commission can act quickly to take effective action to protect the investing public and minimize losses to them. Information may be sent to any regional or branch office of the Commission or its Division of Enforcement at 500 North Capitol Street, Washington, D.C. 20549.

**GEORGE A. FITZSIMMONS,**  
Secretary.

JUNE 28, 1974.

SECURITIES AND EXCHANGE COMMISSION  
OFFICES

REGIONAL OFFICES

Suite 138, 1371 Peachtree Street, N.E., Atlanta, GA 30309. (404) 526-5844.

## NOTICES

150 Causeway Street, Boston, MA 02114, (617) 223-2721.  
 Room 1708, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL 60604. (312) 353-7390.  
 Room 640, Two Park Central, 1515 Arapahoe Street, Denver, CO 80202. (303) 837-2071.  
 503 U.S. Court House, 10th & Lamar Streets, Fort Worth, TX 76102. (817) 334-3398.  
 1043 U.S. Court House, 312 N. Spring Street, Los Angeles, CA 90012. (213) 688-5871.  
 26 Federal Plaza, New York, NY 10007. (212) 264-1636.  
 Room 810, 1411 4th Avenue Building, Seattle, WA 98101. (206) 442-7990.  
 Ballston Centre Tower #3, 4015 Wilson Blvd., Arlington, VA 22203. (703) 557-8201.

## BRANCH OFFICES

Room 899, Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199. (216) 522-4060.  
 1044 Federal Building, Detroit, MI 48226. (313) 226-6070.  
 7615 Federal Office & Courts Building, 515 Rusk Avenue, Houston, TX 77002. (713) 226-4986.  
 701 Dupont Plaza Center, 300 Biscayne Boulevard Way, Miami, FL 33131. (305) 360-5765.  
 Room 2204, Federal Building, 600 Arch Street, Philadelphia, PA 19106. (215) 597-2278.  
 Room 1452, 210 North Twelfth Street, St. Louis, MO 63101. (314) 622-5555.  
 Federal Reserve Bank Building, 120 South State Street, Salt Lake City, UT 84111. (801) 524-5796.  
 450 Golden Gate Avenue, Box 36042, San Francisco, CA 94102. (415) 556-5264.  
 [FR Doc. 74-17525 Filed 7-31-74; 8:45 am]

## DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

[V-74-41]

## HARVEY HUBBELL, INC.

## Notice of Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that Harvey Hubbell, Inc. 914 Adams Ave., Huntington, West Virginia 25704 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.94 (c) (8) spray-finishing operations.

The address of the place of employment that will be affected by the application is as follows:

Ensign Electric Division  
 Harvey Hubbell, Incorporated  
 914 Adams Avenue  
 Huntington, West Virginia 25704

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application the applicant contends that it is providing a place of employment as safe as that required by 29 CFR 1910.94(c) (8) which requires that spray booths or spray rooms be used to enclose or confine certain spray finishing operations.

The applicant states it manufactures power distribution equipment for underground mining. An initial step in the process is to fabricate a large skid or wheel-mounted enclosure, which is then sent to the applicant's paint facility. Most of the skids are painted in spray rooms. When a piece of equipment is very bulky and difficult to place in a spray room or when there is a surge in production, the skids are painted in an open courtyard outside of the spray rooms. The open courtyard is also used to repaint or touch up the assembled unit prior to shipment.

The applicant estimated that the courtyard is used for painting an average of one or two hours per day. The applicant further states that the courtyard measures 35 feet by 100 feet. There are no air inlets or outlets. Only authorized personnel are permitted in the area. Approved protective masks are required for all personnel working in the area. Smoking is not permitted in the area.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1726 M Street NW, Room 210, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor  
 Occupational Safety and Health Administration  
 15220 Gateway Center  
 3535 Market Street  
 Philadelphia, Pennsylvania 19104  
 U.S. Department of Labor  
 Occupational Safety and Health Administration  
 Charleston National Plaza—Suite 1726  
 700 Virginia Street  
 Charleston, West Virginia 25301

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than September 3, 1974. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than September 3, 1974 in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim order.* It appears from the application for a variance and interim order that an interim order is necessary to prevent an undue hardship on the applicant pending a decision on the application. Therefore, it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR

1905.11(c) that Harvey Hubbell, Inc. be, and it is hereby authorized to spray-finish skids and assembled units in the courtyard described in the application for a variance and interim order with the following provisions: (1) all doors facing the courtyard will be posted on both sides with signs stating that doors must be closed and smoking not allowed when spraying operations are in progress; (2) walls and doors facing the courtyard must be free of registers, grilles, louvers, or other openings; (3) fire extinguishers will be located in the courtyard; (4) only approved respiratory equipment will be used; and (5) the applicant take all feasible steps to prevent employees from being exposed to hazardous concentrations of vapors and to prevent the presence of fire or explosion hazards from vapors.

Harvey Hubbell, Inc. shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

*Effective date.* This interim order shall be effective as of August 1, 1974 and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 26th day of July 1974.

JOHN H. STENDER,  
*Assistant Secretary of Labor.*

[FR Doc. 74-17579 Filed 7-31-74; 8:45 am]

## VIRGINIA STATE PLAN

## Proposed Rejection; Notice of Hearing

1. *Notice of hearing.* Notice is hereby given, in accordance with section 18(d) of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) and 29 CFR 1902.19(a), that the possible rejection of the Virginia plan for enforcement of State occupational safety and health standards is in issue before the Secretary of Labor, and a formal hearing will be held to resolve the issues with regard to the plan before an administrative law judge appointed under 5 U.S.C. 3105 and designated by the Chief Administrative Law Judge.

The exact date and place of the hearing will be published in the *FEDERAL REGISTER* at least 30 days before the hearing date.

As required under 29 CFR 1902.19(a) and in order to fully inform the public, this notice sets forth the present status of the Virginia plan, the outstanding issues in dispute with regard to it, and the rules for the conduct of the formal proceeding to assure compliance with 5 U.S.C. 556 and 557. The Commonwealth of Virginia (hereinafter called the Commonwealth) shall have the burden of going forward in this proceeding.

The rules provide for the Commonwealth to submit by September 3, 1974, a statement of which items in the statement of issues section of this notice are being contested and a brief statement of the facts relied upon, including whether the use of witnesses is intended.

Participation as parties by persons other than the Commonwealth and the Department of Labor may be permitted by the administrative law judge where the decision will substantially affect them or they may contribute materially to the disposition of the proceeding. In addition, other interested persons may file with the administrative law judge substantive written comments on issues in the hearing. The procedures and requirements for public participation are specified in the rules of procedure section of this notice.

The rules provide for pre-hearing conferences to determine or limit the issues, and for submission of documentary evidence in advance of the hearing so as to provide sufficient opportunity for preparation of rebuttal arguments. There are also provisions for consent findings or settlement and for a summary decision where there is no genuine issue of fact.

In order to assure separation of functions between those members of the Department of Labor reviewing the plan and presenting the case for rejection before the administrative law judge, and those who will make the final determination, the initial decision of the administrative law judge may be appealed to the Secretary of Labor who, with the advice of the Under Secretary of Labor and the Solicitor of Labor, will make the final decision. In so doing, he will not receive any ex parte advice from either the Assistant Secretary for Occupational Safety and Health (hereinafter called the Assistant Secretary) or the Associate Solicitor for Occupational Safety and Health. Due to the need for separation of functions, the procedures set out in 29 CFR 1902.21 and 1902.22 insofar as they relate to the issuance of a tentative and final decision by the Assistant Secretary shall not apply. This separation of functions will insure an impartial hearing and decision on the issues in question.

As required by 29 CFR 1902.19(b), Virginia by August 6, 1974, shall publish or cause to be published within the Commonwealth reasonable notice containing a summary of the information in this notice as well as the location or locations where a copy of the full notice is available for public inspection and copying. Copies of such notice shall be filed with the administrative law judge as stated in the rules of procedure.

2. *Background.* On December 20, 1972, Virginia submitted its plan for review in accordance with 29 CFR 1902.10. The plan was received in the Office of Regional Programs in Washington, D.C. on March 22, 1973; and notice of its receipt and availability for public comment was published on April 11, 1973, (38 FR 9194). Subsequently, expressions of support for the plan were received from the following organizations and individuals: Blue Ridge Industrial Safety Association; National Electrical Contractors Association, Inc., Virginia Chapter; Lumber Manufacturers Association of Virginia, Inc.; Bristol Steel and Iron Works, Inc.; Virginia Concrete Masonry Association; Central Virginia Industries, Inc.; Vir-

ginia Retail Merchants Association; Southern State Cooperative; Virginia Food Dealers Association; Virginia Association of Laundries and Cleaners, Inc.; Kern's Bakery of Virginia; Virginia Auto and Truck Salvage Dealers Association; Virginia Restaurant Association; Virginia Automotive Wholesalers Association; The Virginia Safety Association; Virginia Dairy Products Association, Inc.; Virginia Polytechnic Institute and State University Cooperative Extension Service; Acme Fixture Company, Inc.; Independent Garage Owners of Virginia, Inc.; Virginia Gasoline Retailers Association, Inc.; Virginia Automobile Dealers Association; Consumers, Dorin & Adams, Inc.; Clark, Nexsen and Owen Architects and Engineers; McIlhenny Equipment Company, Inc.; Dairymen, Inc., Southeast Division; The Association of Auto and Truck Recyclers; Builders and Contractors Exchange, Inc.; William T. Bateman, General Contractors; Chantilly Construction Corporation; C & T Mechanical Corporation; L. F. Jennings, Inc.; S. Lewis Lionberger, Co.; Gulf Reston, Inc.; Nielson Construction Co., Inc.; Modern Building, Inc.; Mason Contractors Association of Richmond, Inc.; Multiplex Corporation of Virginia; Guy & Simpson, Inc.; J. E. Weddle and Associates, Inc.; Virginia Poultry Federation, Inc.; Virginia State Feed Association; and Shen \*Mar.

Comments addressing specific areas of the Virginia plan, including alleged deficiencies, were received from the Virginia State Association of Professional Fire Fighters; Mary A. Marshall, Member of the Virginia House of Delegates; Harold Gordon of Gordon and Healy; American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); and the Virginia State AFL-CIO.

Following review of the Commonwealth's plan, the public comments, and the results of discussion with the Commonwealth, several modifications and clarifications of the plan were received and incorporated as part of the plan. These include an August 8, 1973, summary of a meeting with the Virginia Department of Labor and Industry; a September 12, 1973, letter incorporating the August 8, 1973, summary and adding additional clarifications, from the Office of the Virginia Attorney General; and addendums to the Virginia plan submitted August 14 and September 6, 1973, from the Department of Labor and Industry.

Having reviewed the plan, the public comments and the clarifications submitted by the Commonwealth it has been determined by the Assistant Secretary that reliance on only criminal prosecutions for the enforcement of safety and health standards cannot be considered "at least as effective" as the Federal civil penalty enforcement program. Such a determination as to effectiveness is required by section 18(c)(2) of the Act and 29 CFR 1902.3(d). Therefore, on February 14, 1974, the Assistant Secretary, in a letter to the Commissioner of the Department of Labor and Industry, in-

formed the Commonwealth of the deficiencies in the plan and the proposal to reject it, after affording the Commonwealth an opportunity to request a formal hearing as provided in 29 CFR 1902.19(a). Accordingly, by letter dated February 25, 1974, Virginia indicated its intention to request a formal hearing as to the enforcement and sanction system in the plan.

3. *Statement of the issues—(a) Description of the plan.* The Virginia Department of Labor and Industry (hereinafter called DLI) is the agency designated in accordance with section 18(c)(1) of the Act and 29 CFR 1902.3(b), to administer the proposed occupational safety and health plan. Virginia's enabling legislation, Title 40.1, Chapters 1 and 3, Code of Virginia, 1950 (supp. 1973), authorizes DLI to enforce occupational safety and health standards, promulgated by the Safety and Health Codes Commission (hereinafter called Codes Commission); to issue citations for violations of those standards and whenever a penalty is proposed, to seek a determination of the violation, penalty and abatement date in accordance with the State's criminal law.<sup>1</sup> Inspections of workplaces are conducted by DLI and, where health hazards are involved, by the Department of Health. However, the DLI retains enforcement authority and all health violations will be referred to it for enforcement purposes.<sup>2</sup>

In order to implement this program, the DLI will promulgate regulations covering inspection procedures, including employee complaints and "walk-around"; exposure to toxic material and access to medical examinations; observation of monitoring and access to the results; emergency standard promulgation procedures; variance regulations; posting requirements; discrimination complaint procedures; review procedures before the Codes Commission; and recordkeeping and reporting requirements. These regulations will be covered in the Administrative Procedure Manual and the Commonwealth will also publish a Compliance Operations Manual.

Both public comments and Departmental review resulted in a number of clarifications and modifications to the Virginia plan. These modifications are set out in the August 14 and September 6, 1973, letters from DLI and incorporated as part of the plan. As a result, the significant issue requiring resolution is the provision for prosecution of all violations involving penalties through the criminal process.

(b) *Description of the enforcement program.* Virginia's law distinguishes between violations where a penalty is proposed and violations where no penalty is proposed. In the latter case, the procedure is similar to that in the Federal

<sup>1</sup> Where no penalty is proposed, the citation may be contested in an administrative proceeding before the Codes Commission.

<sup>2</sup> This procedure does not apply to fire safety standards. The State Fire Marshal will promulgate and enforce standards in accordance with the requirements for a State plan.

## NOTICES

Act and that procedure is not at issue here.<sup>3</sup>

In the cases where penalty is considered warranted, the criminal process is utilized. These cases by law (Title 40.1-49(c)), include all serious violations; i.e., where the violation represents a "substantial probability that death or serious physical harm will occur as a result of the violation"; repeated violations, i.e., if a "previous citation has been issued for the same or substantially similar violation"; and for willful violations. In all other cases, the decision to seek a penalty is discretionary.<sup>4</sup>

The basic criminal provision reads as follows:

Any employer who violates any provision of Title 40.1 or any rule or regulation adopted pursuant thereto for which no specific penalty is provided shall be guilty of a misdemeanor and upon conviction in any court of competent jurisdiction shall be fined not less than one hundred dollars nor more than one thousand dollars. Each day of violation constitutes a separate offense. [40.1-49(c).]

There is also a criminal penalty for willful or repeated violations in contrast to the Federal civil penalties for these violations. As stated above, the law requires Virginia to seek a penalty in these instances. The Virginia law provides:

Any employer who willfully or repeatedly violates any provision of this Title or rules or regulations adopted pursuant thereto may, upon conviction, be fined up to ten thousand dollars for each violation. [40.1-49(e).]<sup>5</sup>

The procedure outlined in the Virginia plan and legislation for imposition of criminal penalties involves several steps: issuance of a summons or warrant to the employer; a hearing in a court not of record; on appeal, *de novo* review to a court of record; and finally discretionary review by the Commonwealth's Supreme Court.

## ISSUANCE OF A SUMMONS OR WARRANT

The legislation, 40.1-49(c), authorizes the Commissioner of Labor to issue a

<sup>3</sup> An employer contests the citation and the Commission hears the case. Employees may also contest the reasonableness of the abatement date and participate as parties in the employer's contested case. There is presently no provision permitting DLI to appeal an adverse decision of the Codes Commission but the Commonwealth has agreed to seek such a legislative amendment permitting judicial review. [Memorandum summarizing July 30, 1973, meeting, August 8, 1973.]

<sup>4</sup> If criminal provisions are approved, the Commonwealth has agreed to require a penalty to be proposed for failure to post notices, and also to conform the definition of serious violation to that in the Federal Act; i.e., substantial probability that death or serious physical harm could result. The plan narrative also provides mandatory penalties for imminent danger violations and for failure to abate violations.

<sup>5</sup> This willful penalty is distinguished from the criminal willful penalty in the Federal Act where the willful violation causes death to an employee. Virginia also has such a criminal penalty which is not at issue here. [40.1-49(e).]

summons to an employer which summons then requires the employer, within five days of its receipt, to appear in the county or municipal court<sup>6</sup> of the county or city in which the violation occurred to show cause, if any, why he should not be found guilty of a violation.

While the Commissioner or his designees may issue a summons, a warrant requires that a magistrate issue it upon a showing of probable cause and it is then served upon the employer with the same resulting court appearance. In general, the DLI intends to rely on summonses issued at the time of the inspection where the type of violation is easily determined. Warrants will generally be sought only against out-of-state employers.

## COORDINATION WITH THE CODES COMMISSION

Under Virginia's law, no administrative contest to the Codes Commission shall be allowed if proceedings have already been instituted under the provision for issuing a summons or warrant, Title 40.1-49(b). On its face, the statute appears to permit an employer to file an administrative contest before the issuance of a summons and thereby cut off criminal penalty proceedings or at least delay them until after the end of the administrative hearing. The Commonwealth, however, intends that issuance of a summons or warrant will cut off the administrative contest even if it has already commenced. [Memorandum of July 30, 1973, meeting, August 8, 1973.] This dual system is significant in that it affects employee rights to participate in hearings or violations and abatement periods.

## HEARING IN THE DISTRICT COURTS

Following the issuance of a summons or warrant the employer is required to appear for a hearing in a court not of record (District Court). That hearing is to determine the following issues: (i) whether a violation occurred; (ii) amount of the penalty, if any, from \$100-\$1,000;<sup>7</sup> and (iii) abatement. The law provides that the court may continue the case to a time certain and order the defendant to make such corrections as are necessary to comply with the law or regulations. Failure to comply with the court order shall be deemed contempt of court. Virginia interprets the provision for continuance to be operative only after a finding of guilt. [Memorandum of July 30, 1973, meeting, August 8, 1973.]

<sup>6</sup> Under the recent court re-organization in Virginia, effective July 1, 1973, these county and municipal courts are now called District Courts. [Title 16.1-69(d).] There are 31 District Courts. [Title 16.1-69.6.]

<sup>7</sup> The court in assessing the penalty shall consider the size of the employer's business; gravity of the violation; good faith of the employer; history of previous violations; and whether the employer could have, by the exercise of reasonable diligence, known of the existence of the violation. [40.1-4(c).]

## APPEAL

After a finding of guilt in a District Court, the employer has a right of appeal to the Circuit Court, within 10 days of such conviction. [Title 16.1-132.] Such appeal does not stay the District Court's decision unless so ordered by the Circuit Court. [Title 40.1-49(e).]

On appeal the case is "heard *de novo*" and shall be tried without formal pleading in writing; and the accused shall be entitled to trial by a jury in the same manner as if he had been indicted for the offense in the circuit court. [Title 16.1-136.]

The effect of the appeal provision is to annul the judgment of the lower court. Indeed, the judgment of the District Court, the punishment, or plea of guilty cannot be introduced into evidence on appeal. It is in effect a statutory grant of a new trial and the question is not whether the District Court was in error but whether the defendant is guilty or not guilty. See *Griffin v. Wilkerson*, 335 F. Supp. 1272 (W.D. Va. 1972) and *McClung v. Weatherholz*, 351 F. Supp. 5 (W.D. Va. 1972).

## JURY TRIAL

When the defendant pleads guilty the judge hears the case without a jury. Where the plea is not guilty the court may, in its discretion and with the consent of the defendant and the Commonwealth attorney, hear the case without a jury. [Title 19.1-193.]

## SUPREME COURT

Review of a final judgment of a Circuit Court may be sought in the Supreme Court of Appeals. Such review is discretionary with the Court. [Virginia Constitution VI § 1; Title 19.1-282-286.] The Attorney General for Virginia handles cases before the Supreme Court while the Commonwealth Attorneys handle the District Court and Circuit Court cases.

## COLLECTION OF FINES

Proceedings to collect fines are initiated by the Commonwealth Attorney. [Title 19.1-311.] The courts cannot remit the fine but they still retain the judicial power to set aside the verdict or judgment or grant a new trial. [Title 19.1-351.]

## (c) Reasons for proposed rejection.

## CRIMINAL ENFORCEMENT PROCEDURES

The basic criterion for review of an enforcement program is 29 CFR 1902.3

<sup>8</sup> In addition, if no appeal is taken, Virginia law provides that within 30 days from the date of conviction in the District Court the case may be reopened upon application of the person convicted and for good cause shown.

<sup>9</sup> The appeal is from the violation found by the lower court. Therefore if the lower court finds a nonserious violation where the original charge was for a serious violation, the appeals court only hears evidence on the nonserious violation. See *Burk v. City of Danville*, 192 S.E. 2d 758 (1972).

(d) which requires that the Commonwealth's program for enforcement of standards "is or will be at least as effective as that provided in the Federal Act" and that it will "continue to be as effective." Under 29 CFR 1902.4(a), the Commonwealth can meet this criterion either by establishing the same standards, procedures, criteria and rules as the Federal program, or by alternative standards, procedures, criteria and rules which must meet thirteen specific indices of enforcement. The Commonwealth must demonstrate for each index that its alternative will be at least as effective as the Federal program with respect to the subject of each index. Virginia has chosen the latter alternative and therefore its enforcement program must be compared with the Federal program under each index.

#### SANCTIONS

29 CFR 1902.4(c) (2) (xi) requires that the Commonwealth provide effective sanctions against violating employers such as those prescribed in the Act. In measuring Virginia's plan against the Federal program under this index, the following deficiencies are apparent:

(1) Virginia makes no distinction between serious and nonserious violations except when determining whether to issue a summons. Thus, the general criminal penalty provision would be applicable to both serious and nonserious violations. In view of the fact that the general penalty provision contains a minimum fine of \$100 it appears that nonserious violations may not be subject to a summons if it is determined that the violation is not of a nature to warrant the minimum \$100 fine. With respect to nonserious violations, therefore, it is possible that the minimum fine provisions would serve as a deterrent to a penalty and thus eliminate most penalties for nonserious violations or reduce them to de minimis violations.

(2) An interpretation by the Commonwealth's Attorney General regarding the legislation's provision for mandatory penalties for serious violations would not be binding on the courts. As a consequence, while the Commonwealth may argue that a finding of guilty requires the imposition of a mandatory fine, the court still retains the power to suspend the fine or to order abatement and when the hazard is abated, then suspend the fine. The only steps Virginia can take to see that this does not occur is to issue an Attorney General's opinion on the meaning of the law and inform all the courts of the safety and health program and how the penalty system is designed to work. Given the many courts in Virginia who will be deciding these questions, it is unlikely that the Attorney General's interpretation will be followed in all cases, thus diluting the mandatory first-instance sanctions for serious violation in a manner inconsistent with the Federal Act. [See Washington decision, 38 FR 2422.]

#### RIGHT OF REVIEW

29 CFR 1902.4(c) (2) (xii) requires the Commonwealth to provide for an em-

ployer to have a right to review of alleged violations, abatement periods, and proposed penalties and for employees or their representatives to have an opportunity to participate in review proceedings. The Federal program grants employers 15 days in which to contest before the citation becomes a final order. Employees are likewise granted a right to contest a proposed abatement period and must be afforded party rights in contested cases. Proof of violations is sustained by a "preponderance of the evidence." Findings of fact, supported by substantial evidence, are conclusive upon judicial review. The enforcing agency (the Secretary) is afforded the same appellate right of review as employers and employees. Under this index, Virginia fails to be as effective as the Federal program in the following areas:

(1) One element in an effective program is the amount of burden placed on the enforcing authority. In all cases under the Act, the employer can decide to pay the assessed penalty without contesting the Secretary's findings as to the violation. Since the statistics show that only 11.2 percent of the establishments inspected in Virginia are in compliance with the standards under the Act,<sup>10</sup> it is apparent that this procedure would eliminate many unnecessary cases that would result in a waste of resources both to the Commonwealth and the employer. Employers have also realized the efficacy of this system since only 4.6 percent of the citations and penalties issued under the Act in Virginia are contested.<sup>11</sup> On the other hand, Virginia would have to prosecute all violations where a summons is issued; e.g. serious, willful or repeated, failure to post, and where a penalty is determined necessary in nonserious cases.

(2) The burden of proof in a criminal proceeding is "beyond a reasonable doubt" while in an administrative or civil proceeding it is "by a preponderance of the evidence." This makes a finding of a violation more difficult in a criminal case. The higher burden of proof would also have the following additional consequences: standards must be more precise and scienter requirements on the part of the employer would become more important in determining violations. See *National Realty and Construction Co. v. Secretary of Labor*, 489 F. 2d 1257 (C.A.D.C. 1973), for the Secretary's burden on a general duty violation and *Brennan v. J. W. Bounds (Pearl Steel Erection Co.)* 488 F. 2d 337 (C.A. 5 1973), defining the term "impractical" in 29 CFR 1926.105(a).

(3) Another aspect of the Virginia plan's enforcement program which is considered less effective than the Federal

program is the provision for de novo review of a violation, penalty and abatement date in a court of record after a determination in a lower court. In the Vermont plan, such review has been considered not at least as effective with regard to civil enforcement procedures. It presents the same problems of delay and inefficiency in a criminal system in that it results in duplication of procedures and extends the time required for review of citations and consequently abatement. [See Vermont decision, 38 FR 28659.]

(4) Another variable that limits the effectiveness of the criminal system in Virginia is the lack of coordination in the review procedure, with the Codes Commission deciding some nonserious cases and numerous courts throughout the Commonwealth deciding most of the citations and all of the penalties, often with no reported decisions. This possible lack of a precedential system will seriously inhibit the enforcement capability of DLI and also circumscribe its ability to establish and describe the specific goals measuring performance, output and results in the enforcement program as required in 29 CFR 1902.3(1). The limited coordination of abatement dates between the Codes Commission and the courts, proposed by the Commonwealth in the September 12, 1973, memorandum, which is designed to preserve employee rights, does not solve this much larger problem.

#### EMPLOYEE PARTICIPATION

The right of employees to participate as parties in enforcement proceedings under the Act is specifically stated in sections 10(c) and 11(a). Employee participation under the Act includes the right to participate as parties in hearings on citations and penalties, to initiate review proceedings on the reasonableness of the abatement period, and the right to appeal decisions of the Review Commission to the Court of Appeals.

Inasmuch as Virginia proposes a criminal enforcement program, the right of employees to participate as parties would be eliminated and employees would only serve as witnesses. Virginia's proposal to amend its law to state that courts will hear all relevant evidence from employees or employee representatives, would not cure this defect especially since employees would still have no right to appeal the decision of the court. This is because the nature of a criminal enforcement process limits participation to the employer and the prosecuting agency. Participation as witnesses does not provide an adequate alternative to the Federal provision. The protection of employee rights and the presentation of the views of employees would rest solely with the representation provided by the Commonwealth Attorneys in the exercise of their discretion in enforcement proceedings without the opportunity for employees to promote differing theories of the case through the presentation of evidence and cross-examination of witnesses. This inadequacy is heightened by the fact that employers must always be prosecuted; may

<sup>10</sup> Statistics for July 1972–November 1973 from Office of Management Data Services, DOL. See also OSHR January 10, 1974, p. 995 for national data showing 25% of employees inspected are in compliance during July to November 1973.

<sup>11</sup> Ibid. See also OSHR January 10, 1974, showing 21,069 inspections and 1,098 contests for a 5% contest rate nationwide from July to November 1973.

## NOTICES

appeal de novo; and are the only parties capable of obtaining precedential interpretations on appeal.

## AGENCY RIGHT OF APPEAL

The character of a criminal enforcement proceeding limits the right of Virginia to appeal adverse decisions to narrow circumstances. Specifically, under the provisions of the Virginia Code, section 19.1-282, the Commonwealth may file a writ of error as to the decision entered by the lower court "if the case be for the violation of any law relating to State revenue \*\*\*". There does not appear to be any provision in the Virginia Code authorizing the Commonwealth to appeal in any other limited instances; e.g., in the case of orders entered before trial in a criminal case which direct the return of seized property, suppress evidence or otherwise deny the prosecutor the use of evidence. [See, e.g., D.C. Code Title 23, § 23-104.] Also, considerations of the general principles of criminal law involving double jeopardy would further limit the right of Virginia to appeal.

This is a general summation of the limitation on the right of Virginia to appeal in criminal proceedings. While by no means conclusive on all of the issues involved, it does point out the limitations with respect to appeals by Virginia from adverse criminal decisions. Under the Federal civil penalty enforcement program the right of appeal is by comparison far broader than the right under Virginia's plan.

The right of appeal in an enforcement proceeding is a necessary part of the development of occupational safety and health law. With a criminal enforcement system, the development of safety and health law on appeal would be largely up to the exercise by the employer of his right to appeal.

Since Virginia's right to appeal under a criminal enforcement program would be more limited than under the Federal civil penalty program, it is apparent that Virginia would not have a program of enforcement that is or would be at least as effective as the Federal program, and that Virginia could not meet its assurances under 29 CFR 1902.3(d) that it "will continue to be at least as effective as" the Federal program which is developing through the agency right to seek review.

## GENERAL

This analysis of the problems in a criminal enforcement scheme is not exhaustive, but it highlights the major areas of deficiency. There may also be problems under a criminal system, vis-à-vis a civil, with regard to procedural requirements such as warrants for inspection, *Miranda* warnings during investigations, and ability of criminal process to reach out-of-State employers.

**4. Rules of procedure.**—(a) *Publication in the Commonwealth.* (1) By August 6, 1974, Virginia shall publish or cause to be published within the Commonwealth reasonable notice containing a summary of the information in the

notice as well as the location or locations where a copy of the full notice is available for public inspection and copying.

(2) Two copies of such notice shall be served on the Assistant Secretary in accordance with paragraph (f) (2) of this section.

(b) *Submission by the Commonwealth.* By September 3, 1974, the Commonwealth shall submit a statement of which items in the statement of issues section of this notice are being contested and a brief statement of the facts relied upon, including whether the use of witnesses is intended. This submission shall be served on the Assistant Secretary in accordance with paragraph (f) (2) of this section.

(c) *Administrative law judge; powers and duties.* (1) The administrative law judge appointed under 5 U.S.C. 3105 and designated by the Chief Administrative Law Judge to preside over the hearing shall have all the powers necessary and appropriate to conduct a fair, full and impartial hearing including the following: (i) To administer oaths and affirmations; (ii) to rule upon offers of proof and receive relevant evidence; (iii) to provide for discovery, including the issuance of subpoenas as authorized by section 8(b) of the Act and 5 U.S.C. 555 (d) and 556(c) (2), and to determine the scope and time limits of discovery; (iv) to regulate the course of the hearing and the conduct of the parties and their counsel; (v) to consider and rule upon procedural requests e.g. motions for extension of time; (vi) to hold pre-hearing conferences for the settlement or simplification of issues; (vii) to take official notice of material facts not appearing in the evidence in the record in accordance with paragraph (o) (4) of this section; (viii) to render an initial decision; (ix) to examine and cross-examine witnesses; and (x) to take any other appropriate action authorized by the Act, the implementing regulations, or the Administrative Procedure Act, 5 U.S.C. 554-557 (hereinafter called the APA).

(2) On procedural questions not otherwise regulated by these rules, the Act or the APA, the administrative law judge shall be guided to the extent practicable by the pertinent provisions of the Federal Rules of Civil Procedure.

(3) All documents required by these rules to be filed with the administrative law judge shall be sent to:

Chief Administrative Law Judge  
U.S. Department of Labor  
Suite 720 Vanguard Building  
1111 20th Street N.W.  
Washington, D.C. 20036

(d) *Disqualification.* (1) If the administrative law judge deems himself disqualified to preside over this hearing, he shall withdraw by notice on the record directed to the Chief Administrative Law Judge. Any party, who deems an administrative law judge, for any reason, to be disqualified to preside, or to continue to preside over this hearing, may file a motion to disqualify and remove the administrative law judge, provided the motion is filed prior to the time the

administrative law judge files his decision. Such motion must be supported by affidavits setting forth the alleged ground for disqualification. The Chief Administrative Law Judge shall rule upon the motion.

(2) Contumacious conduct at any hearing before the administrative law judge shall be ground for summary exclusion from the hearing. If a witness or party refuses to answer a question after being so directed or refuses to obey an order to provide or permit discovery, the administrative law judge may make such orders with regard to the refusal as are just and proper, including the striking of all testimony previously given by such witness on related matters.

(e) *Ex parte communications.* Except to the extent required for the disposition of *ex parte* matters the administrative law judge shall not consult any interested person or party or their representative on any fact in issue or on the merits of any matter before him except upon notice and opportunity for all parties to participate. Written or oral communications from interested persons outside the Department of Labor involving any substantive or procedural issues in this hearing directed to the administrative law judge, the Secretary of Labor, the Assistant Secretary, the Associate Assistant Secretary for Regional Programs, the Solicitor of Labor, or the Associate Solicitor for Occupational Safety and Health, or their staffs shall be deemed *ex parte* communications and are not to be considered part of any record or the basis for any official decision, unless the communication is made by motion to the administrative law judge and served upon all the parties. To facilitate implementation of this requirement, the above-mentioned offices may keep a log of such communications which shall be made available to the public and may, by motion, be entered into the record.

(f) *Manner and proof of service.* (1) Service of any document upon any party may be made by personal delivery of, or by mailing a copy of the document by certified mail, to the last known address of the party or his representative. The person serving the document shall certify to the manner and date of service.

(2) For the purpose of serving documents on the Assistant Secretary, all documents and pleading shall be served on:

Benjamin W. Mintz  
Associate Solicitor for  
Occupational Safety and Health  
Office of the Solicitor  
Room 5420  
14th and Constitution Avenue, N.W.  
Washington, D.C. 20210

(3) For the purpose of serving documents on the Commonwealth, all documents and pleadings shall be served on:

Edmond M. Boggs  
Commissioner of Labor  
Post Office Box 1814  
9th Street Office Building  
Richmond, Virginia 23214

(g) *Determination of parties.* (1) The Virginia Department of Labor and Industry, and the Department of Labor shall be the initial parties to this proceeding. Other interested persons may, at the discretion of the administrative law judge, be granted the right to participate as parties if he determines that the final decision could substantially affect them or the class they represent, or that they may contribute materially to the disposition of the proceeding.

(2) Any person wishing to participate as a party in this hearing shall submit in accordance with paragraph (c)(3) of this section a petition to the administrative law judge by September 3, 1974. The petition shall also be served upon the Commonwealth and the Assistant Secretary in accordance with paragraph (f) of this section. Such petition shall concisely state: (i) Petitioner's interest in the proceeding; (ii) how his participation may contribute to the disposition of the proceeding; (iii) who will appear for the petitioner; (iv) the issue or issues as set out in this notice on which the petitioner wishes to participate; and (v) whether petitioner intends to present witnesses.

(3) The administrative law judge shall, within 5 days of receipt of the petition, ascertain from the Commonwealth and the Assistant Secretary what objections, if any, there are to the petition. He shall then determine whether the petitioner is qualified in his judgment to be a party in the proceedings and shall permit or deny participation accordingly. The administrative law judge shall give each petitioner written notice of the decision on his petition promptly. If the petition is denied, the notice shall briefly state the grounds for denial. Persons whose petition for party participation is denied may appeal the decision to the Secretary within 5 days of receipt of the notice of denial. The Secretary will make the final decision to grant or deny the petition no later than 10 days prior to the commencement of the hearing.

(4) Where the petitions to participate as parties are made by individuals or groups with common interests, the administrative law judge may require all such petitioners to designate a single representative, or he may recognize one or more of such petitioners to represent all such petitioners.

(h) *Provision for written comments.* Any person who is not a party may submit a written statement of position with 4 copies to the administrative law judge at any time prior to or during the hearing, which statement shall be made available to all parties and may be introduced into evidence by a party. Mere statements of approval or opposition to the plan without any documentary support shall not be considered as falling within this provision.

(i) *Submission of documentary evidence.* (1) The administrative law judge shall set a date by which all documentary evidence which is to be offered during the hearing shall be submitted to the

administrative law judge and served on the other parties. Such submission date shall be sufficiently in advance of the hearing as to permit study and preparation of cross-examination and rebuttal evidence. Documentary evidence not submitted in advance may be received into evidence upon a clear showing that the offering party had good cause for failure to produce the evidence sooner.

(2) The authenticity of all documents submitted in advance shall be deemed admitted unless written objections are filed prior to the hearing, except that a party will be permitted to challenge such authenticity at a later date upon clear showing of good cause for failure to have filed such written objections.

(j) *Pre-hearing conference.* (1) Upon his own motion, or the motion of a party, the administrative law judge may direct the parties and/or their counsel to meet with him for a conference or conferences to consider: (i) simplification of the issues; (ii) the necessity or desirability of amendments to documents for purposes of clarification, simplification, or limitation; (iii) stipulations of fact, and of the authenticity of the contents of documents; (iv) limitations on the number of parties and of expert witnesses; (v) scope of participation of petitioners under paragraph (g) of this section; (vi) such other matters as may tend to expedite the disposition of the proceedings, and to assure a just conclusion thereof.

(2) The administrative law judge shall enter an order which recites the action taken at the conference, the amendments allowed to any documents which have been filed, in accordance with this section, and the agreements made between the parties as to any of the matters considered. Such order shall limit the issues for hearing to those not disposed of by admissions or agreements, and control the subsequent course of the hearing, unless modified at the hearing to prevent manifest injustice.

(k) *Discovery.*—(1) *Requests for admission.* At any time after the commencement of a proceeding under this part but generally before the pre-hearing conference, any party may request of any other party, admissions that relate to statements or opinions of fact, or of the application of law to fact, including the genuineness of any document described in the request. Copies of documents shall be served with the request unless they have been or are otherwise furnished or made available for inspection or copying. The matter shall be deemed admitted unless, within 30 days after service of the request, or within such shorter or longer time as the administrative law judge may prescribe, the party to whom the request is directed serves upon the party requesting the admission a specific written response.

(2) If objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested ad-

mission and when good faith requires that a party qualify his answer or deny only a part of the matter on which an admission is requested, he shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as the reason for failure to admit or deny unless he states that he has made reasonable inquiry and that the information known or readily obtainable by him is insufficient to enable him to admit or deny.

(3) The party who has requested the admission may move to determine the sufficiency of the answers or objections. Unless the administrative law judge determines that an objection is justified, he may order either that the matter is admitted or that an amended answer be served. The administrative law judge may, in lieu of these orders, determine that final disposition of the requests be made at a pre-hearing conference, or at a designated time prior to the hearing. Any matter admitted under this section is conclusively established unless the administrative law judge on motion permits withdrawal or amendment of the admission.

Copies of all requests and responses shall be served on all parties and filed with the administrative law judge.

(4) *Depositions.* The testimony of any witness may be taken by deposition. Depositions may be taken orally or upon written interrogatories before any person designated by the administrative law judge or having power to administer oaths.

(5) *Application.* Any party desiring to take the deposition of a witness may make application in writing to the administrative law judge setting forth: (i) the time when, the place where, and the name and post office address of the person before whom the deposition is to be taken; (ii) the name and address of each witness; and (iii) the subject matter concerning which each witness is expected to testify.

(6) *Notice.* Such notice as the administrative law judge may order shall be given by the party taking the deposition to every other party.

(7) *Taking and receiving evidence.* Each witness testifying upon deposition shall be sworn, and the parties not calling him shall have the right to cross-examine him. The questions propounded and the answers thereto, together with all objections made, shall be reduced to writing, and shall be read to or by the witness unless such examination and reading are waived by the witness and the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness and certified by the officer before whom the deposition was taken. Thereafter the officer shall seal the deposition, with copies thereof, in an envelope and mail the same by

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registered or certified mail to the administrative law judge at the address in paragraph (c)(3) of this section.

(8) Subject to such objections to the questions and answers as were noted at the time of taking the deposition, any part or all of a deposition may be offered into evidence by the party taking it as against any party who was present, represented at the taking of the deposition, or who had due notice thereof.

(9) *Other discovery.* Whenever appropriate to a just disposition of any issue in the hearing, the administrative law judge may allow discovery by any other appropriate procedure, such as by interrogatories upon a party or motion for production of documents by a party.

(1) *Consent findings and orders.*—(1) *General.* At any time before the reception of evidence in the hearing, or during the hearing, a reasonable opportunity may be afforded to permit negotiation by the parties of an agreement containing consent findings and a rule or order disposing of the whole or any part of the proceeding. The allowance of such opportunity and the duration thereof shall be in the discretion of the administrative law judge, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues.

(2) *Contents.* Any agreement containing consent findings and a rule or order disposing of a proceeding shall also provide: (i) That the rule or order shall have the same force and effect as if made after a full hearing; (ii) a waiver of any further procedural steps before the administrative law judge and the Secretary; and (iii) a waiver of any right to challenge or contest the validity of the findings and of the rule or order made in accordance with the agreement.

(3) *Submission.* On or before the expiration of the time granted for negotiations, the parties or their counsel may: (i) submit the proposed agreement to the administrative law judge for his consideration; or (ii) inform the administrative law judge that agreement cannot be reached.

(4) *Disposition.* In the event an agreement containing consent findings and a rule or order is submitted within the time allowed therefor, the administrative law judge may accept such agreement by issuing his decision based upon the agreed findings. Such decision shall be published in the *FEDERAL REGISTER*.

(m) *Motion for a summary decision.* (1) Any party may, at least 20 days before the date fixed for the hearing, move, with or without supporting affidavits, for a summary decision on all or any part of the proceeding. Any other party may, within 10 days after service of the motion, serve opposing affidavits or file a cross motion for summary decision. The administrative law judge may, in his discretion, set the matter for argument and call for submission of briefs. The filing of any documents under this section shall be with the administrative law

judge and copies of any such document shall be served on all the parties.

(2) The administrative law judge may grant such motion if the pleadings, affidavits, material obtained by discovery or otherwise obtained, or matters officially noticed, show that there is no genuine issue as to any material fact and that a party is entitled to summary decision. Affidavits shall set forth such facts as would be admissible in evidence in the hearing and shall show affirmatively that the affiant is competent to testify to the matters stated therein. When a motion for summary decision is made and supported as provided in paragraph (m)(1), the party opposing the motion may not rest upon the mere allegations or denials of his pleading; his response must set forth specific facts showing that there is a genuine issue of fact for the hearing.

(3) Should it appear from the affidavits of a party opposing the motion that he cannot, for reasons stated, present by affidavit facts essential to justify his opposition, the administrative law judge may deny the motion for summary decision or may order a continuance to permit affidavits to be obtained, or depositions to be taken, or discovery to be had, or may make such other order as is just.

(4) The denial of all or any part of a motion or cross-motion for summary decision by the administrative law judge shall not be subject to interlocutory appeal to the Secretary unless the administrative law judge certifies in writing: (i) that the ruling involves an important question of law or policy as to which there is substantial ground for difference of opinion; and (ii) that an immediate appeal from the ruling may materially advance the ultimate termination of the proceeding. The allowance of such an interlocutory appeal shall not stay the proceeding before the administrative law judge unless the Secretary so orders.

(n) *Summary decision—(1) No genuine issue of material fact.* Where no genuine issue of material fact is found to have been raised, the administrative law judge shall issue an initial decision to become final 30 days after service thereof upon each party unless, within those 30 days any party has filed written exceptions to the decision with the Secretary. Requests for extension of time to file exceptions may be granted if the requests are received by the Secretary no later than 25 days after service of the decision.

(2) If any timely exceptions are filed, the Secretary may set a time for filing any response to the exception with supporting reasons. All exceptions and responses thereto shall be served on all the parties.

(3) All documents required by these rules to be filed with the Secretary shall be sent to:

William J. Kilberg  
Solicitor of Labor  
U.S. Department of Labor  
14th and Constitution Avenue NW.  
Washington, D.C. 20210

(4) The Secretary, after consideration of the decision, the exceptions, and any

supporting briefs filed therewith and any responses to the exceptions with supporting reasons, shall issue a final decision.

(5) An initial decision and a final decision under this section shall include a statement of: (i) Findings of fact and conclusions of law and the reasons and bases therefore on all issues presented; (ii) reference to any material fact based on official notice; and (iii) the terms and conditions of the rule or order made. The final decision shall be published in the *FEDERAL REGISTER* and served on all the parties.

(6) *Hearings on issues of fact.* Where a genuine material question of fact is raised, the administrative law judge shall, and in any other case may, set the case for an evidentiary hearing.

(o) *Hearings.*—(1) *Order of proceedings.* Except as may be ordered otherwise by the administrative law judge, the Commonwealth of Virginia shall proceed first at the hearing.

(2) *Burden of proof.* The Commonwealth of Virginia shall have the burden of proof.

(3) *Evidence.*

(i) *Admissibility.* A party shall be entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received, but the administrative law judge shall exclude evidence which is irrelevant, immaterial, or unduly repetitious.

(ii) *Testimony of witnesses.* The testimony of a witness shall be upon oath or affirmation administered by the administrative law judge.

(iii) *Objections.* If a party objects to the admission or rejection of any evidence, or to the limitation of the scope of any examination or cross-examination, or to the failure to limit such scope, he shall state briefly the grounds for such objection. Rulings on all objections shall appear in the record. Only objections made before the administrative law judge may be relied upon subsequently in the proceeding.

(iv) *Exceptions.* Formal exception to an adverse ruling is not required.

(4) *Official notice.* Official notice may be taken of any material fact not appearing in evidence in the record, which is among the traditional matters of judicial notice, or concerning which the Department of Labor by reason of its functions is presumed to be expert: Provided, that the parties shall be given adequate notice, at the hearing or by reference in the administrative law judge's and the Secretary's decision of the matters so noticed and shall be given adequate opportunity to show the contrary.

(5) *Transcript.* Hearings shall be stenographically reported. Copies of the transcript may be obtained by the parties and the public upon payment of the actual cost of duplication to the Department of Labor in accordance with 29 CFR 70.62.

(p) *Decision of the administrative law judge.* (1) Proposed findings of fact, conclusions and rules or orders. Within 30 days after receipt of notice that the transcript of the testimony has been filed with the administrative law judge, or such additional time as the administrative law judge may allow, each party may file with the administrative law judge proposed findings of fact, conclusions of law, and rule or order, together with a supporting brief expressing the reasons for such proposals. Such proposals and brief shall be served on all other parties and shall refer to all portions of the record and to all authorities relied upon in support of each proposal.

(2) Decision of the administrative law judge. Within a reasonable time after the time allowed for the filing of proposed findings of fact, conclusions of law and rule or order, the administrative law judge shall make and serve upon each party his initial decision which shall become final upon the 30th day after service thereof unless exceptions are filed thereto.

(3) The decision of the administrative law judge shall be based solely upon substantial evidence on the record as a whole and shall state all facts officially noticed and relied upon. The decision of the administrative law judge shall include: (i) A statement of the findings of fact and conclusions of law, with reasons and bases therefore upon each material issue of fact, law or discretion presented on the record; (ii) reference to any material fact based on official notice; and (iii) the appropriate rule, order, relief or denial thereof.

(q) *Exceptions.* (1) Within 30 days after service of the decision of the administrative law judge any party may file with the Secretary, written exceptions thereto with supporting reasons. Such exceptions shall refer to the specific findings of fact, conclusions of law, or terms of the rule or order excepted to; the specific pages of the transcript relevant to the suggestions; and shall suggest corrected findings of fact, conclusions of law, or terms of the rule or order. Requests for extension of time to file exceptions may be granted if the requests are received by the Secretary no later than 25 days after service of the decision.

(2) If any timely exceptions are filed, the Secretary may set a time for filing any response to the exceptions with supporting reasons. All exceptions and responses thereto shall be served on all the parties. Documents required to be filed with the Secretary shall be filed in accordance with paragraph (n) (3) of this section.

(r) *Transmission of the record.* If exceptions are filed, the Secretary shall request the administrative law judge to transmit the record of the proceeding to the Secretary for review. The record shall include the Commonwealth's plan; a copy of the Assistant Secretary's notice of proposed rejection; the Commonwealth's request for a hearing and statement of items in contention; the notice

of the hearing; any motions and requests filed in written form and rulings thereon; the transcript of the testimony taken at the hearing, together with any documents or papers filed in connection with the pre-hearing conference and the hearing itself; such proposed findings of fact, conclusions of law, rules or orders and supporting reasons as may have been filed; the administrative law judge's decision; and such exceptions, responses, and briefs in support thereof, as may have been filed in the proceedings.

(s) *Final decision.* After review of any exceptions, together with the record references and authorities cited in support thereof, the Secretary shall issue a final decision ruling upon each exception and objection filed. The final decision may affirm, modify, or set aside in whole or in part the findings, conclusions and the rule or order contained in the decision of the administrative law judge. The final decision shall also include reference to any material fact based on official notice or other extra record fact.

(t) *Effect of appeal of administrative law judge's decision.* An administrative law judge's decision shall not be operative pending a decision on appeal by the Secretary. If there are no exceptions filed to the decision of the administrative law judge the administrative law judge's decision shall be published in the *FEDERAL REGISTER* as a final decision and served upon the parties.

(u) *Finality for purposes of judicial review.* Only a final decision by the Secretary shall be deemed final agency action for purposes of judicial review. A decision of an administrative law judge which becomes final for lack of appeal is not deemed final agency action for purposes of 5 U.S.C. 704.

(v) *Judicial review.* The Commonwealth may obtain judicial review of a decision by the Secretary in accordance with section 18(g) of the Act.

(Sec. 18 Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Washington, D.C. this 24th day of July 1974.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc. 74-17581 Filed 7-31-74; 8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 560]

### ASSIGNMENT OF HEARINGS

JULY 29, 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 August 1, 1974.

No. 35960, Sunkist Growers, Inc., Pure Gold, Inc., and Heggblade-Marguleas-Tenneco, Inc. v. The Akron, Canton & Youngstown Railroad Company, is continued to October 8, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C. MC 32779 Sub-9, Silver Eagle Company, is continued to September 10, 1974 (3 days), at the Edgewater Inn, Pier 67, Alaskan Way and Wall, Seattle, Washington.

MC 92633 Sub 24, Zirbel Transport, Inc., now assigned September 9, 1974, at Boise, Idaho, is cancelled and the application is dismissed.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-17601 Filed 7-31-74; 8:45 am]

## IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

### Elimination of Gateway Letter Notices

JULY 29, 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 August 12, 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-2860 (Sub-No. E16) (CORRECTION), filed May 17, 1974, published in the *FEDERAL REGISTER* July 3, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th St. NW, Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk), from points in New Jersey, that part of Delaware north of the Chesapeake and Delaware Canal, that part of New York south of U.S. Highway 6, and that part of Pennsylvania on and south of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 222 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Pennsylvania-New Jersey State line, to points in that

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part of West Virginia on and south of West Virginia Highway 7, Michigan, Kentucky, Indiana, Illinois, Wisconsin, Missouri, Louisiana, Alabama, Mississippi, Arkansas, Iowa, Kansas, Minnesota, Nebraska, Tennessee, and those points in Virginia west of U.S. Highway 1, and those in Ohio on and west of Interstate Highway 75. The purpose of this filing is to eliminate the gateways of Deepware (Salem County), N.J., and a point in Maryland, Delaware, or Virginia east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal. The purpose of this correction is to clarify the destination territory.

No. MC-2862 (Sub-No. E1) (CORRECTION), filed May 13, 1974, published in the FEDERAL REGISTER June 18, 1974. Applicant: ARROW TRANSPORTATION, P.O. Box 4131, Portland, Oregon 97208. Applicant's representative: Michael D. Crew, 620 Blue Cross Bldg., Portland, Oregon 97201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (c) *Liquid petroleum products*, in bulk, in tank vehicles, from Seattle, Richmond Beach, and Tacoma, Wash., and Portland, Linnton, Willbridge, Astoria, and Marshfield, Oreg., to points in Idaho, and in and south of Idaho County, Idaho. The purpose of this filing is to eliminate the gateway of Baker, Oreg. The purpose of this correction is to re-describe the commodities and territory to be served in proposal (c). The remainder of the letter-notice remains as previously published.

No. MC-25798 (Sub-No. E22) (CORRECTION), filed May 2, 1974, published in the FEDERAL REGISTER June 25, 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: *Frozen meats and frozen meat products*, in containers, in vehicles equipped for temperature control, (2) from points in Texas north and east of U.S. Highway 10 beginning at the Texas-Louisiana State line to its intersection with U.S. Highway 290, thence west on U.S. Highway 290 to its intersection with U.S. Highway 87, thence north on U.S. Highway 87 to its intersection with U.S. Highway 287, thence north on U.S. Highway 287 to the Texas-Oklahoma State line, to points in Tennessee on and east of U.S. Highway 70 beginning at the Tennessee-North Carolina State line to its intersection with U.S. Highway 252, thence north on U.S. Highway 252 to the Tennessee-Virginia State line. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C. The purpose of this correction is to set forth the territory to be served. The remainder of the letter-notice remains as previously published.

No. MC-25798 (Sub-No. E32) (CORRECTION), filed May 30, 1974, pub-

lished in the FEDERAL REGISTER June 25, 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: *Frozen meats and frozen meat products*, in containers, in vehicles equipped for temperature control, from the plant sites and warehouses of Sterling Colorado Beef Packers at or near Sterling, Colo., and the plantsites and warehouses of American Beef Packers, Inc., at or near Fort Morgan, Colo., to the District of Columbia and points in Virginia on and east of U.S. Highway 19, and on and south of U.S. Highway 50; Delaware on and south of Delaware Highway 8, and points in Maryland on and south of U.S. Highway 1 beginning at Washington, D.C.; thence along U.S. Highway 1 to Maryland Highway 2; thence along Maryland Highway 2 to U.S. Highway 301; thence along U.S. Highway 301 to Maryland Highway 300; thence along Maryland Highway 300 to the Maryland-Delaware State line. The purpose of this filing is to eliminate the gateway of Hendersonville, N.C. The purpose of this correction is to indicate the correct commodities.

No. MC-57778 (Sub-No. E1), filed May 13, 1974. Applicant: MICHIGAN REFRIGERATED TRUCKING SERVICE, INC., 6134 West Jefferson Ave., Detroit, Mich. 48209. Applicant's representative: William B. Elmer, 21635 East Nine Miles Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) between Bailey, Mich., on the one hand, and, on the other, Bedford, Bloomington, Columbus, Connersville, Evansville, Greensburg, Indianapolis, Jeffersonville, Madison, Martinsville, Paoli, Princeton, Richmond, Seymour, Shelbyville, Spencer, Sullivan, Terre Haute, Vincennes, and Washington, Ind., Albany, Ashland, Bowling Green, Covington, E. Bernstadt, Elizabethtown, Glasgow, Greenville, Hopkinsville, Lebanon, Lexington, Louisville, London, Middlesboro, Mt. Sterling, Nicholville, Paducah, Prestonsburg, Somerset, and Williamsburg, Ky., Beckley, Bluefield, Charleston, Clarksburg, Elkins, Fairmont, Huntington, Hurricane, Lewisburg, Logan, Martinsburg, Morgantown, Moundsville, Oak Hill, Parkersburg, Point Pleasant, Ripley, Welch, Wheeling, and Williamson, W. Va., and Beardstown, Cairo, Alton, Carbondale, Centralia, Chester, DuQuoin, East St. Louis, Harrisburg, Marion, Mt. Vernon, Quincy, Taylorville, and Vandalia, Ill.; (10) Boyne City, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (11) between Cadillac, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (12) between Clare, Mich., on the one hand, and, on the other, those points in Kentucky, West Virginia, Illinois, and Indiana listed in (1) above; (13) between Coloma, Mich., on the one hand, and, on the other, Clarksburg, Elkins, Fairmont, Logan, Martinsburg, Morgantown, Moundsville, and Wheeling, W. Va.; (14) between Comstock, Mich., on the one hand, and,

ana and Illinois listed in (1) above, Beckley, Bluefield, Elkins, Fairmont, Lewisburg, Morgantown, Welch, and Williamson, W. Va.; and Albany, Bowling Green, Covington, E. Bernstadt, Elizabethtown, Glasgow, Greenville, Hopkinsville, Lebanon, Louisville, London, Middlesboro, Mt. Sterling, Nicholville, Paducah, Somerset, and Williamsburg, Ky.

(4) between Bear Lake, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above and Akron, Amherst, Ashtabula, Athens, Aurora, Barberton, Barnesville, Bedford Heights, Bellaire, Bellefontaine, Berea, Bowling Green, Brooklyn, Bucyrus, Cambridge, Canton, Carrollton, Chillicothe, Cincinnati, Cleveland, Columbus, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, Euclid, Fostoria, Gallipolis, Hamilton, Ironton, Lima, Lorain, Mansfield, Maple Heights, Marietta, Marion, Massillon, Middletown, Findlay, Napoleon, Newark, N. Olmsted, Norwalk, Oberlin, Orville, Painesville, Parma, Piqua, Port Clinton, Portsmouth, Ravenna, Salem, Sandusky, Shaker Heights, Sidney, Silverton, Solon, Springdale, Steubenville, Strongsville, Tallmadge, Tiffin, Toledo, Ulrichsville, Urbana, Van Wert, Wadsworth, Warren, Washington Court House, Wellston, W. Carrollton, Willoughby, Wooster, Worthington, Xenia, Youngstown, Zanesville, and Wapakoneta, Ohio; (5) between Benton Harbor, Mich., on the one hand, and, on the other, Clarksburg, Elkins, Fairmont, Logan, and Morgantown, W. Va.; (6) between Benzonia, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (7) between Beulah, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (8) between Big Rapids, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above;

(9) between Borculo, Mich., on the one hand, and, on the other, those points in Kentucky, Indiana, and West Virginia listed in (1) above, and Beardstown, Cairo, Alton, Carbondale, Centralia, Chester, DuQuoin, East St. Louis, Harrisburg, Marion, Mt. Vernon, Quincy, Taylorville, and Vandalia, Ill.; (10) Boyne City, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (11) between Cadillac, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (12) between Clare, Mich., on the one hand, and, on the other, those points in Kentucky, West Virginia, Illinois, and Indiana listed in (1) above; (13) between Coloma, Mich., on the one hand, and, on the other, Clarksburg, Elkins, Fairmont, Logan, Martinsburg, Morgantown, Moundsville, and Wheeling, W. Va.; (14) between Comstock, Mich., on the one hand, and,

on the other, Bluefield and Logan, W. Va.; (15) between Croswell, Mich., on the one hand, and, on the other, those points in Illinois and Indiana listed in (1) above, and Albany, Bowling Green, Elizabethtown, Glasgow, Greenville, Hopkinsville, Lebanon, Louisville, Middlesboro, and Paducah, Ky.; (16) between Detroit, Mich., on the one hand, and, on the other, those points in Illinois listed in (1) above (except Charleston, Harrisburg, and Robinson); (17) between Eaton Rapids, Mich., on the one hand, and, on the other, those points in Illinois listed in (1) above and Bowling Green, E. Bernstadt, Elizabethtown, Glasgow, Greensville, Hopkinsville, London, Paducah, and Prestonsburg, Ky.; (18) between Eau Claire, Mich., on the one hand, and, on the other, Elkins and Fairmont, W. Va.; (19) between Elberta, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above:

(20) between Fennville, Mich., on the one hand, and, on the other, Albany, Ashland, Bowling Green, E. Bernstadt, Greenville, Lexington, London, Middlesboro, Prestonsburg, Somerset, and Williamsburg, Ky., Evansville, Jefferson, Paoli, Princeton, Sullivan, Vincennes, and Washington, Ind., and those points in West Virginia listed in (1) above; (21) between Elk Rapids, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (22) between Frankfort, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (23) between Fremont, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (24) between Grand Rapids, Mich., on the one hand, and, on the other, those points in Illinois, Indiana (except Terre Haute), Kentucky, and West Virginia listed in (1) above; (25) between Grawn, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (26) between Hart, Mich., on the one hand, and, on the other, those points in Ohio (except Findlay) listed in (4) above, and those points in Kentucky, West Virginia, Illinois (except Charleston, Decatur, Effingham, Jacksonville, Mt. Vernon, Robinson, and Springfield), and Indiana listed in (1) above; (27) between Hartford, Mich., on the one hand, and, on the other, Charleston, Elkins, and Fairmont, W. Va.; (28) between Hemlock, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above, and Akron, Ashtabula, Cambridge, Canton, Chillicothe, Cincinnati, Columbus, Coshocton, Dayton, Gallipolis, Hamilton, Middletown, Portsmouth, Ravenna, Youngstown, and Zanesville, Ohio;

(29) Between Holland, Mich., on the one hand, and on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above, and those

points in Ohio listed in (4) above (except Findlay and Wapakoneta); (30) between Ironwood, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above (except Findlay, Norwalk, Orrville, Piqua, Port Clinton, Portsmouth, Salem, Sandusky, Springdale, Tiffin, Toledo, Warren, Washington Court House, Wooster and Zanesville); (31) between Ishpeming, Mich., on the one hand, and on the other, those points in Ohio listed in (4) above; those points in Indiana (except Evansville), Kentucky, and West Virginia listed in (1) above, and DuQuoin, Harrisburg, Marion, and Mt. Vernon, Ill.; (32) between Kent City, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above and Akron, Ashtabula, Athens, Aurora, Barberton, Bainsville, Bedford Heights, Belleaire, Cambridge, Canton, Carrollton, Chillicothe, Cincinnati, Columbus, Coshocton, Cuyahoga Falls, Euclid, Gallipolis, Ironton, Marietta, Massillon, Newark, Orrville, Portsmouth, Ravenna, Salem, Shaker Heights, Silverton, Solon, Springdale, Steubenville, Tallmadge, Ulrichville, Warren, Wellston, W. Carrollton, Willoughby, Worthington, Xenia, Youngstown, and Zanesville, Ohio; (33) between Lake Odessa, Mich., on the one hand, and, on the other, those points in Illinois, Indiana (except Greensburg, Indianapolis, Martinsville, Richmond, Shelbyville, and Spencer), Kentucky, and West Virginia listed in (1) above, and Ashtabula, Athens, Barnesville, Belleaire, Cambridge, Canton, Coshocton, Gallipolis, Marietta, Portsmouth, Ravenna, Salem, Silverton, Steubenville, Warren, Wellston, Willoughby, Xenia, Youngstown, and Zanesville, Ohio; (34) between Lawton, Mich., on the one hand, and, on the other, Bellefontaine, Ohio; (35) between Lawrence, Mich., on the one hand, and, on the other, Elkins, Fairmont, Logan, and Morgantown, W. Va.;

(36) between Ludington, Mich., on the one hand, and, on the other, those points in Ohio (except Findlay) listed in (4) above, and those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above; (37) between Manistee, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above and those points in Ohio (except Findlay) listed in (4) above; (38) between Mattawan, Mich., on the one hand, and, on the other, Elkins, Fairmont, Logan, and Morgantown, W. Va., and Shaker Heights and Steubenville, Ohio; (39) between Milburg, Mich., on the one hand, and, on the other, Amherst, Athens, Belleaire, Ironton, Marietta, and Wellston, Ohio, and Clarksburg, Elkins, Fairmont, Logan, and Morgantown, W. Va.; (40) between Muskegon, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above and those points in Ohio (except Findlay, Napoleon, Newark, Norwalk, Sandusky, Tiffin, and Toledo), listed in (4) above; (41) between New

Haven, Mich., on the one hand, and, on the other, those points in Illinois listed in (1) above; (42) between Northport, Mich., on the one hand, and, on the other, those points in Kentucky and West Virginia listed in (1) above; (43) between Paw Paw, Mich., on the one hand, and, on the other, Clarksburg, Elkins, Fairmont, Logan, and Morgantown, W. Va.; (44) between Plainwell, Mich., on the one hand, and, on the other, Cairo, Carbondale, Chester, and Beardstown, Ill., Beckley, Bluefield, Elkins, Lewisburg, Logan, Martinsburg, Oak Hill, Welch, and Williamson, W. Va., and Middlesboro, Ky.;

(45) Between Saginaw, Mich., on the one hand, and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above, and Cincinnati, Hamilton, Ironton, and Middletown, Ohio; (46) between Saugatuck, Mich., on the one hand, and, on the other, Akron, Astabula, Aurora, Barberton, Barnesville, Bedford Heights, Bellaire, Berea, Brooklyn, Bucyrus, Cambridge, Canton, Carrollton, Chillicothe, Cleveland, Columbus, Coshocton, Cuyahoga Falls, Delaware, Euclid, Gallipolis, Ironton, Lorain, Mansfield, Maple Heights, Marietta, Marion, Massillon, Neward, N. Olmsted, Painesville, Parma, Portsmouth, Ravenna, Salem, Shaker Heights, Solon, Steubenville, Strongsville, Tallmadge, Wadsworth, Warren, Washington Court House, Wellston, Willoughby, Worthington, Youngstown, and Zanesville, Ohio, those points in Illinois and West Virginia listed in (1) above, Albany, Ashland, Bowling Green, E. Bernstadt, Greenville, Lexington, London, Middlesboro, Prestonsburg, Somerset, and Williamsburg, Ky., and Connerville, Evansville, Jeffersonville, Madison, Paoli, Princeton, Seymour, Sullivan, Vincennes, and Washington, Ind.; (47) between Shelby, Mich., on the one hand, and, on the other, those points in Indiana, Kentucky, and West Virginia listed in (1) above; Cairo, Carbondale, Chester, DuQuoin, Harrisburg, Marion, Taylorville, and Vandalia, Ill., and Akron, Astabula, Athens, Aurora, Barberton, Barnesville, Bedford Heights, Bellaire, Bellefontaine, Berea, Brooklyn, Bucyrus, Cambridge, Canton, Carrollton, Chillicothe, Cincinnati, Cleveland, Columbus, Coshocton, Cuyahoga Falls, Dayton, Delaware, Euclid, Gallipolis, Hamilton, Ironton, Lorain, Mansfield, Maple Heights, Marietta, Marion, Massillon, and Middletown, Ohio;

(48) between South Haven, Mich., on the one hand, and, on the other, Evansville and Princeton, Ind., Ashland, Middletown, and Williamsburg, Ky., Athens, Astabula, Barberton, Barnesville, Bellaire, Cambridge, Coshocton, Gallipolis, Ironton, Marietta, N. Olmsted, Oberlin, Portsmouth, Salem, Silverton, Steubenville, Urbana, Wadsworth, Warren, W. Carrollton, Willoughby, Xenia, Youngstown, and Zanesville, Ohio, and those points in West Virginia listed in (1) above (except Charleston); (49) between Suttons Bay, Mich., on the one hand,

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and, on the other, those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above and those points in Ohio (except Findlay) listed in (4) above; (50) between Traverse City, Mich., on the one hand, and, on the other, those points in Ohio (except Findlay) listed in (4) above, and those points in Illinois, Indiana, Kentucky, and West Virginia, listed in (1) above; and (51) between Zeeland, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above (except Amherst, Bowling Green, Eucyrus, Cincinnati, Dayton, Fostoria, Hamilton, Lima, Middletown, Napoleon, Newark, Norwalk, Port Clinton, Sandusky, Tiffin, Toledo, Van Wert, and Washington Court House, and those points in Illinois, Indiana, Kentucky, and West Virginia listed in (1) above. The purpose of this filing is to eliminate the gateway of the plantsite and storage facilities of Ore-Ida Foods, Ind., at or near Greenville, Mich.

No. MC-75110 (Sub-No. E3), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Frances Jabet, 1776 Broadway, New York, N.Y. 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 New York. The purpose of this filing is to eliminate the gateway of St. Louis, Mo., and points within 50 miles thereof.

No. MC-107403 (Sub-No. E169), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum coke fines*, from Delaware City, Del., to points in Indiana and Michigan. The purpose of this filing is to eliminate the gateway of Ashtabula, Ohio.

No. MC-107403 (Sub-No. E170), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: James Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except petrochemicals), as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 299, in bulk, in tank vehicles, from Claymont and Delaware City, Del., to points in Ohio, Indiana, Illinois, Michigan, and Wisconsin. The purpose of this filing is to eliminate the gateway of Chambersburg, Pa., and Congo, W. Va.

No. MC-107403 (Sub-No. E171), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: James Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Claymont, Del., and Elkton, Md., to points in Indiana, Michigan, and Kentucky. The purpose of this filing is to eliminate the gateway of Philadelphia and Johnstown, Pa., and Zanesville, Ohio.

No. MC-107403 (Sub-No. E172), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Claymont, Del., and Elkton, Md., to points in Illinois and Wisconsin. The purpose of this filing is to eliminate the gateways of Philadelphia and Johnstown, Pa., Zanesville, Ohio, and the plant site of B. F. Goodrich Company, in Milan Township (Allen County), Ind. (approximately 13 miles east of Fort Wayne, Ind.).

No. MC-107403 (Sub-No. E173), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Claymont, Del., and Elkton, Md., to points in Ohio. The purpose of this filing is to eliminate the gateways of Philadelphia, Johnstown, and Pittsburgh, Pa.

No. MC-107403 (Sub-No. E174), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Claymont, Del., and Elkton, Md., to points in Massachusetts and Vermont. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Elizabeth, N.J.

No. MC-107403 (Sub-No. E175), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, from Lewes, Del., to points in Vermont, Maine, and New Hampshire. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-107403 (Sub-No. E176), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, from Lewes, Del., to points in Connecticut, Massachusetts, New York, and Rhode Island. The purpose

of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107403 (Sub-No. E177), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, from Lewes, Del., to points in Ohio. The purpose of this filing is to eliminate the gateway of Paulsboro, N.J.

No. MC-107403 (Sub-No. E178), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizers*, in bulk, from Lewes, Del., to points in North Carolina (except Greensboro, N.C.). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107403 (Sub-No. E179), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids* (except milk, petroleum, petroleum products, coal tar, coal tar products, gasoline, fuel oil, asphalt, kerosene, and benzene), in bulk, from points in Delaware within 25 miles of Philadelphia, to points in Ohio. The purpose of this filing is to eliminate the gateway of Deepwater, N.J.

No. MC-107403 (Sub-No. E180), filed May 29, 1974. Applicant: MATLACK INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids* (except milk, petroleum, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from points in Delaware, within 25 miles of Philadelphia, to points in West Virginia within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of Roaring Springs, Pa.

No. MC-107403 (Sub-No. E181), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petro-chemicals, petroleum, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from points in Delaware, within 100 miles of Philadelphia, to points in Kentucky. The purpose of this filing is to eliminate the gateways of Marcus Hook, Pa., Natrium, W. Va., and Ironton, Ohio.

No. MC-107403 (Sub-No. E182), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids* (except milk, petroleum, petroleum products, coal tar, coal tar products), from points in Delaware, within 100 miles of Philadelphia, to points in Ohio. The purpose of this filing is to eliminate the gateway of Camden, N.J.

No. MC-107403 (Sub-No. E183), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from points in Delaware, within 100 miles of Philadelphia, to points in Alabama, Georgia, Mississippi, Tennessee, and West Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107403 (Sub-No. E184), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum, petroleum products, coal tar, coal tar products, and such oils and greases as may be included in the term chemicals), from points in Delaware, within 100 miles of Philadelphia, Pa., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Marcus Hook, Pa., Natrium, W. Va., and the plantsite of the B. F. Goodrich Company, in Milan Township (Allen County), Ind. (approximately 13 miles east of Fort Wayne, County).

No. MC-107403 (Sub-No. E185), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum, petroleum products, coal tar, and coal tar products, in bulk, in tank vehicles, from points in Delaware, within 100 miles of Philadelphia, Pa., to points in Minnesota, and Nebraska. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa., Natrium, W. Va., and the plantsite of Baird Chemicals Industries, Inc., located at or near Mapleton, Ill.

No. MC-107403 (Sub-No. E186), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *com-*

*mon carrier*, by motor vehicle, over irregular routes, transporting: *Liquids* (except milk, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from points in Delaware, within 100 miles of Philadelphia, to points in Maine, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Newark, N.J.

No. MC-107403 (Sub-No. E187), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from points in Delaware, within 100 miles of Philadelphia, Pa., to points in Illinois, Indiana, Missouri, Iowa, and Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Natrium, W. Va.

No. MC-107403 (Sub-No. E188), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products*, in bulk, in tank vehicles, from Claymont, Del., to points in Maine, New Hampshire, Vermont, and Massachusetts. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Newark, N.J.

No. MC-107403 (Sub-No. E189), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (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, from Claymont, Del., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York. The purpose of this filing is to eliminate the gateway of Delaware City, Del.

No. MC-107403 (Sub-No. E190), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Claymont, Del., and Elkton, Md., to points in Pennsylvania and West Virginia, within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia and Johnstown, Pa.

No. MC-107403 (Sub-No. E191), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silicate of soda*, in bulk, in tank vehicles, from Skaneateles Falls, N.Y., to points in Michigan, Indiana, and Kentucky. The purpose of this filing is to eliminate the gateway of Euclid, Ohio.

No. MC-107403 (Sub-No. E192), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petrochemicals), in bulk, in tank vehicles, from points in New York, to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Missouri, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway of East Liverpool, Ohio, and Congo, W. Va.

No. MC-107403 (Sub-No. E194), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonflammable liquid chemicals*, in bulk, in tank vehicles, from points in New York, to points in West Virginia. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC-107403 (Sub-No. E195), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in New York to points in Alabama, Georgia, Mississippi, South Carolina, Virginia, and North Carolina. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107403 (Sub-No. E200), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except gasoline, fuel oil, asphalt, kerosene, and benzene), from points in New York, to points in Illinois. The purpose of this filing is to eliminate the gateway of Dover, Ohio.

No. MC-107403 (Sub-No. E204), filed May 29, 1974. Applicant: MATLACK INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representa-

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tive: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum, petroleum products, coal tar, and coal tar products), in bulk, in tank vehicles, from the plantsite of E. I. du Pont de Nemours and Company, at Niagara Falls, N.Y., to points in Maryland, Delaware, North Carolina, South Carolina, and Georgia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC-107496 (Sub-No. E535), 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: *Fertilizer*, in bulk, from Burlington, Iowa, to points in Illinois north of U.S. Highway 24 (except points on and west of U.S. Highway 51). The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

No. MC-107496 (Sub-No. E536), 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 Fulton, Ill., and points within 5 miles thereof to points in Minnesota. 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. E537), 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: *Fertilizer and fertilizer compounds*, in bulk, from Burlington, Iowa, to points in Missouri. The purpose of this filing is to eliminate the gateway of Ft. Madison, Iowa.

No. MC-107496 (Sub-No. E542), 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 Colorado to points in Indiana. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., the plant site of the Hawkeye Chemical Co., at or near Clinton, Iowa, the pipeline outlet of Williams Brothers Pipeline Company in Doniphan County, Kans., the plant site of Ashland Chemical Company at Mapleton, Ill., and Alexandria, Mo.

No. MC-107496 (Sub-No. E543), 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*, in bulk, from the plant site from Dundee Cement Co., at or near Castleton, Ind., to points in Missouri on and north of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of Bartonville, Ill., and points within 5 miles thereof.

No. MC-107496 (Sub-No. E544), 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 oil*, in bulk, in tank vehicles, from Valley Park, Mo., to points in Washington. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC-107496 (Sub-No. E545), 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, from the plant site of the Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Colorado on and north of Interstate Highway 70. The purpose of this filing is to eliminate the gateway of La Platte, Nebr.

No. MC-107496 (Sub-No. E591), 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 Cheyenne, Wyo., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC-107496 (Sub-No. E592), 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 Cheyenne, Wyo., to points in California. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC-107496 (Sub-No. E593), 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 Cheyenne, Wyo., to points in Arizona. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC-107496 (Sub-No. E594), 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 oil*, in bulk, in tank vehicles, from Valley Park, Mo., to points in California. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC-107496 (Sub-No. E595), 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 Nebraska 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. E596), 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 Nebraska east of U.S. Highway 83 to points in Colorado. 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. E597), 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 Mankato, Minn., to points in Maryland. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC-107496 (Sub-No. E598), 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: *Lard and grease*, from Austin, Minn., to Oklahoma City, Okla. The purpose of this filing is to eliminate the gateway of Denison, Iowa.

No. MC-107496 (Sub-No. E601), 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 Wyoming to points in Wisconsin (except points north of Wisconsin Highway 64). The purpose of this filing is to eliminate the gateways of Norfolk, Nebr., and the terminal of Kaneb Pipe Line Company at or near Milford, Iowa.

No. MC-107496 (Sub-No. E602), 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. E603), 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 Wyoming to points in Indiana. 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. E604), 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 those derived from petroleum and except liquid oxygen, liquid hydrogen, and liquid nitrogen), used in the treatment and processing of water and crude petroleum, and as corrosion inhibitors, in bulk, from Casper, Wyo., to points in Arizona. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC-107496 (Sub-No. E607), 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 oxygen, liquid hydrogen, and liquid nitrogen, and those derived from petroleum), used in the treatment and processing of water and crude petroleum and as corrosion inhibitors, in bulk, from Casper, Wyo., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC-107496 (Sub-No. E611), 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 petrochemi-*

*als*, 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 Michigan. The purpose of this filing is to eliminate the gateways of Norfolk, Nebr., and the plantsite of Hawkeye Chemical Co. at or near Clinton, Iowa.

No. MC-107496 (Sub-No. E613), 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 Ohio. The purpose of this filing is to eliminate the gateways of points in Iowa, Omaha, Nebr., and the plant site of Ashland Chemical Co., at or near Ft. Madison, Iowa.

No. MC-107496 (Sub-No. E614), 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 Peoria, Ill., and points within 10 miles thereof to points in Colorado. The purpose of this filing is to eliminate the gateways of Ft. Madison and Council Bluffs, Iowa, points in Iowa and Nebraska, and points in Nebraska west of U.S. Highway 83.

No. MC-107496 (Sub-No. E616), 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 Colorado on and west of U.S. Highway 85 and on and south of a line from the junction of U.S. Highway 85 and Colorado Highway 119, along Colorado Highway 119 to the junction of U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC-107496 (Sub-No. E615), 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 Ponca City, Okla., to points in Utah on and north of U.S. Highway 6. The purpose of this filing is to eliminate the gateways of points in Colorado and points in Nebraska on and west of U.S. Highway 83.

No. MC-107496 (Sub-No. E622), 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 oils*, in bulk, in tank vehicles, from Minneapolis, Minn., to points in New Jersey. The purpose of this filing is to eliminate the gateway of Menominee, Mich.

No. MC-107496 (Sub-No. E651), 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 mixed fertilizer*, from the plant, storage, and warehouse facilities of Swift Agricultural Chemicals Corporation at or near Memphis, Tenn., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Erie, Ill.

No. MC-107496 (Sub-No. E675), 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: *Lube oils*, in bulk, in tank vehicles, from Casper, Wyo., to points in Indiana. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC-107496 (Sub-No. E677), 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 fertilizer*, in bulk, from Waterville, Minn., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Fonda, Iowa.

No. MC-107496 (Sub-No. E678), 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 Sugar Creek, Mo., and Kansas City, Kans., to points in Indiana (except points south of Interstate Highway 74). The purpose of this filing is to eliminate the gateways of Centerville and Fort Madison, Iowa, and the plant site of Ashland Chemical Company at or near Mapleton, Iowa.

No. MC-107496 (Sub-No. E679), 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 Sugar

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Creek, Mo., and Kansas City, Kans., to points in Ohio. The purpose of this filing is to eliminate the gateways of Centerville and Fort Madison, Iowa, and the plant site of Ashland Chemical Co. at or near Mapleton, Ill.

No. MC-107496 (Sub-No. E680), 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 Wisconsin in and south of La Crosse, Monroe, Juneau, Adams, Waushara, Winnebago, Calumet, and Manitowoc Counties. The purpose of this filing is to eliminate the gateways of Appanoose County, Iowa, points in Iowa, Bettendorf and Dubuque, Iowa, and Rockford, Ill., and points within 10 miles thereof.

No. MC-107496 (Sub-No. E687), 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 Iowa on and west of U.S. Highway 265 to points in Illinois on and north of U.S. Highway 24 and on and west of U.S. Highway 51. The purpose of this filing is to eliminate the gateway of Bettendorf, Iowa.

No. MC-107496 (Sub-No. E688), 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, from points in Iowa on and west of U.S. Highway 71 to points in Wisconsin on and south and west of a line from La Crosse, Wis., along U.S. Highway 16 to Portage, thence along U.S. Highway 51 to Madison, thence along Wisconsin Highway 16 to the Iowa-Wisconsin State line, and points in Jo Davies, Stephenson, Ogle, Carroll, Whiteside, Lee, Bureau, Knox, Warren, Henderson, and Stark Counties, Ill., and Rockford, Ill. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC-107496 (Sub-No. E689), 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Tennessee on and west of U.S. Highway 45. 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. E690), 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Utah. 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. E691), 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*, in bulk, from the plant site of the Dundee Cement Co., at or near Castleton, Ind., to points in Iowa. The purpose of this filing is to eliminate the gateway of Bartonville, Ill., and points within 5 miles thereof.

No. MC-107496 (Sub-No. E692), 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 or distribution terminal sites of Dundee Cement Company, located at or near Clarksville, Mo., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the plant site of the Dundee Cement Company at Rock Island, Ill.

No. MC-107496 (Sub-No. E693), 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 Kansas City, Mo., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC-107496 (Sub-No. E694), 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 Kansas City, Mo., to points in Texas. The purpose of this filing is to eliminate the gateway of the plant site of Ash Grove Lime and Portland Cement Company in or near Chanute, Kans.

No. MC-107496 (Sub-No. E695), 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*, in bulk, from the plant or distribution terminal sites of Dundee Cement Company, located at or near St. Louis, Mo., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC-107496 (Sub-No. E696), 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 St. Louis, Mo., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC-107496 (Sub-No. E697), 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 St. Louis, Mo., to points in South Dakota. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC-107496 (Sub-No. E698), 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: *Phosphoric acid*, in bulk, in tank vehicles, from the plant site of the Hawkeye Chemical Company, at or near Clinton, Iowa, to points in North Dakota. The purpose of this filing is to eliminate the gateway of St. Paul, Minn.

No. MC-107496 (Sub-No. E700), 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: *Hydrochloric acid*, in bulk, in tank vehicles, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark., to Denver, Colo. The purpose of this filing is to eliminate the gateway of Wichita, Kans.

No. MC-107496 (Sub-No. E701), 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 South Dakota (except points south of U.S. Highway 16 and east of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC-109397 (Sub-No. E21), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source*

materials, special nuclear materials, and by-products, materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials, from points in Vermont, New Hampshire, and Maine, to points in Tennessee, restricted to the transportation of traffic requiring specialized handling of rigging. The purpose of this filing is to eliminate the gateways of (1) the facilities of Combustion Engineering of Windsor, Conn., and (2) points in Campbell County, Va.

No. MC-109397 (Sub-No. E22), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Source materials, special nuclear materials, and by-products materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials, from points in Maryland, Delaware, New Jersey, Connecticut, Rhode Island, and Massachusetts, to points in Tennessee, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of points in Campbell County, Va.

No. MC-109397 (Sub-No. E23), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Source, special nuclear, and by-product materials, radioactive materials, and component parts and containers thereof, between the Cimarron facilities of Kerr-McGee Corporation near Crescent, Okla., on the one hand, and, on the other, points in Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, and Maryland, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the Portsmouth Gaseous Diffusion Plant and Feed Materials Plant, located near Portsmouth, Ohio.

No. MC-111545 (Sub-No. E365), filed June 4, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Valves, hydrants, indicator posts, floor stands, fittings, sleeves, and covers, the transportation of which, because of size or weight, requires the use of special equipment, from points in New York and Pennsylvania to points in Arizona. The purpose of this filing is to eliminate the gateways of Ringgold, Ga., and Anniston, Ala.

No. MC-111545 (Sub-No. E380), filed June 4, 1974. Applicant: HOME TRANS-

PORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. 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 New Jersey, on the one hand, and, on the other, points in that part of Missouri on and south of a line beginning at the Missouri-Kansas State line, thence along U.S. Highway 66 to Springfield, thence along U.S. Highway 60 to junction Missouri Highway 34, thence along Missouri Highway 34 to Jackson, thence along U.S. Highway 61 to Cape Girardeau. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC-111545 (Sub-No. E385), filed June 4, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Valves, hydrants, indicator posts, floor stands, fittings, sleeves, and covers, the transportation of which, because of size or weight, requires the use of special equipment, from points in Delaware and the District of Columbia to points in Arizona, California, Nevada, New Mexico, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateways of Ringgold, Ga., and Anniston, Ala.

No. MC-111545 (Sub-No. E386), filed June 4, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Incinerators and refuse-treatment equipment, and parts, attachments, and accessories, for incinerators and refuse-treatment equipment, the transportation of which, because of size or weight, requires the use of special equipment, from points in New Jersey to points in Arizona, California, New Mexico, and Oregon. The purpose of this filing is to eliminate the gateways of Charlotte, N.C., and Springfield, Mo.

No. MC-111545 (Sub-No. E387), filed June 4, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Incinerators and refuse-treatment equipment, and parts, attachments, and accessories, for incinerators and refuse-treatment equipment, the transportation of which, because of size or weight, requires the use of special equipment, from points in West Virginia to points in Arizona, California, and that part of Nevada on and south of U.S. Highway 50. The

purpose of this filing is to eliminate the gateways of Mt. Airy, N.C., and Springfield, Mo.

No. MC-113459 (Sub-No. E49), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Oklahoma 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) Commodities, the transportation of which, by reason of size or weight, require the use of special equipment (except farm machinery and commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines); and (2) Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, the transportation of which, because of size or weight, require the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in Montana, North Dakota, and South Dakota. RESTRICTION: The operations authorized in (2) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC-113459 (Sub-No. E57), filed May 14, 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) Commodities, the transportation of which, by reason of size or weight, require the use of special equipment (except farm machinery and commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipe lines); and (2) self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in that part of Missouri on and east of a line beginning at the Missouri-Arkansas State line, thence along U.S. Highway 65 to junction Missouri Highway 41, thence along Missouri Highway 41 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Missouri Highway 11, thence along Missouri Highway 11 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Missouri-Iowa State line, on the one hand, and, on the other, points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line, thence along U.S. Highway 281 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 385, thence along U.S. Highway 385 to the South Dakota-Nebraska State line. RESTRICTION: The operations authorized in (2) above are restricted to commodities which

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are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC-113459 (Sub-No. E61), filed May 14, 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: (I) *Commodities*, the transportation of which, because of size or weight, require the use of special equipment, between points in Arkansas, on the one hand, and, on the other, points in Alaska; (II) *Earth drilling machinery, equipment, and machinery, equipment, 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, the transportation of which, by reason of size or weight, require the use of special equipment, between points in Bullitt, Hardin, Meade, Breckenridge, Crittenden, Hancock, Daviess, Henderson, Union, Webster, McLean, Hopkins, Ohio, Grayson, Edmondson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, and Wyoming; and (III) (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 pipelines, including the stringing and picking up thereof (except the stringing and picking up of pipe in connection with main or trunk pipelines), and (2) *Earth drilling machinery and equipment, and machinery, equipment, 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, the transportation of which, by reason of size or weight, require the use of special equipment, between points in Nebraska, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateways of points in Kansas for points in (I) above, points in that part of Illinois south of

U.S. Highway 36 for various points in (II) above, points in Illinois south of U.S. Highway 36 and points in Kansas for various points in (II) above, and points in Oklahoma for points in (III) above.

No. MC-113843 (Sub-No. E39), filed May 8, 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* (1) from points in that part of Indiana on and north of Indiana Highway 14 to Exmore, Va.; (2) from Cass County, Ind., to Exmore, Va.; and (3) from parts in Elkhart, La Porte, St. Joseph, and Lake Counties, Ind., to points in Northampton County, Va. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC-113843 (Sub-No. E54), filed May 5, 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 prepared foodstuffs* (except in bulk), from the plantsite and warehouses of the Pillsbury Company at or near East Greenville, Pa. to (1) points in that part of Ohio on and north of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 20 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 25, thence along U.S. Highway 25 to Lima, thence along Ohio Highway 81 to the Ohio-Indiana State line; (2) points in that part of Indiana on and north of a line beginning at the Indiana-Ohio State line and extending along Indiana Highway 124 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Indiana-Illinois State line; (3) points in Illinois on and north of U.S. Highway 24; (4) points in Michigan and Missouri; and (5) Paducah, Ky. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC-113843, (Sub-No. E62), filed May 5, 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 prepared foodstuffs*, from the plantsite and warehouses of the Pillsbury Company at or near East Greenville, Pa., to Paducah, Ky. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC-113843 (Sub-No. E66), filed May 5, 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, transport-

ing: *Frozen foods*, (1) from Cortland, N.Y., to Grand Island, Nebr.; (2) from Ithaca, N.Y., to points in that part of Nebraska on and west of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 83 to McCook, thence along U.S. Highway 6 to junction Nebraska Highway 61, thence along Nebraska Highway 61 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 385, thence along U.S. Highway 385 to the Nebraska-South Dakota State line; (3) from Syracuse, N.Y., to points in that part of Nebraska on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-113843 (Sub-No. E70), filed May 5, 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 Courtland, N.Y., to Sioux City, Iowa. The purpose of this filing is to eliminate the gateway of Newark, N.Y.

No. MC-113843 (Sub-No. E99), filed May 5, 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*, (1) from Barnstable, Hampshire, and Plymouth Counties, Mass., to Wheeling, W. Va., and points in that part of West Virginia on, north, and west of a line beginning at the Kentucky-West Virginia State line and extending along U.S. Highway 52 to junction West Virginia Highway 65, thence along West Virginia Highway 65 to Logan, thence along U.S. Highway 119 to junction West Virginia Highway 14, thence along West Virginia Highway 14 to the West Virginia-OHio State line; (2) from Bourne, Mass., to Beckley, W. Va.; (3) from Berkshire and Hampshire Counties, Mass., to Wheeling and Beckley, W. Va., and points in that part of West Virginia on, north, and west of a line beginning at the Kentucky-West Virginia State line and extending along U.S. Highway 52 to junction West Virginia Highway 65, thence along West Virginia Highway 65 to Logan, thence along U.S. Highway 119 to junction West Virginia Highway 14, thence along West Virginia Highway 14 to the West Virginia-OHio State line; (4) from North Adams, Mass., to Morgantown, Bluefield, Fairmont, and Clarksburg, W. Va.; (5) from Pittsfield, Mass., to Clarksburg, W. Va.; (6) from Bristol, Suffolk, Essex, Middlesex, Norfolk, and Worcester Counties, Mass., to Wheeling and Beckley, W. Va., and points in that part of West Virginia on, north, and west of a line beginning at the West Virginia-Kentucky State line and extending along U.S. Highway 52 to junction West Virginia Highway 65, thence along West Virginia Highway 65 to Logan, thence along U.S. Highway 119 to junction West

Virginia Highway 14, thence along West Virginia Highway 14 to the West Virginia-Oregon State line; (7) from Franklin County, Mass., to points in that part of West Virginia on, north, and west of a line beginning at the West-Virginia-Pennsylvania State line and extending along U.S. Highway 119 to Morgantown, thence along U.S. Highway 119 to Beckley, thence along West Virginia Highway 99 to junction West Virginia Highway 85, thence along West Virginia Highway 85 to junction West Virginia Highway 10 to Logan, thence along U.S. Highway 119 to the West-Virginia-Kentucky State line; and (8) from Wellesley, Mass., to Beckley, W. Va. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC-113843 (Sub-No. E101), filed May 5, 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 Rhode Island to Wheeling, W. Va., and points in that part of West Virginia on, north, and west of a line beginning at the West Virginia-Kentucky State line and extending along West Virginia Highway 75 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 60, thence along U.S. Highway 60 to Charleston, thence along Interstate Highway 77 to the West Virginia-Oregon State line. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC-113843 (Sub-No. E159), filed May 5, 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 Gary, Ind., to Salisbury, Md. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC-113843 (Sub-No. E165), filed May 8, 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 Gary, Ind., to Newark and Wilmington, Del., and points in that part of Delaware on and north of Delaware Highway 8. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC-113974 (Sub-No. E2), filed June 4, 1974. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., P.O. Box 67, Dravosburg, Pa. 15034. Applicant's representative: F. R. Hille, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, and steel products*, which require

the use of special equipment by reason of size or weight, between points in Ohio within 125 miles of Wheeling, W. Va., on the one hand, and, on the other, points in Michigan on and south of Interstate Highway 94. The purpose of this filing is to eliminate the gateway of points in Erie County, Ohio.

No. MC-117823 (Sub-No. E2), filed May 14, 1974. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 1915 South 900 West, Salt Lake City, Utah 84104. Applicant's representative: Lon Rodney Kump, 200 Law Building, 333 East Fourth South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Proposal 1: *Frozen foods*, from points in Oregon north of the southern boundary of Lane and Deschutes Counties and points in Oregon east of the western boundary of Harney County to points in Clark, Lincoln, Humboldt, Elko, and White Pine Counties, Nev. The purpose of this filing is to eliminate the gateway points in Idaho south of the southern boundary of Idaho County. Proposal 2: *Frozen foods*, from points in Los Angeles, Orange, Riverside, San Diego, and Imperial Counties, Calif., to points in Wells and Wendover Counties, Nev. The purpose of this filing is to eliminate the gateway of Salt Lake City, Utah. Proposal 3: *Frozen meat and frozen meat products*, from the plant site of Chip Steak Company at Oakland, Calif., to points in Oregon east of the western boundary of Harney, Grant, and Umatilla Counties, and points in Washington east of the western boundary of Benton, Grant, Chelan, and Okanogan Counties. The purpose of this filing is to eliminate the gateway points in Idaho south of the southern boundary of Idaho County. Proposal 4: *Foodstuffs*, when transported at the same time and in the same vehicle with frozen foods, (1) from Ontario and Pendleton, Oreg., to points in San Diego, Imperial, Orange, Riverside, and San Bernardino Counties, Calif., and (2) from The Dalles, Oreg., to El Centro, Blythe, and Needles, Calif. The purpose of this filing is to eliminate the gateway points in Salt Lake and Utah Counties, Utah.

Proposal 5: *The commodities described in proposal 4 above*, from points in Washington east of the eastern boundary of Klickitat, Yakima, Kittitas, King, Snohomish, Skagit, and Whatcom County line to points in San Bernardino, County lines, and points in Washington north of the northern boundary of the Skagit County line to points in San Bernardino, Orange, Riverside, San Diego, and Imperial Counties, Calif., and (2) from points in Washington east of the western boundaries of Walla Walla, Whitman, Spokane, and Pend Oreille Counties, to points in Los Angeles County, Calif., and (3) from points in Washington east of the Puget Sound and east of the western boundaries of Thurston, Pierce, Yakima, and Klickitat Counties to El Centro,

Blythe, and Needles, Calif. The purpose of this filing is to eliminate the gateway points in Salt Lake and Utah Counties, Utah. Proposal 6: *Dairy products*, as described in Section B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in vehicles, equipped with mechanical refrigeration, from Logan and Wellsville, Utah, to points in Nevada and California. The purpose of this filing is to eliminate the gateway of Salt Lake City, Utah.

No. MC-124174 (Sub-No. E8), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock and feed*, between St. Joseph, Mo., on the one hand, and, on the other, points in those parts of Nebraska, Iowa, Kansas, and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr. The purpose of this filing is to eliminate the gateways of Auburn, Nebr., and points within 20 miles thereof.

No. MC-124174 (Sub-No. E10), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock and feed*, from St. Joseph, Mo., to points in that part of Iowa within 50 miles of Spencer, Iowa, and Anita, Iowa, and points within 15 miles thereof. The purpose of this filing is to eliminate the gateways of (1) Auburn, Nebr., and points within 20 miles thereof, and (2) Omaha, Nebr.

No. MC-124174 (Sub-No. E17), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry superphosphate*, from Savage, Minn., to points in Harrison, Shelby, Pottawattamie, Cass, Mills, Adams, Montgomery, Fremont, and Page Counties, Iowa, and that part of Taylor County, Iowa, on and west of Iowa Highway 148. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC-124174 (Sub-No. E18), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from Omaha, Nebr., to points in Missouri and Nebraska. The purpose of this filing is to eliminate the gateway of the warehouse or storage facilities of Farmland Industries, Inc., at or near Council Bluffs, Iowa.

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No. MC-124174 (Sub-No. E19), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry manufactured fertilizer compounds and dry urea*, from Omaha, Nebr., to points in North Dakota, Kansas, and Missouri. The purpose of this filing is to eliminate the gateway of Nebraska City, Nebr.

No. MC-124174 (Sub-No. E20), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). 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 packing houses*, 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 plant site of Armour & Co., near Worthington, Minn., to points in those parts of Nebraska, Iowa, Kansas, and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr. (Council Bluffs, Iowa)\*, (2) *Animal and poultry feed ingredients* (except liquid animal fats and liquid vegetable oils), from Omaha, Nebr., and points in those parts of Nebraska, Iowa, Kansas, and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr., to points in Wisconsin and Illinois (the plant site of the Hooker Chemical Corporation near Montpelier, Iowa)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-124174 (Sub-No. E24), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). 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, and hides (except commodities in bulk, in tank vehicles), from the plant site of Swift & Company at or near Grand Island, Nebr., to points in those parts of Nebraska, Iowa, Kansas, and Missouri within 60 miles of Auburn, Nebr. (Council Bluffs or Glenwood or Hamburg, Iowa)\*; and (2) *hides*, from the plant site of Swift & Company at or near Grand Island, Nebr., to points in South Dakota (Sioux City or Council Bluffs, Iowa)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-124174 (Sub-No. E25), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490,

Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hides and pelts*, from points in Illinois, Iowa, Minnesota, Nebraska, South Dakota, and Wisconsin to Hazelwood, N.C., and points in Delaware. The purpose of this filing is to eliminate the gateways of Grand Island or Omaha, Nebr., or Rochelle or Chicago, Ill.

No. MC-124174 (Sub-No. E26), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packing-houses*, 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 commodities in bulk, in tank vehicle), from the plant site and storage facilities utilized by Wilson & Co., Inc., at or near Cherokee, Iowa, to points in those parts of Nebraska, Iowa, Kansas, and Missouri within 60 miles of Auburn, Nebr., including Auburn, Nebr. The purpose of this filing is to eliminate the gateway of those points in the Omaha, Nebr., commercial zone located within 60 miles of Auburn, Nebr.

No. MC-124174 (Sub-No. E27), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plant site of Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind., to points in those parts of Missouri and Kansas within 60 miles of Auburn, Nebr., restricted against the transportation of commodities requiring special equipment. The purpose of this filing is to eliminate the gateway of points in that part of Nebraska within 60 miles of Auburn, Nebr.

No. MC-124174 (Sub-No. E28), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as defined by the Commission in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Sterling and Rock Falls, Ill., to points in that part of Iowa within 25 miles of Swea City, Iowa, except points within the Estherville, Iowa, commercial zone, as defined by the Commission, restricted against the transportation of commodities in bulk and those requiring special equipment. The

purpose of this filing is to eliminate the gateway of Fairmont, Minn.

No. MC 124174 (Sub-No. E30), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from the plant site of Cominco American Incorporated, located at or near Hoag, Nebr., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Nebraska City, Nebr.

No. MC-124174 (Sub-No. E35), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glassware, closures for glass containers, and paper containers* used in the packing or shipping of glass articles, from points in Lake and Will Counties, Ill., to points in that part of Nebraska within 60 miles of Auburn, Nebr., including Auburn, Nebr. The purpose of this filing is to eliminate the gateway of points in that part of Iowa within 60 miles of Auburn, Nebr.

No. MC-124174 (Sub-No. E37), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from the plant site and storage facilities of Missouri Beef Packers, Inc., at or near Phelps City, Mo., to points in South Dakota. The purpose of this filing is to eliminate the gateways of points in Nebraska or Iowa.

No. MC-124174 (Sub-No. E38), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Livestock and feed*, from the plant site and storage facilities of Missouri Beef Packers, Inc., at or near Phelps City, Mo., to St. Joseph, Missouri. The purpose of this filing is to eliminate the gateway of Brownsville Nebr.

No. MC-124174 (Sub-No. E41), filed June 4, 1974. Applicant: MOMSEN TRUCKING COMPANY, P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Karl E. Momsen (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petrochemicals), in containers, from the facilities of the Quaker State Oil Refining Corporation at Congo, Hancock County, W. Va., to points in those parts of Nebraska, Kansas, and Missouri within 60 miles of

Auburn, Nebr., including Auburn, Nebr. The purpose of this filing is to eliminate the gateway of points in that part of Iowa within 60 miles of Auburn, Nebr.

No. MC-127196 (Sub-No. E5) (Correction), filed May 17, 1974, published in the FEDERAL REGISTER on June 25, 1974. Applicant: KLINE TRUCKING, INC., P.O. Box 355, Millville, Pa. 17846. Applicant's representative: James L. Kline (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and component parts* used in the manufacture and assembly of mobile homes, (4) from points in that part of New Jersey south of a line beginning at the Pennsylvania-New Jersey State line, thence along U.S. Highway 202 to junction U.S. Highway 287 near Somerville, thence along U.S. Highway 287 to the Raritan River near South Bound Brook, thence along the Raritan River to the Atlantic Ocean, to points in that part of New York, west of New York Highway 14. The purpose of this filing is to eliminate the gateway of Millville, Pa. The purpose of this correction in part is to redescribe the New Jersey territorial description in (4) above, which inadvertently published as: from points in New Jersey south of a line beginning at the Pennsylvania-New Jersey State line, thence along U.S. Highway 202 to junction U.S. Highway 287 near Somerville, thence along U.S. Highway 287 to the Delaware River at Lambertville, thence along the Delaware River to the New Jersey State line and the Atlantic Ocean. The remainder of the letter-notice remains as previously published.

No. MC-127196 (Sub-No. E6) (Correction), filed May 17, 1974, published in the FEDERAL REGISTER on June 25, 1974. Applicant: KLINE TRUCKING, INC., P.O. Box 355, Millville, Pa. 17846. Applicant's representative James L. Kline (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and component parts* used in the manufacture and assembly of motor homes, (6) from points in Virginia (except points Accomack and Northampton Counties), to points in that part of Pennsylvania north and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 15 to junction U.S. Highway 220 near Williamsport, thence along U.S. Highway 220 to junction Pennsylvania Highway 147 near Muncy, thence along Pennsylvania Highway 147 to junction Pennsylvania Highway 54, thence along Pennsylvania Highway 54 to junction Pennsylvania Highway 44 near Turbotville, thence along Pennsylvania Highway 44 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 6 near Scranton, thence along U.S. Highway 6 to junction Pennsylvania Highway 191, thence along Pennsylvania Highway 191 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Millville, Pa. The purpose of this correction

in part is to correct the spelling of Turbotville, which was inadvertently published as Tasbotville. The remainder of the letter-notice remains as previously published.

No. MC-128878 (Sub-No. E1), filed May 10, 1974. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer ingredients*, from Beaumont, Tex., to points in Missouri and that part of Oklahoma on and east of Interstate Highway 35, restricted against the transportation of commodities in bulk to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant sites and storage facilities of Arkla Chemical Corporation, located in Calhoun and Little River Counties, Ark. \*

No. MC-128878 (Sub-No. E2), filed May 10, 1974. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Shreveport and Monroe, La., and Texarkana, Ark.-Tex., to points in Oklahoma, Kansas, and Missouri, restricted against the transportation of commodities in bulk, to points in Kansas and Missouri. The purpose of this filing is to eliminate the gateway of the plantsites and storage facilities of Arkla Chemical Corporation located in Little River County, Ark.

No. MC-128878 (Sub-No. E3), filed May 10, 1974. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Formaldehyde*, in bulk, in tank vehicles, from the plant site of Wright Chemical at Mavern, Ark., (1) to points in that part of Mississippi on and south of U.S. Highway 84 (Winnfield, La.);\* and (2) to points in that part of Louisiana on and south of U.S. Highway 84, and that part of Texas on, south, and east of a line beginning at the Texas-Louisiana State line, thence along Interstate Highway 10 to Houston, thence along Texas Highway 288 to Freeport (the plant site or storage facilities of the Chembond Corp., at Winnfield, La.).\* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-128878 (Sub-No. E4), filed May 10, 1974. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Dry fertilizer* (except in bulk), from Monroe,

La., to points in that part of Louisiana located more than 205 miles from Shreveport, La. (Rilla, La.);\* and (B) *Fertilizer*, from Monroe, La., to points in Kansas, Missouri, Oklahoma, and Texas, restricted against the transportation of commodities in bulk to points in Kansas, Missouri, and Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties, Tex., and further restricted against the transportation of liquid fertilizer solutions to points in that part of Texas located within 205 miles of Shreveport, La. (the plant sites of Arkla Chemical Corporation located in Calhoun and Little River Counties, Ark.)\* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-17802 Filed 7-31-74; 8:45 am]

[No. AB-6 (Sub-No. 5)]

#### BURLINGTON NORTHERN INC.

##### Notice of Abandonment

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.*; and good cause appearing therefor:

*It is ordered*, That the applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Andrews County, Missouri, within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

*And it is further ordered*, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 23rd day of July 1974.

By the Commission, Commissioner Tugge.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[No. AB-6 (Sub-No. 5)]

#### BURLINGTON NORTHERN INC.: ABANDONMENT BETWEEN AMAZONIA AND SAVANNAH, ANDREWS COUNTY, MO.

The Interstate Commerce Commission hereby gives notice that by order dated July 23, 1974, it has been determined that the proposed abandonment by Burlington Northern Inc., of its line of railroad between

## NOTICES

Amazonia and Savannah, in Andrews County, Missouri, a distance of 6.26 miles, if approved by the Commission, 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.*, and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, the proposed abandonment is consistent with local land use plans to develop recreational uses in the area. This line is not a necessary factor in the area's development process, since both Amazonia and Savannah will continue to have alternate rail service available. No diversion of traffic from rail to truck will result from accomplishment of this abandonment.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 16, 1974.

[FR Doc. 74-17597 Filed 7-31-74; 8:45 am]

[No. AB-86]

#### CHESWICK AND HARMAR RAILROAD CO.

##### Notice of Abandonment

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.*; and good cause appearing therefor:

*It is ordered*, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Allegheny County, Pa., within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

*And it is further ordered*, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the *FEDERAL REGISTER*.

Dated at Washington, D.C., this 23rd day of July, 1974.

By the Commission, Commissioner Tugge.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[No. AB-86]

CHESWICK AND HARMAR RAILROAD COMPANY;  
ABANDONMENT IN SPRINGDALE TOWNSHIP,  
ALLEGHENY COUNTY, PENNSYLVANIA

The Interstate Commerce Commission hereby gives notice that by order dated

July 23, 1974, it has been determined that the proposed abandonment by the Cheswick and Harmar Railroad Company of its line of railroad in Springdale Township, Allegheny County, Pa., a distance of 2.85 miles, if approved by the Commission, 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.*, and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed action are not considered significant because no traffic has been handled on the subject line since 1972 and there are no identifiable prospects for a future demand for service over the line, no diversion of traffic from rail to motor carrier will occur, and there are no development plans or land use policies in the tributary territory which are dependent on the availability of rail service.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 16, 1974.

[FR Doc. 74-17598 Filed 7-31-74; 8:45 am]

[Notice No. 53]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

##### Correction

In FR Doc. 74-15274 appearing on page 24562 in the issue of July 3, 1974, the very last sentence of the document on page 24567 should read: "Any protests submitted shall be filed with the Commission on or before August 2, 1974".

[Notice 60]

#### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JULY 26, 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 Special Rule 1100.247<sup>1</sup> 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 reasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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 within 60 days of the date of this publication, 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 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-200 (Sub-No. 267), filed June 14, 1974. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, Mo. 64142. Applicant's representative: Ivan E. Moody, 903 Grand, Suite 1200, Kansas City, Mo. 64106. 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 Colorado, Delaware, District of Columbia, Illinois, Iowa,

Indiana, Kentucky, Maine, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Connecticut, New Hampshire, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 263 (Sub-No. 215), filed June 21, 1974. Applicant: GARRETT FREIGHTLINES, INC., 2035 Garrett Way, P.O. Box 4048, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Greene (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Dairy products and materials* used in the manufacture and distribution of such commodities (except in bulk, in tank vehicles), between Gallatin, Mont., and Pocatello, Idaho: From Pocatello, Idaho over Interstate Highway 15 to Idaho Falls, Idaho, thence over U.S. Highway 191 to West Yellowstone, Mont., thence over U.S. Highway 287 and U.S. Highway 191 to Gallatin Gateway, Mont., and return over the same route, serving no intermediate or off-route points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either San Francisco, Calif., Boise or Pocatello, Idaho, or Helena, Mont.

No. MC 1855 (Sub-No. 20), filed June 12, 1974. Applicant: SCHWENZER BROS., INC., 767 St. George Avenue, Woodbridge, N.J. 07095. Applicant's representative: William J. Augello, 120 Main Street, P.O. Box Z, Huntington, N.Y. 11743. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum, petroleum products, and such commodities* as are ordinarily used or distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products, in shipper-owned trailers (except in bulk), from Sewaren, N.J., to Richmond, Va., and (2) *empty shipper-owned trailers, empty drums, and returned or damaged material on return*, to Newark and Sewaren, N.J., under continuing contract with Shell Oil Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 2002 (Sub-No. 11), filed June 17, 1974. Applicant: PHILIPP TRANSIT LINES, INC., 1808 East Fifth Street, Washington, Mo. 63090. Applicant's representative: Lucy Kennard Bell, Suite 910 Fairfax Building, 101 West 11th Street, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel joists*, from the plantsite of Midwestern Joist, Inc., located at Washington, Mo., to points in Illinois, and (2) *products used in the manufacture and processing of steel joists*, from points in Illinois, to

the plantsite of Midwestern Joist, Inc., located at Washington, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC-2226 (Sub-No. 108), filed May 28, 1974. Applicant: RED ARROW FREIGHT LINES, INC., 3901 Seguin Road, P.O. Box 1897, San Antonio, Tex. 78297. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, liquid commodities in bulk, household goods as defined by the Commission and those requiring special equipment), from Dallas, Tex., to Laredo, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or San Antonio, Tex.

No. MC-4405 (Sub-No. 511), filed June 28, 1974. Applicant: DEALERS TRANSIT, INC., 2200 E. 170th Street, P.O. Box 361, Lansing, Ill. 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Trailers, semi-trailers and trailer chassis*, other than those designed to be drawn by passenger automobiles, in initial truckaway and driveway service; (b) *tractors* in secondary movements in driveway service only when drawing trailers, semi-trailer and trailer chassis in initial movements, (a) from Livermore, Calif., to points in the United States (except Alaska and Hawaii); (b) from Livermore, Calif., to points in Arizona, Nevada, Oregon, and Vermont.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC-5470 (Sub-No. 94), filed June 7, 1974. Applicant: TAJON, INC., Rural Delivery No. 5, Mercer, Pa. 16137. Applicant's representative: Don Cross, 700 World Center Bldg., 918 16th St. NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are usually transported in dump vehicles, between ports of entry on the International Boundary line between the United States and Canada, in Michigan and New York, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, 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 Washington, D.C., or Buffalo, N.Y.

No. MC 11207 (Sub-No. 349), filed June 10, 1974. Applicant: DEATON, INC.,

317 Avenue W, P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, from Tuscaloosa, Ala., to points in Arkansas, Florida, Atlanta, and Columbus, Ga., Illinois, Indiana, Kentucky, Louisiana, Missouri, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC-11207 (Sub-No. 350), filed July 2, 1974. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbers goods and plumber fittings, materials, supplies, and accessories* therefor (except commodities in bulk and iron and steel articles as defined by the Commission), from the plant site and facilities of American-Standard, Inc., New Orleans, La., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New Orleans, La.

No. MC 14786 (Sub-No. 16), filed June 3, 1974. Applicant: GREYHOUND VAN LINES, INC., 314 108th NE, P.O. Box 3020, Bellevue, Wash. 98009. Applicant's representative: Alan F. Wohlsteller, 1700 K Street NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Displays and exhibits*, between all points in the United States (except Hawaii and Alaska).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. Applicant has concurrently filed a motion to dismiss this application on the grounds that applicant presently holds the requested authority.

No. MC 17829 (Sub-No. 16), filed July 8, 1974. Applicant: DISILVA TRANSPORTATION, INC., 42 Middlesex Avenue, Somerville, Mass. 02145. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt* (except in bulk), from Woburn, Mass., to points in Connecticut, New Hampshire, and Rhode Island, under contract or contracts with International Salt Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC-25708 (Sub-No. 25), filed June 17, 1974. Applicant: LANEY TANK LINES, INCORPORATED, P.O. Box No. 2934, Durham, N.C. 27705. Applicant's representative: Francis W. McInerny, 1000 16th Street NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over

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irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, (1) from points in South Carolina, to points in North Carolina and Georgia, (2) from points in North Carolina, to points in South Carolina and Georgia, and (3) from points in Georgia, to points in South Carolina and North Carolina, (except (a) from Georgetown, S.C., to points in North Carolina, (b) from Charleston, S.C. to points in Georgia, and (c) from Belton, S.C., to points in North Carolina).

NOTE.—Common control was approved in MC-F-10738 and MC-F-11547. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Raleigh, N.C., or Columbia, S.C.

No. MC-25798 (Sub-No. 262), filed June 20, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared flour mixes, and frosting mixes*, from Chelsea, Mich., to points in Arkansas, Tennessee, Oklahoma, and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Chicago, Ill.

No. MC 25869 (Sub-No. 122), filed June 6, 1974. Applicant: NOLTE BROS. TRUCK LINE, INC., 6217 Gilmore Avenue, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, and confectioneries*, from the facilities utilized by E. J. Brach, Division of American Home Products Company, at or near Chicago, and Carol Stream, Ill., to points in Nebraska.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Denver, Colo.

No. MC-25869 (Sub-No. 124), filed May 20, 1974. Applicant: NOLTE BROS. TRUCK LINE, INC., 6217 Gilmore Avenue, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, Suite 530, Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat 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 Denver, Greeley, Fort Morgan, and Sterling, Colo., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Wisconsin, and District of Colum-

bia, restricted to shipments originating at the above-named origin points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC-26739 (Sub-No. 80), filed June 7, 1974. Applicant: CROUCH FREIGHT SYSTEMS INC., P.O. Box 1059, St. Joseph, Mo., 64502. Applicant's representative: Roland Rice, 1111 E Street NW, Suite 618, Washington, D.C. 20004. 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 plantsite of the Western Electric Company, Inc., located at or near Goddard Kans., as an offroute point in connection with carrier's regular route operations between Wichita, Kans., and St. Joseph, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Washington, D.C.

No. MC-29120 (Sub-No. 181), filed May 31, 1974. Applicant: ALL-AMERICAN, INC., 900 West Delaware, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks (same address as applicant). 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, those requiring special equipment, and hides, skins, chromes or pieces thereof): (1) Between Des Moines, Iowa, and Memphis, Tenn.: From Des Moines over Iowa State Highway 163 to junction with U.S. Highway 63, thence over U.S. Highway 63 to junction with Interstate Highway 70, thence over Interstate Highway 70, thence over Interstate Highway 70 to junction with Interstate Highway 55, thence over Interstate Highway 55 to Memphis, and return over the same route. (2) Between Des Moines, Iowa, and Nashville, Tenn.: (a) From Des Moines over Iowa State Highway 163 to junction with U.S. Highway 63, thence over U.S. Highway 63 to junction with Interstate Highway 70, thence over Interstate Highway 70 to junction with Interstate Highway 64, thence over Interstate Highway 64 to junction with Interstate Highway 57, thence over Interstate Highway 57 to junction with Interstate Highway 24, thence over Interstate Highway 24 to Nashville and return over the same route. (b) From Des Moines over Interstate Highway 80 to junction with Interstate Highway 74, thence over Interstate Highway 74 to junction with U.S. Highway 41, thence over U.S. Highway 41 to junction with U.S. Highway Alternate 41, thence over U.S. Highway Alternate 41 to Nashville and return over the same route, serving no intermediate points in (1) and (2) above, except as may be otherwise au-

thorized, and serving points in Davidson, Dyer, Gibson, Montgomery, Obion, Putnam, Rutherford, Shelby, Sumner, Tipton, Trousdale, and Wilson Counties, Tenn., as off-route points in connection with regular routes described in (1) and (2) above.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak., or Des Moines, Iowa.

No. MC-29734 (Sub-No. 11), filed June 17, 1974. Applicant: JOSEPH H. SMITH AND WILLIAM H. SMITH, a Partnership, doing business as JOSEPH H. SMITH & COMPANY, 950 Marlborough Street, Philadelphia, Pa. 19125. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tallow, inedible animal grease, and inedible animal oil*, in bulk, in tank vehicles, between Philadelphia, Pa., on the one hand, and, on the other, points in Delaware; points in Maryland east of the Susquehanna River and the Chesapeake Bay; and points in Accomac, Nansemond, Norfolk, Northampton, Isle of Wight, Southampton, Surry, and Sussex Counties, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC-29886 (Sub-No. 313), filed June 28, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor graders, roadmaking, construction and earthmoving machinery, and equipment*, between Owensboro, Ky., on the one hand, and, on the other, Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 33899 (Sub-No. 2), filed June 13, 1974. Applicant: DAN A. GROSS-MUELLER AND C. GENE WOLFIN-BARGER, doing business as JOHN GALT LINE, 9950 Cherry Ave., Fontana, Calif. 92335. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic mailing trays*, from LaVerne, Calif., to points in the District of Columbia, and Denver, Colo., Atlanta, Ga., Jacksonville, Fla., Greensboro, N.C., Minneapolis,

Minn., St. Louis and Kansas City, Mo., Des Moines, Iowa, Cincinnati, Ohio, Pittsburgh and Philadelphia, Pa., Springfield, Mass., Seattle, Wash., Dallas, Tex., Detroit, Mich., Topeka, Kans., and Memphis, Tenn., under a continuing contract or contracts with Carson Industries.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif., or San Francisco, Calif.

No. MC 41706 (Sub-No. 19), filed May 29, 1974. Applicant: TOSE, INC., 424 West Fourth Street, Bridgeport, Pa. 19405. Applicant's representative: Anthony C. Vance, Suite 501, 1111 E Street NW, Washington, D.C. 20004. 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) (1) Between Boston, Mass., and Pittsfield, Mass., serving all intermediate points: From Boston, Mass. over U.S. Highway 20 to Pittsfield, Mass., and return over the same route; (2) Between Pittsfield, Mass., and Williamstown, Mass., serving all intermediate points: From Pittsfield, Mass., over U.S. Highway 7 to Williamstown, Mass., and return over the same route; (3) Between Williamstown, Mass., and Boston, Mass., serving all intermediate points: From Williamstown, Mass., over Massachusetts Highway 2 to Boston, Mass., and return over the same route; (4) Between Longmeadow, Mass., and Greenfield, Mass., serving all intermediate points: From Longmeadow, Mass., over U.S. Highway 5, to Greenfield, Mass., and return over the same route; (5) Between Auburn, Mass., and Methuen, Mass., serving all intermediate points: From Auburn, Mass., over Massachusetts Highway 12 to Leominster, Mass., thence east over Massachusetts Highway 2 to junction Interstate Highway 495 at or near Littleton, Mass., thence over Interstate Highway 495 to junction Interstate Highway 93, at or near Lawrence, Mass., thence over Interstate Highway 93 to junction Massachusetts Highway 113, thence over Massachusetts Highway 113 to Methuen, Mass., and return over the same routes; (6) Between North Andover, Mass., and the Rhode Island-Massachusetts State Boundary line, at or near Seekonk, Mass., serving all intermediate points: From North Andover, Mass., to Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 93, thence over Interstate Highway 93 to Boston, Mass., thence over Massachusetts Highway 3 to junction U.S. Highway 6, at or near Bournedale, Mass., thence over U.S. Highway 6, via New Bedford, Mass., to the Rhode Island-Massachusetts State Boundary line, at or near Seekonk, Mass., and return over the same routes; (7) Between New Bedford, Mass., and junction Interstate Highway 495 and U.S. Highway 3, at or near Lowell, Mass., serving all inter-

mediate points: From New Bedford, Mass., over Massachusetts Highway 140 to junction Massachusetts Highway 24, thence over Massachusetts Highway 24 to junction Massachusetts Highway 128, thence over Massachusetts Highway 128 to junction U.S. Highway 3, thence over U.S. Highway 3 to junction Interstate Highway 495, at or near Lowell, Mass., and return over the same routes;

(8) Between Fall River, Mass., and Plymouth, Mass., serving all intermediate points: From Fall River, Mass. over Massachusetts Highway 24, thence over Massachusetts Highway 24 to junction U.S. Highway 44, at or near Taunton, Mass., thence east over U.S. Highway 44 to Plymouth, Mass., and return over the same routes; (9) Between junction U.S. Highway 44 and Massachusetts Highway 24, at or near Taunton, Mass., and the Rhode Island-Massachusetts State Boundary line, at or near Seekonk, Mass., serving all intermediate points: From junction U.S. Highway 44 and Massachusetts Highway 24 at or near Taunton, Mass., over U.S. Highway 44 to the Rhode Island-Massachusetts State Boundary line at or near Seekonk, Mass., and return over the same route; (10) Between Braintree, Mass., and the Rhode Island-Massachusetts State Boundary line at or near South Attleboro, Mass., serving all intermediate points: From Braintree, Mass., over Massachusetts Highway 128 to junction U.S. Highway 1, thence south over U.S. Highway 1 to the Rhode Island-Massachusetts State Boundary line, and return over the same routes; (11) Between Sturbridge, Mass., and the Connecticut-Massachusetts State Boundary line, at or near Mashapaug, Conn., serving all intermediate points: From Sturbridge, Mass., over Massachusetts Highway 15, to the Connecticut-Massachusetts State Boundary line at or near Mashapaug, Conn., and return over the same route; (12) Between Millerton, N.Y., and Lenox, Mass., serving all intermediate points in Massachusetts only: From Millerton, N.Y., over U.S. Highway 44 to junction Massachusetts Highway 41, thence over Massachusetts Highway 41 to South Egremont, Mass., thence over Massachusetts Highway 23 to junction U.S. Highway 7, thence over U.S. Highway 7 to Lenox, Mass., and return over the same routes; (13) Between New Haven, Conn., and Seekonk, Mass., serving no intermediate points, as an alternate route for operating convenience only, in connection with carrier's regular route operations: From New Haven, Conn., over Interstate Highway 95 to Providence, R.I., thence over U.S. Highway 44 to Seekonk, Mass., and return over the same routes, in (1) through (13) above, authority is requested to serve as off-route points all points in Massachusetts not authorized pursuant to the foregoing regular routes; (14) Between Warwick, N.Y., and junction New Jersey Highway 94 and Interstate Highway 80 at or near Columbia, N.J., serving all intermediate points: From Warwick, N.Y., over New York and New Jersey Highway 94 to junction Interstate Highway 80 at

or near Columbia, N.J., and return over the same route;

(15) Between Netcong, N.J., and Montague, N.J., serving all intermediate points: From Netcong, N.J., over U.S. Highway 206 to Montague, N.J., and return over the same route; (16) Between Newfoundland, N.J., and Port Jervis, N.Y., serving all intermediate points: From Newfoundland, N.J., over New Jersey Highway 23 to junction U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, N.Y., and return over the same route; (17) Between Easton, Pa., and E. Stroudsburg, Pa., serving no intermediate points but serving East Stroudsburg, Pa., for purposes of joinder only: (a) From Easton, Pa., over U.S. Highway 611 to East Stroudsburg, Pa., and return over the same route; and (b) From Easton, Pa., over U.S. Highway 22 to junction Pennsylvania Highway 33, thence over Pennsylvania Highway 33 to junction Interstate Highway 80, thence over Interstate Highway 80 to East Stroudsburg, Pa., and return over the same route; (18) Between E. Stroudsburg, Pa., and Port Jervis, N.Y., serving no intermediate points: From E. Stroudsburg, Pa., over U.S. Highway 209 to Port Jervis, N.Y., and return over the same route; (19) Between Trenton, N.J., and Ringoes, N.J., serving all intermediate points: From Trenton, N.J., over New Jersey Highway 31 to Ringoes, N.J., and return over the same route; (20) Between Camden, N.J., and Freehold, N.J., serving all intermediate points: From Camden, N.J., over New Jersey Highway 70 to junction U.S. Highway 9 at or near Seven Stars, N.J., thence north over U.S. Highway 9 to Freehold, N.J., and return over the same routes; (21) Between Burkesville, N.J., and Atlantic City, N.J., serving all intermediate points: From Burkesville, N.J., over New Jersey Highway 9 to junction U.S. Highway 322, thence over U.S. Highway 322 to Atlantic City, N.J., and return over the same routes; (22) Between Manahawkin, N.J., and junction N.J. Highway 72 and New Jersey Highway 70, at or near Four Mile, N.J., serving all intermediate points: From Manahawkin, N.J., over New Jersey Highway 72 to junction New Jersey Highway 70 and return over the same route; (23) Between Camden, N.J., and Pleasantville, N.J., serving all intermediate points: From Camden, N.J., over U.S. Highway 30 to Pleasantville, N.J., and return over the same route; in connection with routes 14 and 23, authority is requested to serve all off-route points not authorized pursuant to the foregoing regular route authority, in Sussex, Warren, Mercer, Hunterdon, Camden, Atlantic, Burlington, and Ocean Counties, N.J.; and (24) Between Pottstown, Pa., and Allentown, Pa., serving no intermediate points: From Pottstown, Pa., over Pennsylvania Highway 100 to junction Pennsylvania Highway 29, thence over Pennsylvania Highway 29 to Allentown, Pa., and return over the same route:

NOTE.—By the instant application, applicant seeks in part to convert portions of its

## NOTICES

irregular route authority contained in Sub-Nos. 10 and 14 to regular route authority. If a hearing is deemed necessary, applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

No. MC-42011 (Sub-No. 12), filed June 17, 1974. Applicant: D. Q. WISE & CO., INC., P.O. Box 15125, Tulsa, Okla. 74115. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay, clay products, and jointing materials*, for use on clay products; and (2) *clay products, and equipment, materials, and supplies*, used or useful in the manufacturing, packaging, transporting, and distributing of clay products, between Pittsburg, Kans., on the one hand, and, on the other, points in Arkansas, Colorado, Iowa, Louisiana, Missouri, Oklahoma, and Texas, restricted to shipments originating at or destined to the facilities of W. S. Dickey Clay Manufacturing Company, at Pittsburg, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Kansas City, Mo.

No. MC 42487 (Sub-No. 823), filed June 6, 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, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Carthage, Mo., and Kansas City, Mo.: From Carthage over U.S. Highway 71 to Kansas City, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's presently authorized regular-route operations; and (2) between Springfield, Mo., and Kansas City, Mo.: From Springfield over Missouri Highway 13 to junction Missouri Highway 7 (near Clinton, Mo.), thence over Missouri Highway 7 to junction U.S. Highway 71 (near Harrisonville, Mo.), thence over U.S. Highway 71 to Kansas City, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with carrier's presently authorized regular-route operations; restricted against the transportation of traffic originating at, destined to, or received from or delivered to connecting carriers at Kansas City, Mo.-Kans., and Wichita, Kans., or points in the commercial zones thereof as defined by the Commission.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 43593 (Sub-No. 4), filed June 21, 1974, Applicant: FUNK'S

HAULING SERVICE, INC., 2750 Grant Avenue, Philadelphia, Pa. 19114. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from the facilities of A. C. F. Terminal Transport, Inc., located at or near Philadelphia, Pa., to points in Pennsylvania bounded by a line beginning at the Pennsylvania-Maryland State line and extending along the Susquehanna River to its intersection with U.S. Highway 22, thence east along U.S. Highway 22 to the Delaware River, thence south and west along the Delaware River and the Pennsylvania-Delaware State line to its intersection with the Pennsylvania-Maryland State line, thence west along the Pennsylvania-Maryland State line to the point of beginning, including points on the indicated portion of the highway specified.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC-52460 (Sub-No. 156), filed June 27, 1974. Applicant: ELLEX TRANSPORTATION, INC., P.O. Box 9515, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unsymmetrical dimethylhydrazine*, in bulk, in specialized equipment, from Rocky Mountain Arsenal, Ladora, Colo., to Anniston Army Depot, Anniston, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-52867 (Sub-No. 3), filed June 20, 1974. Applicant: H & H TRANSPORT, INC., R.R. No. 1, Morrisonville, Ill. 62546. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, from the plantsite and warehouses of Anheuser-Busch, Inc., at St. Louis, Mo., to Beardstown and Macomb, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC-59117 (Sub-No. 43), filed June 6, 1974. Applicant: ELLIOTT TRUCK LINE, INC., 101 East Excelsior, P.O. Box 1, Vinita, Okla. 74301. 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: *Urea*, in bulk or in bags, from the plant site and storage facilities of Cooperative Farm Chemicals Assn., at or

near Lawrence, Kans., to points in Arkansas, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 59223 (Sub-No. 5), filed June 17, 1974. Applicant: NEW DEAL DELIVERY SERVICE, INC., 206 West 37th Street, New York, N.Y. 10015. Applicant's representative: Arthur J. Piken, Esq., 1 Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, accessories and dry goods*, (1) between points in the New York, N.Y., commercial zone as defined in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), and Keasby, N.J., on the one hand, and, on the other, Cherry Hill, East Brunswick, Livingston, Menlo Park, Eatontown, Morristown, Newark, Bloomfield, Edison, Paramus, Plainfield, Wayne, Deptford, and Lawrence, N.J., Nanuet, N.Y., and Langhorne, Springfield, Montgomeryville, and King of Prussia, Pa., restricted to service to or from the stores, warehouses, storage, and marking facilities owned, leased, operated or used by or for Bamberger's-Division of R. H. Macy & Co., Inc. and (2) between Cherry Hill, East Brunswick, Livingston, Menlo Park, Eatontown, Morristown, Newark, Bloomfield, Edison, Paramus, Plainfield, Wayne, Deptford, and Lawrence, N.J., Nanuet, N.Y., and Langhorne, Springfield, Montgomeryville, and King of Prussia, Pa., restricted to service between the stores, warehouses, storage and marking facilities, owned, leased or used by or for Bamberger-Division of R. H. Macy & Co.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at New York, N.Y.

No. MC 59317 (Sub-No. 11), filed June 6, 1974. Applicant: BISOM TRUCK LINE, INC., 725 First Street, Newton, Iowa 50208. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Garbage disposal units, laundry dryers, and washing machines, and parts for the above-named commodities*, (1) from Newton, Iowa, to points in the Upper Peninsula of Michigan, and (2) between Newton and Amana, Iowa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 59367 (Sub-No. 94), filed June 19, 1974. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

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 Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 5964 (Sub-No. 40), filed April 29, 1974. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, N.J. 07016. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by wholesale, retail, and chain camping and sporting goods stores, and in connection therewith *equipment, materials, and supplies* used in the conduct of such business, (1) between the facilities of Lionel Morsan, Inc. at Mahwah, N.J., on the one hand, and, on the other, points in Hudson, Union, and Essex Counties, N.J., restricted to the transportation of traffic which has a prior or subsequent movement by water or rail; and (2) between the facilities of Lionel Morsan, Inc., at Mahwah, N.J., on the one hand, and, on the other, New York, N.Y., and point in Nassau, Suffolk, and Westchester Counties, N.Y., and those in New Haven County, Conn., under a continuing contract, or contracts, with Lionel Morsan, Inc., Paramus, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC-59892 (Sub-No. 1), filed June 18, 1974. Applicant: TOUPIN RIGGING COMPANY, INC., 955 Broadway, Dracut, Mass. 01826. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of their size or weight require special equipment, between points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Vermont, New Hampshire, and Maine.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC-69397 (Sub-No. 12), filed June 25, 1974. Applicant: JAMES H. HARTMAN & SON, INC., Route 2, Box 334, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 66 11th St., NW, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Plywood*, from points in Somerset County, Md., to points in Massachusetts and Rhode Island.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-75320 (Sub-No. 173), filed May 29, 1974. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 807, Springfield, Mo. 65801. Applicant's representative: John A. Crawford, 700 Petroleum Building, P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), Between Durant, Okla., and Texarkana, Ark.: From Durant over U.S. Highway 70 to its junction U.S. Highway 271 near Hugo, Okla., thence over U.S. Highway 271 to junction U.S. Highway 82 at or near Paris, Tex., thence over U.S. Highway 82 to Texarkana, and return over the same route, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex., or Oklahoma City, Okla.

No. MC-82063 (Sub-No. 51), filed June 4, 1974. Applicant: KLIPSCH HAULING CO., a Corporation, 119 E. Loughborough, St. Louis, Mo. 63111. Applicant's representative: Ernest A. Brooks, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, in tank vehicles, from North Little Rock, Ark., to points in Illinois, Louisiana, Mississippi, Missouri, Arkansas, Tennessee, Texas and Alabama.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 85231 (Sub-No. 14), filed June 13, 1974. Applicant: FRANK WILLIAMS TRANSFER & STORAGE CO., a Corporation, P.O. Box 1442, Mansfield, Ohio 44901. Applicant's representative: Michael M. Briley, 300 Madison Avenue, Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbers' supplies and materials*, between points in Richland County, Ohio, on the one hand, and, on the other, points in Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Toledo, Ohio, or Washington, D.C.

No. MC 87113 (Sub-No. 14), filed May 28, 1974. Applicant: WHEATON VAN LINES, INC., 8010 Castleton Road, Indianapolis, Ind. 46250. Applicant's representative: Alan F. Wohlster, 1700 K Street NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Displays and ex-*

*hibits*, between points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. It is applicant's position that it is presently authorized to perform the operations requested herein. Applicant has, therefore, filed a concurrent motion to dismiss the instant application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-102616 (Sub-No. 904), filed May 28, 1974. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia, and liquid fertilizer), in bulk, from the plantsite of Monsanto Company located at or near Muscatine, Iowa, to points in the United States (except Alaska, Hawaii, and points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC-103490 (Sub-No. 69), filed May 29, 1974. Applicant: PROVAN TRANSPORT CORP., 210 Mill Street, Newburgh, N.Y. 12550. Applicant's representative: Morton E. Kiel, 5 World Trade Center, Suite 6193, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, from points in New Haven County, Conn., to points in Westchester, Putnam, and Dutchess Counties, N.Y.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 105045 (Sub-No. 48) (Amendment), filed March 15, 1974, published in the *FEDERAL REGISTER* issue of May 2, 1974, and republished, as amended, this issue. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. Applicant's representative: Paul F. Sullivan, 711 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tanks, used plant machinery, and parts* of such commodities, from the plant and warehouse facilities of Perry Equipment Corporation at or near Hainesport, N.J., to points in the United States and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota (except points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Delaware, Maryland, and the District of Columbia) and (2) *used plant machinery, including parts*, from points in the destination area described above, to the plant site and warehouse facilities named in (1) above.

NOTE.—The purpose of this republication is to change the commodity and territorial

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descriptions as stated herein. Applicant requests modified procedure, but if a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-106401 (Sub-No. 38), filed June 17, 1974. Applicant: JOHNSON MOTOR LINES, INC., 2426 North Graham Street, P.O. Box 10877, Charlotte, N.C. 28201. Applicant's representative: Donald E. Cross, 700 World Center Bldg., 918 16th St., NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fluorescent lighting fixtures and parts thereof* (except commodities in bulk), from Cochran and Conyers, Ga., to points in Alabama, Louisiana, Maine, Mississippi, New Hampshire, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia; and (2) *materials, supplies, and equipment*, used in the manufacture and shipping of such fixtures, from points in West Virginia, Virginia, Vermont, Tennessee, Rhode Island, Pennsylvania, New Hampshire, Mississippi, Maine, Louisiana, and Alabama, to Cochran and Conyers, Ga.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 106775 (Sub-No. 35), filed June 12, 1974. Applicant: ATLAS TRUCK LINE, INC., P.O. Box 9848, Houston, Tex. 77015. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos pipe, fittings, and couplings*, from the plant site of Cement Asbestos Products Company located at or near Ragland, Ala., to points in Mississippi, Louisiana, Texas, Oklahoma, and Arkansas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 107002 (Sub-No. 455), filed June 3, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth, P.O. Box 8573, Battlefield Station, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from the plant site of Phillips Petroleum Co., located near Chatom, Ala., to West Memphis, Ark., and points in Florida, Georgia, Louisiana, and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala., or Jackson, Miss.

No. MC 107012 (Sub-No. 205), filed June 10, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Hwy. & Meyer Rd., Fort Wayne, Ind. 46801. Applicant's representative: Martin A. Weissert (same address as applicant). Authority sought to operate as a *common carrier*, by mo-

tor vehicle, over irregular routes, transporting: *Displays and exhibits*, between points in the United States (except Alaska and Hawaii).

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be heard on consolidated record with Clark Transfer, Inc., Docket No. MC 116859 (Sub-No. 13).

No. MC-107295 (Sub-No. 719), filed June 27, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated structural steel and coal mining equipment*; and (2) *metal flooring systems, frames, and storage racks*, (1) from Peoria, Ill., to points in the United States; and (2) from Pontiac, Mich., to points in Alabama, Arizona, California, Connecticut, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC-107295 (Sub-No. 720), filed June 27, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Counter tops, sinks, sink frames, lighting louvers, window sills, and accessories*, from points in St. Louis County, Mo., Atlanta, Ga., and Dallas, Tex., to points in the United States (except Alaska and Hawaii); and (2) *materials* used in manufacturing of the commodities named in (1) above, from points in the United States (except Alaska and Hawaii), to points in St. Louis County, Mo., Atlanta, Ga., and Dallas, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC-107295 (Sub-No. 721), filed June 27, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel joist and accessories*, from Grapeland, Tex., to points in Arkansas, Arizona, Louisiana, New Mexico, Oklahoma, Missouri, Mississippi, Tennessee, and Kansas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC-107295 (Sub-No. 722), filed June 28, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building board*, from Meridian, Miss., to New Orleans and Baton Rouge, La., and points in their respective commercial zones.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107295 (Sub-No. 723), filed June 28, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioning, cooling and heating equipment, and accessories thereto*, from Harrisonburg, Va., to points in Alabama, California, Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Iowa, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Wyoming, and the District of Columbia; and (2) *Materials and supplies* used in the manufacture of the commodities named in (1) above, from points in the United States (except Alaska and Hawaii), to Harrisonburg, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-107295 (Sub-No. 724), filed June 28, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Doors, wooden or steel or combination thereof, and frames, mouldings, sash or window, and related materials, supplies, and accessories incidental thereto*; and (2) *fabricated structural steel*, (1) from Toledo, Ohio, to points in Washington, Oregon, Idaho, Utah, Nevada, Arizona, and California; and (2) from Toledo, Ohio, to points in the United States.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC-107403 (Sub-No. 906), filed June 17, 1974. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between the plant site of Gulf Oil Company—U.S., located at West Port Arthur, Tex., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-107515 (Sub-No. 933), filed June 20, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE, Suite 375, Atlanta, Ga. 30326. 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 Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Colorado, New Mexico, Nebraska, Iowa, Kansas, Oklahoma, Texas, Missouri, Illinois, Indiana, Ohio, Kentucky, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, and Florida, restricted to transportation of traffic having an immediate prior movement by water.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Miami or Tampa, Fla., or Atlanta, Ga.

No. MC 107515 (Sub-No. 935), filed June 20, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30326. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE, Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Superior, Wis., to points in Florida, Georgia, Kentucky, North Carolina, South Carolina, Virginia, and West Virginia, restricted to traffic originating at the warehouse facility of Jeno's Inc.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., Chicago, Ill., or Minneapolis, Minn.

No. MC 107515 (Sub-No. 936), filed June 26, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE, Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Topeka, Kans., to points in Alabama, Florida, Georgia, and South Carolina.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC-108207 (Sub-No. 389), filed May 28, 1974. Applicant: FROZEN FOOD EXPRESS, a Corporation, 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles dis-*

*tributed 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 Green Bay and Chippewa Falls, Wis., to point in California, Louisiana, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Dallas, Tex.

No. MC-108207 (Sub-No. 396), filed June 17, 1974. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plantsite and warehouse facilities of Kraft Foods, located at or near Springfield, Mo., to points in Texas, Oklahoma, Kansas, Arkansas, Louisiana, Mississippi, and Tennessee, restricted to traffic originating at points in the named origins and destined to points in the named destination states.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex., or Chicago, Ill.

No. MC-108473 (Sub-No. 36), filed June 17, 1974. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street, St. Johnsbury, Vt. 05819. Applicant's representative: Francis P. Barrett, P.O. Box 238, 60 Adams Street, Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and materials and supplies* used in the manufacture and distribution of such products (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, between Middlebury, Vt., on the one hand, and, on the other, points on and east of U.S. Highway 15 in Pennsylvania.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC-109397 (Sub-No. 301), filed June 3, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., a Corporation, P.O. Box 113 (Business Rte. 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) *Self-propelled articles* weighing 15,000 pounds or more; (2) *attachments, parts and accessories* for such self-propelled articles, restricted to articles in (1) and (2) above, transported on trailers, between points in Spotsylvania County, Va., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the appli-

cant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC-109533 (Sub-No. 61), filed June 11, 1974. Applicant: OVERNITE TRANSPORTATION COMPANY, a Corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: C. H. Swanson, P.O. Box 1216, Richmond, Va. 23209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Johnson City, Tenn., and Asheville, N.C.: From Johnson City over U.S. Highway 23 to Asheville, as an alternate route for operating convenience only, in connection with carrier's regular route operations, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., or Knoxville, Tenn.

No. MC-109689 (Sub-No. 276), filed May 28, 1974. Applicant: W. S. HATCH CO., a Corporation, 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid gilsonite*, from Grand Junction, Colo., to points in Montana, Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, and Missouri.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC-110420 (Sub-No. 719), filed June 3, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 11th Street NW, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except caustic soda, muriatic, nitric and sulfuric acid), in bulk, in tank vehicles, from Chicago, Ill., to points in Alabama, Arkansas, Colorado, Connecticut, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Wisconsin, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC-111320 (Sub-No. 59), filed June 19, 1974. Applicant: KEEN TRANSPORT, INC., 2001 Barlow Road, P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: James E. Wilson, Pennsylvania Building, Suite 1032, 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:

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Road building, earthmoving, and construction machinery, from points in Spotsylvania County, Va., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC-111401 (Sub-No. 430), filed June 17, 1974. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin L. Hamilton, Post Office Box 632, Enid, Okla. 73701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Urea*, in bulk, or in bags, from the plantsite and storage facilities of Cooperative Farm Chemicals Association at or near Lawrence, Kans., to points in Colorado, Iowa, Nebraska, Missouri, Oklahoma, Illinois, Texas, Minnesota, North Dakota, South Dakota, Arkansas, and Wyoming, (2) *petroleum products*, in bulk, and tank vehicles, from points in Oklahoma, to points in Arkansas, Georgia, and Louisiana, (3) *petroleum products*, in bulk, in tank vehicles, from Monument and Lovington, N. Mex., to points in Oklahoma and Kansas, restricted to shipments originating at Monument and Lovington, N. Mex., and (4) *chemicals*, in bulk, in tank vehicles, (a) from Crossett, Ark., to points in Alabama, Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas, (b) between Crossett, Ark., and Columbus, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Oklahoma City, Okla.

No. MC 111729 (Sub-No. 451), filed June 12, 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) *Cut flowers, decorative greens, florist supplies* moving at the same time and in the same vehicle with commodities, the transportation of which is subject to economic regulation, from Chicago, Ill., to points in Indiana, Iowa, Wisconsin; Allegan, Berrien, Cass, Kalamazoo, Ottawa, and Van Buren Counties, Mich.; and St. Louis, Mo.; and (2) *live plants and seedlings*, including but not limited to, mums and violets, from West Chicago, Ill., to points in Iowa, Indiana, Kentucky, Wisconsin; Allegan, Barry, Berrien, Branch, Cass, Calhoun, Kalamazoo, Kent, Muskegon, Ottawa, St. Joseph, and Van Buren Counties, Mich.; Franklin, Jefferson, Lincoln, Perry, St. Charles, St. Francois, Genevieve, St. Louis, St. Louis City, Warren, and Washington Counties, Mo.; and points in Ohio located on or west of Interstate Highway 75.

NOTE.—Common control may be involved. Dual operations may be involved also. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 111956 (Sub-No. 32), filed June 21, 1974. Applicant: SUWAK TRUCKING COMPANY, a Corporation, 1105 Fayette Street, Washington, Pa. 15301. Applicant's representative: Henry M. Wick, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ferro alloys and ferro compounds; molybdenum products, ferro-molybdenum, molybdenum oxide, calcium molybdate, ferro-tungsten, tungsten powder, tungsten ore and tungsten concentrates*, between points in Allegheny and Washington Counties, Pa., on the one hand, and, on the other, Newport, Ky., Newark and Harrison, N.J., Erie and Philadelphia, Pa., and points in New York, and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC-112014 (Sub-No. 24), filed May 28, 1974. Applicant: SKAGIT VALLEY TRUCKING CO., INC., 1417 McLean Road, P.O. Box 400, Mount Vernon, Wash. 98273. Applicant's representative: Don B. Kohler (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen fruits, berries, including juices and concentrates, and vegetables, including frozen potato products*, between points in Washington, restricted to traffic having an immediately prior or subsequent movement in interstate or foreign commerce; and (2) *bananas*, from Seattle, Wash., to the International Boundary Line between the United States and Canada at or near Oroville, Wash.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 112520 (Sub-No. 285), filed June 14, 1974. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (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 points in Bay County, Fla., to points in the United States east of the western boundaries of New Mexico, Colorado, Wyoming, and Montana.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Panama City or Tallahassee, Fla., or Atlanta, Ga.

No. MC 112613 (Sub-No. 8), filed June 13, 1974. Applicant: T. ACHEMBERG TRANSPORTATION CO., a corporation, 208 Sheridan Street, Perth Amboy, N.J. 08861. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Boxes of drugs, medicines, toilet preparations, and boxes of swabs, wood, paper, or plastic and materials and supplies used in the manufacture, sale, and distribution of the above (except in bulk)*, from points in the New

York, N.Y., commercial zone as defined by the Commission, to points in Middlesex, County, N.J., and Clinton, Conn., under a continuing contract with Chesebrough-Pond's, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC-112854 (Sub-No. 35), filed June 20, 1974. Applicant: HOLLEBRAND TRUCKING, INC., P.O. Box 164, Ontario Center, N.Y. 14520. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Manufactured dairy products* (sour cream, dips, cottage cheese, puddings, etc.) and *fresh salads* (vegetables and gelatines), from La Fargeville, Arkport, and Binghamton, N.Y., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Syracuse or Buffalo, N.Y.

No. MC 133119 (Sub-No. 58), filed May 31, 1974. Applicant: HEYL TRUCK LINES, INC., 235 Mill Street, P.O. Box 206, Skron, Iowa 51001. Applicant's representative: Roger Heyl (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 Amarillo, Tex., to points in Idaho, Illinois, Iowa, Indiana, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, New York, Ohio, South Dakota, Washington, and Wisconsin; and ports of entry on the International Boundary line between the United States and Canada, located in Idaho, Michigan, Minnesota, Montana, North Dakota, New York, and Washington, restricted to the transportation of traffic originating at the facilities of, or utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC-113362 (Sub-No. 277), filed May 31, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: James R. Ellsworth, 4500 North State Line Road, Texarkana, Ark. 75501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (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 Colorado, Connecticut, District of Columbia, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC-113362 (Sub-No. 278), filed June 6, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: James Ellsworth, 4500 North State Line Road, Texarkana, Ark. 75501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in containers, from Dallas, Tex., to points in Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC-114290 (Sub-No. 72), filed June 19, 1974. Applicant: EXLEY EXPRESS, INC., 2610 SE 8th Avenue, Portland, Oreg. 97202. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk cartons*, from Turlock, Calif., to Tillamook, Oreg.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC-114301 (Sub-No. 82), filed April 30, 1974. Applicant: DELAWARE EXPRESS CO., a Corporation, P.O. Box 97, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K Street NW, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients*, from Freehold, N.J., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, and New York.

NOTE.—Common control may be involved. Applicant intends to tack at Freehold, N.J., to provide a through service to those destination States named above from: Delaware, Maryland, that part of New Jersey north of New Jersey Highway 33, Wildwood, Lakewood, Elmer, and Tuckerton, N.J., points in Pennsylvania, Virginia, West Virginia with exceptions, and the District of Columbia, in Sub-No. 26; and in Sub-No. 43, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, the District of Columbia, and various points in New Jersey. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC-114301 (Sub-No. 83), filed July 1, 1974. Applicant: DELAWARE EXPRESS CO., a corporation, P.O. Box 97, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K Street NW, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste oils and recycled oils*, in bulk, in tank vehicles, be-

tween Elkton, Md., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Delaware, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-114457 (Sub-No. 198), filed June 10, 1974. Applicant: DART TRANSIT COMPANY, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 (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 Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn., or Sioux City, Iowa.

No. MC 114552 (Sub-No. 101), filed June 20, 1974. Applicant: SENN TRUCKING COMPANY, a corporation, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: Frank A. Graham, 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard*, from the plantsite of Holly Hill Lumber Co., located near Holly Hill, S.C., to points in Florida, Georgia, Alabama, North Carolina, Tennessee, Kentucky, Virginia, West Virginia, Pennsylvania, Ohio, Indiana, New Jersey, New York, Maryland, District of Columbia, Delaware, Connecticut, Rhode Island, Massachusetts, Michigan, Mississippi, Maine, Vermont, and New Hampshire.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbia, S.C., Charlotte, N.C., or Atlanta, Ga.

No. MC 114569 (Sub-No. 109), filed June 20, 1974. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, and materials and supplies used in the manufacture and distribution of such commodities* (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, between Middlebury, Vt., on the one hand, and, on the other, points in Pennsylvania on and east of U.S. Highway 15.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 114725 (Sub-No. 64), filed June 5, 1974. Applicant: WYNNE

TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, Nebr. 68110. 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 ingredients*, from Blair, Nebr., to points in Iowa, Illinois, Missouri, Kansas, Wisconsin, Minnesota, North Dakota, South Dakota, Colorado, Wyoming, and 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, the applicant requests it be held at Omaha, Nebr.

No. MC 114896 (Sub-No. 18), filed June 20, 1974. Applicant: PUROLATOR SECURITY, INC., 1341 W. Mockingbird Lane, Suite 1001 E, Dallas, Tex. 75247. Applicant's representative: William E. Fullingim, Esq. (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precious metals* (gold, silver bars, and coins), between Corpus Christi, Tex., and Newark, N.J., under a continuing contract or contracts with Metals, Inc.

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-115162 (Sub-No. 293), filed June 18, 1974. Applicant: POOLE TRUCK LINE, INC., P.O. Box 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite and warehouse facilities of International Paper Company, located in Georgetown County, S.C., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or Atlanta, Ga.

No. MC 115180 (Sub-No. 91), filed May 29, 1974. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 265 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonelle Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, 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 facilities of Hartford Provision Co., located at or near Hawarden, Iowa, to points in Maine, Massachusetts, New Hampshire, Vermont, New York, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Ohio,

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West Virginia, Virginia, North Carolina, and the District of Columbia; restricted to the transportation of traffic originating at the above named origins and destined to points in the above named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC-115452 (Sub-No. 3), filed June 17, 1974. Applicant: HUSBAND TRANSPORT LIMITED, 10 Centre Street, London, Ontario, Canada. Applicant's representative: S. Harrison Kahn, 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between ports of entry on the International Boundary Line between United States and Canada, located at or near Lewiston, N.Y., on the one hand, and, on the other, Buffalo and Niagara Falls, N.Y., restricted to traffic in foreign commerce.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 115708 (Sub-No. 2), filed June 18, 1974. Applicant: COMMERCIAL TRANSPORT, INC., 2413 Lakeside Drive, Lynchburg, Va. 24501. Applicant's representative: Frank B. Hand, Jr., P.O. Box 163, Berryville, Va. 22611. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Conveyor systems*, from the plant site of McVeigh Engineering, Ltd., located at or near Lynchburg, Va., to points in the United States in and east of Louisiana, Arkansas, Missouri, Illinois, and Wisconsin, and materials and supplies used in the manufacture of such conveyor systems to said plantsite in return movements, under a continuing contract or contracts with McVeigh Engineering Ltd., Lynchburg, Va.; and (2) *Self-contained microwave transmitting or receiving units*, from the General Electric Company Plant located at Lynchburg, Va., to points in the United States (except Alaska and Hawaii), and materials and supplies used in the manufacture and distribution of such units to said plantsite in return movements, under a continuing contract or contracts with the General Electric Company, Lynchburg, Va.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Richmond, Va., or Washington, D.C.

No. MC 115876 (Sub-No. 29), filed June 27, 1974. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn. 56560. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers, closures, caps and covers for*

*plastic containers*, from Itasca, Ill., to Fargo, N. Dak., under a continuing contract, or contracts, with Cass Clay Creamery, Inc.

NOTE.—Applicant holds common carrier authority in No. MC-117148 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or St. Paul, Minn.

No. MC 116763 (Sub-No. 286), filed June 18, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, juices, and concentrates* (except (1) canned and (2) commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from points in Florida, to points in Illinois, Wisconsin, Minnesota, Kentucky, and the Upper Peninsula of Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Orlando, Fla.

No. MC 116763 (Sub-No. 287), filed June 18, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food products*, from Vineland, N.J., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 116947 (Sub-No. 32), filed May 20, 1974. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby St. SW., Atlanta, Ga. 30310. Applicant's representative: William Addams, Ste 212, 5299 Roswell Road NE, Atlanta, Ga. 30343. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Three gallon to seven gallon plastic buckets*, from Lithonia, Ga., to points in Florida, under contract with Bennett Industries, at Lithonia, Ga.

NOTE.—Applicant holds common carrier authority in MC 117956 Sub-No. 7 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 117068 (Sub-No. 32), filed June 10, 1974. Applicant: MIDWEST HARVERSTORE TRANSPORT, INC., 2118 17th Avenue NW, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feedlot flooring*, from Girard, Ohio, to points in Illinois, Wisconsin, Minnesota, Iowa, Nebraska, South Dakota, North Dakota, Indiana, Kentucky, Missouri, Kansas, Michigan,

Montana, Tennessee, Oklahoma, Colorado, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Columbus, Ohio.

No. MC 117243 (Sub-No. 4), filed June 3, 1974. Applicant: MR. MESSENGER, INC., 10 Messenger Drive, Warwick, R.I. 02889. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail stores in retail store delivery service, between points in Rhode Island, Connecticut, and those points in Bristol, Norfolk, Plymouth, Worcester, and Barnstable Counties, Mass., and Boston, Mass., in non-radial movement.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Providence, R.I., or Boston, Mass., or Hartford, Conn.

No. MC-117416 (Sub-No. 47), filed June 11, 1974. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue, NW., Knoxville, Tenn. 37921. Applicant's representative: Herbert Alan Dubin, 1819 H Street, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses (except in bulk or frozen), from Atlanta, Ga., to points in Kentucky and Tennessee, and points in that part of North Carolina on, west, and south of a line beginning at the Georgia-North Carolina State Boundary line near Dillard, Ga., and extending north along U.S. Highway 23 to Lake Junaluska, N.C., thence along North Carolina Highway 209 to its intersection with U.S. Highway 70, and thence along U.S. Highway 70 to the North Carolina-Tennessee State Boundary line.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Knoxville, Tenn.

No. MC 117574 (Sub-No. 245), filed June 21, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cranes, crane attachments and accessories, and parts of such commodities, and materials and supplies used in the construction thereof, between the plant and warehouse facilities of the Grove Manufacturing Co., Division of Walter Kidde, located in Horry County, S.C., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island,*

South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-117574 (Sub-No. 246), filed June 27, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), with or without attachments, and *parts* when moving with such tractors, from the plant and warehouse or storage facilities of the Allis Chalmers Manufacturing Company, Milwaukee, Wis., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC-117574 (Sub-No. 249), filed July 1, 1974. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsites of Wheeling-Pittsburgh Steel Corporation in Pennsylvania, Ohio, and West Virginia, to points in Virginia, New Jersey, New York, Kentucky, Florida, Massachusetts, Pennsylvania, South Carolina, North Carolina, Michigan, Illinois, Georgia, Indiana, Connecticut, Iowa, Tennessee, Delaware, Ohio, Wisconsin, Missouri, and Maryland.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-117792 (Sub-No. 7), filed June 7, 1974. Applicant: J. C. JACKSON, doing business as FARM PRODUCTS CO., Box 189, East Prairie, Mo. 63845. Applicant's representative: Jack H. Blanshan, 23 S. LaSalle 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 regulation under Section 203(b)(6) of the Interstate Commerce Act, when moving in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin, restricted to traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla. or Washington, D.C.

No. MC 117815 (Sub-No. 231), filed June 10, 1974. Applicant: PULLEY FREIGHT LINES, INC., 405 S.E. 20th Street, Des Moines, Iowa 50317. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses* (except hides and commodities in bulk), as defined 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 warehouse facilities of Wilson and Co., Inc. located at Cedar Rapids, Iowa, to points in Missouri, restricted to shipments originating at the named origin and destined to points in the named destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa or Omaha, Nebr.

No. MC 117820 (Sub-No. 7), filed May 31, 1974. Applicant: AURELIA TRUCKING CO., a Corporation, 2136 Pine Grove Avenue, Port Huron, Mich. 48060. Applicant's representative: Robert D. Schuler, 100 West Long Lake Road, Suite 102, Bloomfield Hills, Mich. 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 272, in vehicles equipped with mechanical refrigeration, from Dewitt (Clinton County), Mich., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich. or Washington, D.C.

No. MC-117869 (Sub-No. 6), filed June 17, 1974. Applicant: DENTON PRODUCE, INC., P.O. Box 3021, Enid, Okla. 73701. 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 Arkansas, Louisiana, Mississippi, Oklahoma, and Texas, restricted to the transportation of traffic having an immediate prior movement by water.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Mobile, Ala., or Dallas, Tex.

No. MC-117765 (Sub-No. 174), filed June 3, 1974. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth Street, Oklahoma City, Okla. 73107. Applicant's

representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet and carpet padding*, from Miami, Okla., to points in Illinois, Indiana, Iowa, Kentucky, Minnesota, Missouri, Tennessee, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117883 (Sub-No. 196), filed June 21, 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: *Foodstuffs*, in mechanically refrigerated equipment, except in bulk, from St. Louis, Mo. and East St. Louis, Ill., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC-117940 (Sub-No. 138), filed June 5, 1974. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food stuffs, not frozen* (except in bulk), in tank vehicles, from the plantsite and facilities of Kraftco Corp. and its Division, Kraft Foods, at or near Kendallville, Ind., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC-114789 Sub 1 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Minneapolis, Minn.

No. MC-118016 (Sub-No. 3), filed June 3, 1974. Applicant: BURKETT TRUCKING CO., INC., 2508 East Roosevelt, Little Rock, Ark. 72202. Applicant's representative: Thomas J. Presson, P.O. Box 71, Redfield, Ark. 72132. 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 Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Colorado, Kansas, Missouri, Oklahoma, Arkansas, and Texas, restricted to the transportation of traffic having an immediate prior move by water.

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NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark. or Mobile, Ala.

No. MC-118130 (Sub-No. 71), filed June 24, 1974. Applicant: SOUTH EASTERN EXPRESS, INC., P.O. Box 6985, Fort Worth, Tex. 76115. 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: *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 and storage facilities utilized by American Beef Packers, Inc., at or near Cactus (Moore County), Tex., to points in Alabama, Louisiana, and Mississippi, restricted to traffic originating at, and destined to, the named points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fort Worth or Dallas, Tex.

No. MC-119340 (Sub-No. 6), filed June 19, 1974. Applicant: CENTRAL COAST TRUCK SERVICE, INC., P.O. Box AD, Watsonville, Calif. 95076. Applicant's representative: Roland R. Schmidt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as are dealt in by wholesale, retail, and general grocery and food houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business (except commodities in bulk), and commodities which are exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when moving in mixed shipments with the commodities specified above, from points in California, to points in Arizona; and (2) Unsold, outdated or damaged commodities as specified in (1) above, and empty glass bottles returning to point of origin for reuse, from points in Arizona, to points in California, (1) and (2) above, under a continuing contract or contracts with Safeway Stores, Inc. of Oakland, Calif.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif. or Los Angeles, Calif.

No. MC-119493 (Sub-No. 116), filed June 18, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, West 20th Street Road, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, implements and equipment, industrial and construction machinery and equipment, and parts, attachments and accessories, from Beatrice, Nebr., to points in the United States (except Alaska and Hawaii), and (2) materials and supplies used in the manufacture of*

items in (1), from destination states in (1) above, to Beatrice, Nebr.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo. or Omaha, Nebr.

No. MC-119493 (Sub-No. 117), filed June 18, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, West 20th Street Road, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts, Jr., P.O. Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods (unfrozen)*, from Princeville and Hooperston, Ill., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or St. Louis, Mo.

No. MC 119619 (Sub-No. 72), filed July 5, 1974. Applicant: DISTRIBUTORS SERVICE CO., a Corporation, 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. 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 plantsites and storage facilities utilized by Kenosha Packing Co., Inc., and Birchwood Meat & Provision, Inc., at or near Kenosha, Wis., and Hebron, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 119689 (Sub-No. 13), filed June 3, 1974. Applicant: PEERLESS TRANSPORT CORP., 2700 Smallman Street, Pittsburgh, Pa. 15222. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy*, from the facilities of E. J. Brach and Sons, located at or near Carol Stream, Ill., to Punxsutawney, Falls Creek, Johnstown, Altoona, DuBois, Huntington, Lock Haven, Sunbury, Wilkes-Barre, and Scranton, Pa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-119741 (Sub-No. 50), filed June 4, 1974. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., P.O. Box 1235, Fort Dodge, Iowa 50501. Applicant's representative: R. D. McMahon (same address as applicant). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 (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 Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC-119774 (Sub-No. 79), filed June 24, 1974. Applicant: EAGLE TRUCKING COMPANY, a Corporation, 301 E. Main St., P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from Tulsa, Okla., to points in Arkansas, Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., Dearborn, Mich., or Dallas, Tex.

No. MC 119789 (Sub-No. 211), filed June 3, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 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: (1) *Fluorescent lighting fixtures and parts, and fluorescent lamps*, from Americus, Ga., to points in Arizona, California, Colorado, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington; and (2) *plastic diffusers*, from points in California, to Americus, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Dallas, Tex.

No. MC 119789 (Sub-No. 212), filed June 24, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionary with chocolate coating*, (1) from Mt. Joy, Pa., to points in Texas; and (2) from Salinas, Calif., to points in Texas and Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hartford, Conn., or Washington, D.C.

No. MC 119789 (Sub-No. 213), filed July 3, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 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: *Transformers* (except commodities which because of size or weight require the use of special equipment), from Nacogdoches, Tex., to points in Nebraska, Kansas, Minnesota, Iowa, Missouri, Oklahoma, Arkansas, Louisiana, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 119789 (Sub-No. 214), filed July 8, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 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: *Canned foodstuffs*, from Haddock, Ga., and Woodruff, S.C., to points in Arkansas, Missouri, Oklahoma, Kansas, and Nebraska.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Spartanburg, S.C., or Atlanta, Ga.

No. MC-119934 (Sub-No. 197), filed May 31, 1974. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, dry, in bulk, in tank or hopper type vehicles, from the plant-site of A. E. Staley Manufacturing Company located at Decatur, Ill., to points in Alabama, Arkansas, Delaware, Georgia, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC-128161 and Sub-No. 1, 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 Indianapolis, Ind., or New Orleans, La.

No. MC-120543 (Sub-No. 77), filed June 19, 1974. Applicant: FLORIDA REFRIGERATED SERVICE, INC., P.O. Box 1297, U.S. Highway 301 North, Dade City, Fla. 33525. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Road NE, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Imported coffee*, in vehicles equipped with mechanical re-

frigeration, from Miami, Fla., to Los Angeles, Calif., and its Commercial Zone, and points in the Los Angeles Harbor Zone as defined by the Commission; and San Francisco and Oakland, Calif., and their Commercial Zones.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC-123004 (Sub-No. 5), filed June 10, 1974. Applicant: THE LUPER TRANSPORTATION COMPANY, a Corporation, 350 East 21st, Wichita, Kans. 67214. 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 plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, and Oklahoma.

NOTE.—If a hearing is deemed necessary, applicant does not state a location.

No. MC 123048 (Sub-No. 311), filed May 28, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021—21st Street, Racine, Wis. 53406. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road building, road maintenance and construction machinery and equipment*, (2) *attachments* for (1) above, and (3) *parts* for (1) and (2) above, from Matteson, Ill., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Washington, D.C.

No. MC 123054 (Sub-No. 13), filed June 19, 1974. Applicant: R & H CORPORATION, 295 Grand Avenue, Clarion, Pa. 16214. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers, closures and fiberboard and pulpboard boxes*, from points in Clarion County, Pa., to points in Tennessee; and (2) *returned glass containers, closures and fiberboard and pulpboard boxes, cullet, used pallets, and shipping devices*, from points in Tennessee, to points in Clarion County, Pa., and Fairmont and Huntington, W. Va.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 123407 (Sub-No. 182), filed June 27, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven

Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Loser, Chamber of Commerce Building, 320 North Meridian Street, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from Tulsa, 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 Tulsa, Okla., or Washington, D.C.

No. MC-123476 (Sub-No. 20), filed June 10, 1974. Applicant: CURTIS TRANSPORT, INC., 1334 Lonedell Road, Arnold, Mo. 63010. Applicant's representative: O. E. Mueller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and expanded plastic products, laminated, or other than laminated, with or without accessories*, from Royersford, Pa., to points in the United States on and east of U.S. Highway 85, restricted to traffic originating at the named origin point.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 123594 (Sub-No. 6), filed May 20, 1974. Applicant: BONANZA TRUCKING COMPANY, a Corporation, 2401 East 2nd Avenue, Denver, Colo. 80206. Applicant's representative: William S. Richards, 1515 Walker Bank Bldg., Post Office Box 2465, Salt Lake City, Utah 84110. 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, Classes A and B explosives and those requiring special equipment) Between Denver, Colo. and Ogden, Utah: From Denver, Colo. over U.S. Highway 87 (Interstate Highway 25) to junction Colorado Highway 14, thence over Colorado Highway 14 to junction U.S. Highway 287, thence over U.S. Highway 287 to junction Interstate Highway 80, thence over Interstate Highway 80 to Evanston, Wyo., thence over U.S. Highway 30S (Interstate Highway 80 and 80N) to Ogden, Utah, and return over the same route, serving no immediate points.

NOTE.—By the instant application, applicant seeks to convert a portion of its irregular route authority to regular route authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Salt Lake City, Utah or Denver, Colo.

No. MC-124078 (Sub-No. 603), filed June 13, 1974. Applicant: SCHWERMANN TRUCK CO., a Corporation, 611 South 28 Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bulk, from

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Hartford, Conn., to points in Rhode Island, restricted to transportation of shipments having immediately prior movement by rail; (2) *refined vegetable oil*, in bulk, in tank vehicles, from Louisville, Ky. to Jackson, Miss. (3) *petroleum products* (except asphalt and liquified petroleum gas) from Baton Rouge, and North Baton Rouge, La., to points in Wisconsin; and (4) *dry detergents*, in bulk, in tank vehicles, from Joliet, Ill., to Garland, Tex.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124211 (Sub-No. 249), filed May 31, 1974. Applicant: *HILT TRUCK LINE, INC.*, P.O. Box 988, D. T. S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (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 the plantsite and/or storage facilities utilized by *Iowa Beef Processors, Inc.* located at or near Amarillo, Tex., to points in Connecticut, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Massachusetts, Nebraska, New York, New Jersey, Ohio, Pennsylvania, Rhode Island and Wisconsin.

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-124236 (Sub-No. 74), filed May 31, 1974. Applicant: *CHEMICAL EXPRESS CARRIERS, INC.*, 1200 Simons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Houston, Tex., to points in Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, Alabama, Florida, and Georgia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 124692 (Sub-No. 136), filed May 20, 1974. Applicant: *SAMMONS TRUCKING*, a Corporation, P.O. Box 4347, Missoula, Mont. 59801. Applicant's representative: Gene P. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*, (1) From points in South Dakota, Wyoming and Colorado, to points in Wisconsin, Illinois, Indiana, Iowa, Michigan, Ohio, Kansas, Nebraska, and Missouri; (2) From points in Colorado, to points in North Dakota, South Dakota, and Minnesota; and (3) From points in South Dakota, to points in Minnesota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 124796 (Sub-No. 119), filed May 24, 1974. Applicant: *CONTINENTAL CONTRACT CARRIER CORP.*, 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobile parts and accessories, automotive jacks, cranes (not self propelled), hand, electric and pneumatic tools, and advertising materials, premiums, racks, display cases and signs* moving with the described commodities, from Aberdeen Miss., to Seward, Nebr.; and (2) *fibreboard products*, From Concord, Ark., to Aberdeen and Southaven, Miss.; Batavia, Ill.; Harrisonburg, Va.; Lake Mills, Iowa; Racine, Wis.; and Salt Lake City, Utah, restricted against the transportation of commodities in bulk and those which by reason of size or weight require the use of special equipment and are to be limited to a transportation service to be performed under a continuing contract, or contracts, with *Tenneco, Inc.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 120), filed May 28, 1974. Applicant: *CONTINENTAL CONTRACT CARRIER CORP.*, 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs* sawdust and wax impregnated (except commodities in bulk), from the plantsite and facilities utilized by *The Clorox Company* and its affiliates at or near Springfield, Oreg., to points in Arizona, California, Idaho, Nevada, New Mexico, Montana, Oregon, Utah, Washington, and Wyoming, under contract with *The Clorox Company*.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 124796 (Sub-No. 121), filed June 3, 1974. Applicant: *CONTINENTAL CONTRACT CARRIER CORP.*, 15045 E. Salt Lake Ave., P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal, wood chips, vermiculite, lighter fluid and fireplace logs*, sawdust and wax impregnated (except commodities in bulk), from the plantsite and facilities utilized by *The Clorox Company* and its affiliates located at or near Burnside, Ky., to points in Illinois, Indiana, Michigan, North Carolina, Ohio, Tennessee, and Wisconsin; (2) *vermiculite*, from Chicago, Ill., to the plant site and facilities utilized by *The Clorox Company* and its affiliates located at or near Burnside, Ky., and (3) *materials, equipment, and supplies* utilized

South Dakota, Texas, and Wisconsin, and (2) *vermiculite*, from Chicago, Ill., to the plantsite and facilities utilized by *The Clorox Company* and its affiliates located at or near Belle, Mo., and (3) *materials, equipment and supplies*, utilized in the manufacture, sale, and distribution of charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs (sawdust and wax impregnated) (except commodities in bulk and those which by reason of size or weight require the use of special equipment), from Lake Charles, La., to the plantsite and facilities utilized by *The Clorox Company* and its affiliates located at or near Belle, Mo., under contract or contracts with *The Clorox Company*.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 123), filed June 17, 1974. Applicant: *CONTINENTAL CONTRACT CARRIER CORP.*, 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim, P. O. Box 1257, City of Industry, Calif. 91749. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment, and supplies* utilized in the installation of floor coverings and floors; *floor mats and runners; adhesives; cove base; carpet binding accessories; maintenance equipment and products; and materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of the commodities described above, between Piqua, Ohio, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted against the transportation of commodities in bulk or those which by reason of size or weight require the use of special equipment and further restricted to a transportation service to be performed under a continuing contract with *Champion International Corporation*.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC-124796 (Sub-No. 125), filed June 24, 1974. Applicant: *CONTINENTAL CONTRACT CARRIER CORP.*, 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs*, sawdust and wax impregnated (except commodities in bulk), from the plant site and facilities utilized by *The Clorox Company* and its affiliates located at or near Burnside, Ky., to points in Illinois, Indiana, Michigan, North Carolina, Ohio, Tennessee, and Wisconsin; (2) *vermiculite*, from Chicago, Ill., to the plant site and facilities utilized by *The Clorox Company* and its affiliates located at or near Burnside, Ky., and (3) *materials, equipment, and supplies* utilized

in the manufacture, sale, and distribution of charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs (sawdust and wax impregnated) (except commodities in bulk and those which by reason of size or weight require the use of special equipment), from Lake Charles, La., to the plant site and facilities utilized by The Clorox Company and its affiliates located at or near Burnside, Ky., under contract or contracts with The Clorox Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-124796 (Sub-No. 126), filed July 1, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs* sawdust and wax impregnated, except commodities in bulk, from the plant site and facilities utilized by The Clorox Company and its affiliates at or near Dothan, Ala., to points in Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas and (2) *materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs sawdust and wax impregnated (except commodities in bulk, and those which by reason of size or weight require the use of special equipment), from Lake Charles, La., to the plant site and facilities utilized by The Clorox Company and its affiliates at or near Dothan, Ala., under contract with The Clorox Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124896 (Sub-No. 9), filed June 7, 1974. Applicant: WILLIAMSON TRUCK LINES, INC., Thorne & Ralson Streets, P.O. Box 3485, Wilson, N.C. 27893. Applicant's representative: Jack H. Blanshan, 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 regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 125533 (Sub-No. 10), filed June 17, 1974. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Akron, Ohio 44312. Applicant's representative: James M. Burtch, 100 E. Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit and fittings therefor, and materials, supplies, and accessories* used in the installation thereof, from the plant-site of Carlon Products Corporation located in Mantua Township (Portage County), Ohio, to points in the United States east of the western state boundary lines of Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—Applicant holds contract carrier authority in MC-102982 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC-126305 (Sub-No. 61), filed June 17, 1974. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Rural Delivery 2, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and related articles, plywood, and wood particleboard*, from Pine Hill (Wilcox County), Ala., to points in Minnesota, Iowa, Missouri, Arkansas, and Louisiana, and all points in states east thereof, and (2) *lumber and related articles*, from Opelika (Lee County), Ala., to points in Minnesota, Iowa, Missouri, Arkansas, and Louisiana, and points in all states east thereof.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC-127042 (Sub-No. 147), filed June 3, 1974. Applicant: HAGEN, INC., 3232 Highway 75 North, P.O. Box 98-Leeds Station, Sioux City, Iowa 51108. Representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, 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, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 127505 (Sub-No. 66), filed June 14, 1974. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route 2, Mendota, Ill.

61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel, plate or sheet, flat or in coils*, from the plantsite and warehouse Roll Coater, Inc., located at or near Kingsbury, Ind., to points in Illinois, Wisconsin, Minnesota, Iowa, Michigan, and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind.

No. MC 127505 (Sub-No. 67), filed June 17, 1974. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route 2, Mendota, Ill. 61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum ingots, scrap and slag, and zinc and zinc alloy ingots and scrap*; and (2) *materials and supplies* used in the manufacture of articles in (1) above, parts (1) and (2) above, restricted against the transportation of commodities in bulk and those which because of size or weight require special equipment or handling, (1) from Checotah, Okla., to points in Alabama, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Texas, Wisconsin, and Paragould, Ark.; and (2) from the destinations in (1) above to Checotah Okla.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Cleveland, Ohio, and Chicago, Ill.

No. MC-127577 (Sub-No. 8) (Amendment), filed May 24, 1974, published in the *FEDERAL REGISTER* issue, July 5, 1974, and republished as amended, this issue. Applicant: D. DONNELLY LIMITED, 191 Murray Street, Montreal 102, Quebec, Canada. Applicant's representative: W. Norman Charles, 80 Bay Street, Glens Falls, N.Y. 12801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (5) *chrome ore and magnesite*, in bulk, in dump vehicles, from Baltimore, Md., to the port of entry on the International Boundary line between the United States and Canada at or near Champlain, N.Y.

NOTE.—The purpose of this partial republication is to clarify the commodity description. If a hearing is deemed necessary, applicant requests it be held at Plattsburgh or Albany, N.Y.

No. MC 128045 (Sub-No. 2), filed June 17, 1974. Applicant: KAY PROVISION CO., INC., 710 N. Post Oak, Houston, Tex. 77024. Applicant's representative: Jack H. Blanshan, 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* otherwise exempt from economic regulation under Section 203(b)(6) of the Act when moving in mixed

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loads with bananas, from Mobile, Ala., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin, restricted to the transportation of traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 128073 (Sub-No. 2), filed June 7, 1974. Applicant: BANANA SHIPPING SERVICE, INCORPORATED, P.O. Box 1345, Montgomery, Ala. 36102. Applicant's representative: Jack H. Bianshan, 29 S. 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 regulation under Section 203 (b) (6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, and Texas, restricted to traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC-128075 (Sub-No. 32), filed June 19, 1974. Applicant: LEON JOHNS-RUD, 757 2d Street West, P.O. Box 447, Cresco, Iowa 52136. Applicant's representative: Stanley C. Olsen, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Calmar, Cresco, Dacorah, and Luana, Iowa, to Marshfield, Mosinee, Spencer, Wausau, and Wisconsin Rapids, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis-St. Paul, Minn.

No. MC-128375 (Sub-No. 114), filed June 24, 1974. Applicant: CRETÉ CARRIER CORP., P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Duane W. Acklie (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco products*, from Durham, N.C., to points in Illinois, Michigan, Indiana, and points in Kentucky on and west of U.S. Highway 127, and points in Tennessee on and west of U.S. Highway 127, under a continuing contract or contracts with Liggett & Myers, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Durham, N.C., or Lincoln, Nebr.

No. MC-128375 (Sub-No. 116), filed July 8, 1974. Applicant: CRETÉ CARRIER CORP., P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Duane W. Acklie (same address as applicant). Authority sought to operate as a

*contract carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco products and related items* (except re-dried tobacco and cigarettes), from Owensboro, Ky., to points in Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina (except Durham), under a continuing contract or contracts with Liggett & Myers, Incorporated, of Durham, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Durham, N.C., or Lincoln, Nebr.

No. MC 128746 (Sub-No. 17), filed June 6, 1974. Applicant: D'AGATA NATIONAL TRUCKING CO., a Corporation, 3224-44 South 61st Street, Philadelphia, Pa. 19153. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages in containers, and related advertising material*, from Baltimore, Md., to points in Indiana, Ohio, Michigan, Kentucky, and Tennessee.

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-128746 (Sub-No. 18), filed June 27, 1974. Applicant: D'AGATA NATIONAL TRUCKING COMPANY, a Corporation, 3240 South 61st Street, Philadelphia, Pa. 19153. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, in containers, and related advertising material*, from Baltimore, Md., to points in Pennsylvania.

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 128820 (Sub-No. 6), filed June 14, 1974. Applicant: PACKAGE DELIVERY SERVICE, INC., 2117 LaBurnum Lane, Toledo, Ohio 43624. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in and sold by retail or chain department stores, in retail delivery service*, (1) from Sears, Roebuck and Co. stores and/or warehouse located at or near Adrian and/or Monroe, Mich., to Sears, Roebuck and Co. customers located in the counties of Lucas and Fulton, Ohio; and (2) from Sears, Roebuck and Co. customers located in the counties of Lucas and Fulton, Ohio, to be returned to Adrian and/or Monroe, Mich., under a continuing contract with Sears, Roebuck and Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio; Lansing or Detroit, Mich.

No. MC-128878 (Sub-No. 35), filed June 14, 1974. Applicant: SERVICE

TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials*, from the plant site of Fibreboard Corp., located at or near Grambling, La., to points in Arkansas, Alabama, Florida, Georgia, Kansas, Missouri, Louisiana, Kentucky, Oklahoma, Mississippi, North Carolina, South Carolina, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Shreveport or New Orleans, La., or Houston, Tex.

No. MC-129350 (Sub-No. 48), filed June 3, 1974. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, P.O. Box 212, Billings, Mont. 59103. Applicant's representative: Clayton Brown (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed supplements*, from Hardin, Mont., to points in Michigan, Ohio, Indiana, Illinois, Missouri, Oklahoma, Texas, New Mexico, Colorado, Kansas, Nebraska, South Dakota, North Dakota, Wyoming, Utah, Arizona, Nevada, Wisconsin, and Minnesota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont.

No. MC-129444 (Sub-No. 6), filed June 17, 1974. Applicant: KNOBLOCH TRUCKING CO., INC., Yaphank Avenue, Brookhaven, N.Y. 11719. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared foodstuffs*, in vehicles equipped with mechanical refrigeration, from East Greenville, Pa., to New York, N.Y., points in Westchester, Nassau, Rockland, Suffolk, and Orange Counties, N.Y., and points in Union, Warren, Middlesex, Hunterdon, Somerset, Monmouth, Essex, Bergen, Passaic, and Hudson Counties, N.J.; and (2) *returned shipments* of the above-described commodities in the opposite direction, under a continuing contract or contracts with Refrigerated Foods Company Div. of Pillsbury Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 129455 (Sub-No. 7), filed June 28, 1974. Applicant: CARRETTA TRUCKING, INC., P.O. Box 887, Maywood, N.J. 07607. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Garden sheds*, from Calexico, Calif., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma,

Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming; (2) steel, in coils, from Wheeling, W. Va.; Yorkville and Youngstown, Ohio; and Bakerstown and McKeesport, Pa., to Calexico, Calif.; and (3) materials, supplies, parts, and equipment used in the manufacture of garden sheds, between Saddle Brook, N.J. and Calexico, Calif.; (1), (2), and (3) above, under a continuing contract or contracts with Quaker City Industries, Inc. and restricted to traffic originating at or destined to the facilities of Quaker City Industries, Inc., located in the Republic of Mexico.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC-129662 (Sub-No. 4), filed June 10, 1974. Applicant: LOISELLE TRANSPORT, LTD., 426 Deschanbault Street, Winnipeg, Manitoba, Canada. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Building materials, from ports of entry on the International Boundary line between the United States and Canada located at or near Noyes, Baudette, and Lancaster, Minn., and Pembina, N. Dak., to points in Nebraska, Kansas, Montana, Wisconsin, Iowa, North Dakota, South Dakota, Minnesota, Indiana, Illinois, Michigan, Wyoming, and Colorado; and (2) rock asphalt, from Augusta, Kans., to ports of entry on the International Boundary line between the United States and Canada located at or near Noyes, Baudette, and Lancaster, Minn. and Pembina, N. Dak., under a continuing contract or contracts with Welclad Industries Canada, Ltd.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC-133035 (Sub-No. 22), filed June 25, 1974. Applicant: DILTS TRUCKING INC., Route No. 1, Crescent, Iowa 51526. Applicant's representative: Donald L. Stern, Suite 530 Unicac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Urea, in bulk and in bags, from the plantsite and storage facilities of Cooperative Far Chemicals Association at or near Lawrence, Kans., to points in Colorado, Iowa, Nebraska, Missouri, Oklahoma, Illinois, Texas, Minnesota, North Dakota, South Dakota, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC-133119 (Sub-No. 59), filed June 3, 1974. Applicant: HEYL TRUCK LINES, INC., 235 Mill Street, Akron, Iowa 51001. Applicant's representative: Roger Heyl (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Foodstuffs (ex-

cept in bulk), from Duluth, Minn., and Superior, Wis., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas; and (2) Meat, meat products, and meat by-products (except commodities in bulk, in tank vehicles) from Des Moines and Cedar Rapids, Iowa; Monmouth, Ill.; Logansport, Ind.; Albert Lea, Minn.; Kansas City, Kans. Oklahoma City, Okla.; and Marshall, Mo., to the ports of entry on the International Boundary line between the United States and Canada located in New York, restricted to traffic moving in foreign commerce.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr. or Minneapolis, Minn.

No. MC 133542 (Sub-No. 6), filed May 31, 1974. Applicant: FLOYD WILD, INC., P.O. Box 91, Marshall, Minn. 56258. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: (1) Malt beverages, from Milwaukee, Wis., to points in Marshall, Minn.; and (2) empty returned containers from Marshall, Minn., to Milwaukee, Wis., under a continuing contract with Grong Sales Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 133566 (Sub-No. 39), filed June 11, 1974. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, Ind. 46947. Applicant's representative: William L. Slover, 1224 17th Street, N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat by-products, and articles distributed by meat packing-houses (except hides and commodities in bulk), as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Illinois, Indiana, Iowa, Missouri, Michigan, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr. or Washington, D.C.

No. MC-133570 (Sub-No. 4), filed May 31, 1974. Applicant: MELVIN A. ATKIN, doing business as ATKIN'S TRUCKING, Box 27, Hamilton, Ind. 46742. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Corrugated containers, from the plantsite of Tri-Wall Containers, located at Butler, Ind., to points in Illinois, Ohio, Pennsylvania, Georgia, Michigan, Minnesota, Alabama, West Virginia, Virginia, Tennessee, North Carolina, South Carolina,

Florida, Mississippi, Wisconsin, Iowa, Missouri, Arkansas, Louisiana, New York, Delaware, Maryland, and the District of Columbia, under a continuing contract or contracts with Tri-Wall Containers, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC-133581 (Sub-No. 10), filed June 18, 1974. Applicant: HOLD'T POTATO COMPANY, INC., Box 489, Red Cloud, Nebr. 68970. Applicant's representative: Harry Holdt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Dairy products (except in bulk), (1) from Harvey, N. Dak., to Red Cloud, Nebr., and points in Arizona, California, Missouri, Kansas, New Mexico, Oklahoma, Texas, Utah, Arkansas, Colorado, Nevada, Idaho, Wisconsin, and Louisiana, and (2) from Red Cloud, Nebr., to points in Arizona, California, Missouri, Kansas, New Mexico, Oklahoma, Texas, Utah, Arkansas, Colorado, Nevada, Idaho, Wisconsin, and Louisiana, under a continuing contract or contracts with Don Pauly Cheese, Inc. of Manitowoc, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC-134022 (Sub-No. 11), filed June 6, 1974. Applicant: RICHARD A. ZIMA, doing business as ZIPCO, P.O. Box 115, West Bend, Wis. 53095. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) Malt beverages, related advertising materials, premiums and promotional materials, when shipped therewith, from Baltimore, Md.; Trenton and Newark, N.J.; Manhattan, N.Y.; Milwaukee, Wis.; Fort Wayne, Ind.; Detroit, Mich.; St. Louis, Mo.; Chicago and Belleville, Ill.; Dubuque, Iowa; and St. Paul and Minneapolis, Minn., to points in Wisconsin; and (b) return of rejected shipments and empty containers, from points in Wisconsin to St. Paul and Minneapolis, Minn.; Dubuque, Iowa; Chicago and Belleville, Ill.; St. Louis, Mo.; Detroit, Mich.; Fort Wayne, Ind.; Milwaukee, Wis.; Manhattan, N.Y.; Trenton and Newark, N.J.; and Baltimore, Md., and (2) used vehicles (restricted to flat-bed equipment), between points in Wisconsin on the one hand, and, on the other, points in Montana, Illinois, Washington, and North Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 134063 (Sub-No. 7), filed June 7, 1974. Applicant: MIDWEST TRANSPORTATION COMPANY, a Corporation, 2802 Avenue B, Council Bluffs, Iowa 51501. Applicant's representative: L. Agnew Myers, Jr., Suite 406-7, Walker Building, 734 15th Street NW, Washington, D.C. 20005. Authority sought to

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operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, cheese, butter and powdered milk* (except in bulk, in tank vehicles), from points in Iowa; Plainview, Nebr.; New Ulm, Minn.; Hillsboro, Kans.; Minneapolis, Minn.; and Free-man and Parkston, S. Dak., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, 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, the applicant requests it be held at Omaha, Nebr.

No. MC 134105 (Sub-No. 11), filed June 19, 1974. Applicant: CELERVALE TRANSPORT, INC., Route 1, Box 96, Fort Lupton, Colo. 80621. Applicant's representative: Jack H. Blanshan, 29 South LaSalle 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 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, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, Utah, and Wyoming, restricted to the transportation of traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Miami, Fla. or Washington, D.C.

No. MC 134182 (Sub-No. 25), filed June 3, 1974. Applicant: MILK PRODUCERS MARKETING COMPANY, doing business as ALL-STAR TRANSPORTATION, Second and West Turnpike Road, Lawrence, Kans. 66044. Applicant's representative: Lucy Kennard Bell, Suite 910 Fairfax Building, 101 West Eleventh Street, Kansas City, Mo. 64105. 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 Colorado, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 134182 (Sub-No. 26), filed June 26, 1974. Applicant: MILK PRO-

DUCERS MARKETING COMPANY, doing business as ALL-STAR TRANSPORTATION, Second and West Turnpike Road, Lawrence, Kans. 66044. Applicant's representative: Lucy Kennard Bell, Suite 910 Fairfax Building, 101 West Eleventh Street, Kansas City, Mo. 64105. 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 Mankato, Kans., to points in Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC-134375 (Sub-No. 8), filed June 14, 1974. Applicant: ELDON GRAVES, doing business as ELDON GRAVES TRUCKING, 17 West Washington Avenue, Yakima, Wash. 98903. Applicant's representative: Philip G. Skofstad, 3076 E. Burnside, Portland, Oreg. 97214. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molded pulp, pulpboard, fibreboard, or paper products and articles* made from recycled paper, (1) from points in California, to points in Oregon, Washington, Idaho, and Montana, (2) from points in Washington, to points in Oregon, Idaho, and Montana, and (3) from points in Oregon, to points in Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 134453 (Sub-No. 5), filed June 19, 1974. Applicant: STERNLITE TRANSPORTATION COMPANY, a Corporation, Winsted, Minn. 55395. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Poles, and parts and accessories for poles; masts, radio broadcasting, tubular, steel; piling, steel; pallets, platforms for lift trucks, steel, and steel and wood combined*, from Canton, Ohio, to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Union Metal Manufacturing Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134472 (Sub-No. 5), filed May 30, 1974. Applicant: RICHARD KUSTERMANN, an Individual doing business as KUSTERMANN TRUCK SERVICE, R.R. #2, Highland, Ill. 62249. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, food and food stuffs and paper and plastic supplies* used by drive-ins and dairy stores, in containers, in vehicles equipped with mechanical refrigeration,

from Granite City, Ill., to points in Indiana and Kentucky, under continuing contract with P.F.D. Supply Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or St. Louis, Mo.

No. MC 134599 (Sub-No. 111), filed June 3, 1974. Applicant: INTERSTATE CONTRACT CARRIER CORP., P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crated office furniture and parts thereof, and related advertising sales and promotional materials* (except commodities in bulk or which because of size or weight require special handling or special equipment), from the plantsite of Steelcase, Inc., located at or near Tustin, Calif., to points in Oregon and Washington, under a continuing contract or contracts with Steelcase, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Salt Lake City, Utah, or Lincoln, Nebr.

No. MC-134755 (Sub-No. 42), filed June 21, 1974. Applicant: CHARTER EXPRESS, INC., 1959 East Turner, Springfield, Mo. 65804. Applicant's representative: Lucy Kennard Bell, 101 West Eleventh Street, 910 Fairfax Building, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires and tubes*, from the plantsite and warehouse facilities of the Lee Tire and Rubber Co., located at or near Conshohocken and Fraser, Pa., to Bolivar, Cape Girardeau, Kansas City, Raymore, Republic, and Springfield, Mo.

NOTE.—Applicant has pending contract carrier authority in MC 138398 Subs 2 and 8 therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo. or Springfield, Mo.

No. MC-134775 (Sub-No. 6), filed June 13, 1974. Applicant: GUNTER BROTHERS, INC., 19060 Frager Road, Kent, Wash. 98031. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials, shales and shingles*, from Santa Clara, Pittsburg, and Bakersfield, Calif., to points in Washington, under a continuing contract or contracts with Hugh McNiven Co.

NOTE.—Applicant has pending common carrier authority in MC 139018, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC-134978 (Sub-No. 8), filed June 14, 1974. Applicant: C. P. BELUE, doing business as BELUE'S TRUCKING, Route 2, Chesnee, S.C. 29323. Applicant's representative: Mitchell King, Jr., P.O. Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural lime* (except in bulk, in tank vehicles) from

points in Jefferson and Cumberland Counties, Tenn., to points in North Carolina and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC-135200 (Sub-No. 5), filed June 17, 1974. Applicant: W. H. SAPP AND HILTON SAPP, doing business as SAPP BROTHERS TRUCKING CO., Tifton Highway, R.F.D. 1, Box 135-A, Barney, Ga. 31625. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soybeans, meal, and hulls*, in bulk, from Decatur, Ala., to points in Georgia, Florida, Alabama, Mississippi, and Tennessee; and (2) *Feed*, in bulk, from Jasper and Guntersville, Ala.; Calhoun, Cartersville, Flowery Branch, and Valdosta, Ga., and Live Oak and Hilliard, Fla., to points in Georgia, Florida, Alabama, Mississippi, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC-135231 (Sub-No. 3), filed June 5, 1974. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallet racks, iron or steel*, from Youngstown, Ohio, to points in Minnesota and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC-134145 Sub-No. 1 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Milwaukee, Wis.

No. MC-135231 (Sub-No. 4), filed June 19, 1974. Applicant: NORTH STAR TRANSPORT, INC., Route 1 Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled loaders and related parts and accessories*, from the plant site and facilities of Hydra-Mac, Inc., located at or near Thief River Falls, Minn., to points in the United States (except Alaska and Hawaii); and (2) *Parts, materials, and supplies* used in the manufacture of the commodities described in (1) above, from points in the United States (except Alaska and Hawaii), to points in Richland County, N. Dak., and Red Lake County, Minn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., and Fargo, N. Dak.

No. MC-135542 (Sub-No. 6), filed June 10, 1974. Applicant: TIMOTHY D. SHAW, Rural Delivery No. 1, Sweet Valley, Pa. 18656. 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: *Iron and steel articles* as described in Appendix V, Group III to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities which because of size or weight require special equipment or handling), from Wilkes-Barre, Pa., to points in New Jersey, Connecticut, New Hampshire, Massachusetts, Rhode Island, Vermont, Maine, and New York.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC-136033 (Sub-No. 2), filed June 14, 1974. Applicant: WESTGATE TRUCK LINES, INC., 5631 Ferguson Drive, Commerce, Calif. 90022. Applicant's representative: Milton W. Flack, 4311 Wilshire Boulevard, Suite 300, Los Angeles, Calif. 90010. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Flat glass products and mirrors*, (a) from Commerce, Calif., to points in Washington, Oregon, Idaho, Montana, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Louisiana, Missouri, Iowa, Illinois, Kentucky, Tennessee, Alabama, Georgia, and Mississippi; (b) from Los Angeles Harbor, Calif., to points in California, Washington, Oregon, Idaho, Montana, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Louisiana, Missouri, Iowa, Illinois, Kentucky, Tennessee, Alabama, Georgia, and Mississippi; and (c) from harbor facilities at San Francisco, Oakland, and San Diego, Calif., to points in California, Washington, Oregon, Idaho, Montana, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Louisiana, Missouri, Iowa, Illinois, Kentucky, Tennessee, Alabama, Georgia, and Mississippi; (2)

*flat glass products, mirrors, and materials, equipment and supplies*, utilized in the manufacture, sale, and distribution of flat glass products and mirrors, from Cinnimanson, N.J.; Mount Zion, Ill.; Dearborn, Mich.; Charleston, W. Va.; Wichita Falls, Tex.; Tulsa, Okla.; Nashville, and Erwin, Tenn.; Floreffe, and Ford City, Pa.; Toledo, and Rossford, Ohio; to Commerce, and Downey, Calif.; and (3) *returned, refused, or rejected shipments* of the commodities described in (1) and (2) above, from the destination points specified above, to their respective origin points, under contract with the Downey Glass Company, Inc., at Commerce, Calif., restricted against the transportation of commodities in bulk.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC-136168 (Sub-No. 2) (amendment), filed February 28, 1974, published in the *FEDERAL REGISTER* issue of April 11, 1974, and republished as amended, this issue. Applicant: WILSON CERTIFIED

EXPRESS, INC., 27th and Y Streets, Omaha, Nebr. 68107. Applicant's representative: J. Max Harding, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *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, commodities in bulk), from the plantsite and warehouse facilities utilized by Wilson & Co., Inc. at Albert Lea, Minn., to points in Connecticut, District of Columbia, Georgia, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Maine, New Hampshire, Vermont, Delaware, Florida, West Virginia, Virginia, Kentucky, and Rhode Island; and (2) *materials, supplies, and equipment* utilized in the manufacture, sale, and distribution of the commodities specified in (1) above, from points in Connecticut, District of Columbia, Georgia, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Maine, New Hampshire, Vermont, Delaware, Florida, West Virginia, Virginia, Kentucky and Rhode Island, to the plantsite and warehouse facilities utilized by Wilson and Co., Inc., located at Albert Lea, Minn., restricted to traffic originating or terminating at the plantsite and warehouse facilities utilized by Wilson and Co., Inc. and further restricted to transportation to be performed under a continuing contract with Wilson and Co., Inc.

NOTE.—The purpose of this amendment is to add Part (2) above. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 136220 (Sub-No. 12), filed May 28, 1974. Applicant: ROY SULLIVAN, doing business as SULLIVAN TRUCKING CO., 1705 NE., Woodland, Ponca City, Okla. 74601. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 NW. 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 requests it be held at Oklahoma City, Okla.

No. MC 136408 (Sub-No. 18), filed June 11, 1974. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 60 Park Place, Newark, N.J. 07102. 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

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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 Connecticut, Illinois, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island, restricted to a transportation service to be performed under continuing contract with Iowa Beef Processors, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC-136408 (Sub-No. 19), filed June 20, 1974. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 60 Park Place, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Cleaning, washing and polishing soaps and compounds, varnishes and rust preventatives, and oils and greases (except in bulk in tank vehicles), from Avenel, N.J., to points in the United States (except Alaska and Hawaii); and (2) materials, supplies and equipment, used in the conduct of business by cleaning compound manufacturers, from points in the United States (except Alaska and Hawaii), to Avenel, N.J., under contract with Economics Laboratory, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y. or Newark, N.J.

No. MC-136807 (Sub-No. 3), filed May 13, 1974. Applicant: INTERNATIONAL CARRIERS, INC., 1020 18th Street, Detroit, Mich. 48216. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the facilities of Hoskins Manufacturing Co., located at or near Hamburg (Livingston County), Mich., as an off-route point in connection with applicant's regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Chicago, Ill.

No. MC 138295 (Sub-No. 3), filed June 17, 1974. Applicant: CYCLONE TRANSPORT, INC., 104 Black Hawk Street, Reinbeck, Iowa 50669. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Refuse containers and compactors, (2) hoists, (3) truck bodies, boxes and platforms, and (4) parts and accessories for commodities in (1), (2), and (3) above, from the facilities of Mid-Equipment,

Inc., located at or near Grundy Center, Iowa, to points in Illinois, Indiana, Ohio, New York, and Pennsylvania, restricted to shipments originating at the named facilities and destined to points in the named states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or Omaha, Nebr.

No. MC-138835 (Sub-No. 17), filed April 30, 1974. Applicant: EASTERN REFRIGERATED TRANSPORT, INC., P.O. Box 1059, Harrisonburg, Va. 22801. Applicant's representative: Harry J. Jordan, 1000 Sixteenth Street NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Frozen foods, from Winchester, Va., to points in (a) Arkansas, Alabama, Florida, Louisiana, Maine, Mississippi, New Hampshire, Vermont; (b) New York on and west of Interstate Highway 87 (except Albany, N.Y., and points within the 10 miles of Albany, N.Y., and the New York, N.Y. Commercial Zone); (c) Maryland on and south of U.S. Highway 301; (d) Georgia on and south of Interstate Highway 85 (except Atlanta, Ga., and points within 15 miles thereof) and (e) Tennessee on and west of Interstate Highway 65 (except points in Davidson County, Tenn.).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139345 (Sub-No. 2), filed June 5, 1974. Applicant: CLIFTON TRANSFER AND CARTAGE, INC., 4645 Jaycox Road, Avon, Ohio 44011. Applicant's representative: Lewis S. Witherpoon, 88 East Broad Street, Suite 1330, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Scrap aluminum, from Lancaster, Pa., to Cleveland, Ohio; and (2) aluminum manganese briquets, from Cleveland, Ohio, to Gary, Ind., under continuing contract with Metallurgical, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Cleveland, Ohio.

No. MC-139453 (Sub-No. 3), filed May 28, 1974. Applicant: JOHN MILLIGAN, doing business as APACHE TRUCK LINE, Apache Creek Store, Apache Creek, N.Mex. 87830. Applicant's representative: James E. Snead, P.O. Box 2228, 215 Lincoln Avenue, Santa Fe, N. Mex. 87501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Lumber, lumber products and lumber by-products, between points in Catron County, N. Mex., on the one hand, and, on the other, points in Apache and Pinal Counties, Ariz., under a continuing contract or contracts with H. L. Bennett Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 139456 (Sub-No. 1), filed June 5, 1974. Applicant: GASOLINE TRANS-

PORT CO., a Corporation, 10403 Clayton Road, St. Louis, Mo. 63131. Applicant's representative: B. W. La Tourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, Mo. 63105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Electric transformer oil, in bulk, in tank vehicles, from the river terminal of Marine Petroleum Co., at or near St. Louis, Mo., to Westinghouse Electric Corporation, at or near Jefferson City, Mo., under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo. or Jefferson City, Mo.

No. MC 139511 (Sub-No. 2), filed June 12, 1974. Applicant: AIM CARTAGE & LEASING, INC., 2515 West 25th Street, Chicago, Ill. 60609. Applicant's representative: Muriel B. Newman (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Cellulose film, foil, hot stamp foil, paint, machinery and machine parts, and equipment, materials and supplies used in the conduct of the business of the Thermark Corporation, between the plant and warehouse facilities of Thermark Corporation and its subsidiaries located at Schererville, Ind., and points in Indiana bounded on the east by U.S. Highway 35, and on the south by U.S. Highway 24, on the north by the shores of Lake Michigan and the Illinois-Michigan State Boundary Line, and on the west by the Illinois-Indiana State Boundary Line, and points in Illinois bounded on the south by U.S. Highway 24, on the west by Illinois Highway 47, on the north by Illinois-Wisconsin State Boundary Line, and on the east by the shores of Lake Michigan, under a continuing contract or contracts with the Thermark Corporation of Schererville, Ind.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or some city nearby.

No. MC 138155 (Sub-No. 1), filed June 11, 1974. Applicant: CITY TOWING SERVICE, INC., 1060 Bay Street, Springfield, Mass. 01109. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Motor vehicles, dollies, trailers and semi-trailers (except house trailers designed to be drawn by passenger automobiles), by use of wrecker equipment only, between points in Massachusetts, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Springfield, Mass., Hartford, Conn., Boston, Mass., or Albany, N.Y.

No. MC 139534 (Sub-No. 2), filed June 17, 1974. Applicant: BLALOCK WAREHOUSE, INC., 7412 NW. 43rd Street, Bethany, Okla. 73008. Applicant's representative: G. Timothy Armstrong, 3535 NW. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* (except in bulk, in tank vehicles), from Texas City, Tex., to points in Oklahoma, restricted against the transportation of petroleum based fertilizer.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla. or Houston, Tex.

No. MC-139579 (Sub-No. 1), filed June 7, 1974. Applicant: GEORGE H. GOLDING, 5879 Marion Drive, Lockport, N.Y. 14094. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salad dressing and tartar sauce* (except in bulk), from Wilson, N.Y., to points in New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Ohio, Michigan, Illinois, Florida, Georgia, South Carolina, Maine, Vermont, Rhode Island, West Virginia, Virginia, Kentucky, Wisconsin, North Carolina, and the District of Columbia; and (2) *Materials, supplies, and equipment* used in the manufacture or distribution of salad dressing and tartar sauce (except in bulk), from points in New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Ohio, Michigan, Illinois, Florida, Georgia, South Carolina, Maine, Vermont, Kentucky, Wisconsin, North Carolina, and the District of Columbia, to Wilson, N.Y.; (1) and (2) above under a continuing contract or contracts with Pfeiffer's Foods, Inc., restricted against the transportation of glass products from Brockway, Pa., to Wilson, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 139586 (Sub-No. 2), filed June 10, 1974. Applicant: ART NICKAS, doing business as, ART NICKAS TRUCKING, 685 East 9th North, Price, Utah 84501. Applicant's representative: James T. Jensen, 190 North Carbon Avenue, Price, Utah, 84501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, from facilities of Carbon Fuel Co. approximately 5 miles west of Castle Gate, Utah, to railhead at Castle Gate, Utah, restricted to transportation of shipments having an immediate subsequent movement by rail.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Price, Utah, or Salt Lake City, Utah.

No. MC 139668 (Sub-No. 4), filed June 14, 1974. Applicant: ERNEST ALLEN, JR. and EARL ALLEN, a partnership, doing business as ALLEN COAL CO., 351 Main St., Nelsonville, N.Y. 10516. Applicant's representative: John

J. Brady, Jr., 1111 Twin Towers, 99 Washington Ave., Albany, N.Y. 12210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, between points in Litchfield and Fairfield Counties, Conn., on the one hand, and, on the other, points in Dutchess, Putnam and Westchester Counties, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Albany, N.Y.

No. MC 139705 (Sub-No. 2), filed June 13, 1974. Applicant: PROPELLEX CORPORATION, 8213 Gravois, St. Louis, Mo. 63123. Applicant's representative: Richard T. Ciottone, 611 Olive Street, Suite 1400, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Class A, B and C Explosives*, between the Propelllex Corp., located at or near Edwardsville, Ill. and McDonnell Douglas Corp., located in St. Louis County, Mo., under a continuing contract or contracts with McDonnell Douglas Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis County, Mo. or St. Louis City, Mo., or Edwardsville, Ill.

No. MC-139724 (Sub-No. 2), filed June 7, 1974. Applicant: NOVO PACKAGE DELIVERY, INC., 4900 Webster Street, Bladensburg, Md. 20710. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise, equipment and supplies* as are sold, used or distributed by a manufacturer of cosmetics, from the plantsite and storage facilities of Avon Products, Inc., located at Newark, Del., to points in the District of Columbia, Maryland, and Virginia; and (2) *the return of refused, rejected or damaged items*, restricted against the transportation of any package or article weighing more than 50 pounds, and further restricted against the transportation of packages or articles weighing in the aggregate more than 250 pounds from one consignor to one consignee at one location on one day.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139745 (Sub-No. 2), filed June 7, 1974. Applicant: WILLIAMS AND SONS TRUCKING COMPANY, a Corporation, 600 Sunnyside Lane, Atlantic, Iowa 50022. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Waste products for recycling*, from points in Iowa on and south of U.S. Highway 20 and on and west of U.S. Highway 63 to Chicago, Ill., and Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC-139763, filed April 23, 1974. Applicant: OAK HARBOR FREIGHT LINES, INC., 6314 Seventh Avenue, South, Seattle, Wash. 98108. Applicant's representative: John G. McLaughlin, 100 S.W. Market Street, 620 Blue Cross Building, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities of unusual value, Classes A and B explosives, household goods, commodities in bulk, and commodities requiring special equipment). (1) Between Mt. Vernon, Wash. and junction Interstate Highway 5 and Washington Highway 20: From Mt. Vernon over Interstate Highway 5 to junction Washington Highway 20 and return over the same route, serving all intermediate points; and (2) Between junction Interstate Highway 5 and Washington Highway 20 and Concrete, Wash.: From junction Interstate Highway 5 and Washington Highway 20 over Washington Highway 20 to Concrete, and return over the same route, serving all intermediate points, and off-route points within 5 miles of Washington Highway 20 between Interstate Highway 5 and Concrete, Wash.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC-139814 (Sub-No. 2), filed June 3, 1974. Applicant: GERRY MADEKER, doing business as G. W. SPECIALTY TRANSFER, 312 South Delaware Avenue, Mt. Gilead, Ohio 43338. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Power shovel and drag-line parts*, between Marion, Ohio, on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii, restricted to shipments not exceeding 7,500 pounds, in express service, under a continuing contract or contracts with Marion Power Shovel Co. of Marion, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC-139850 (Sub-No. 1), filed May 28, 1974. Applicant: FOUR STAR TRANSPORTATION, INC., 301-12 Park Bldg., Council Bluffs, Iowa 51501. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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 packing-houses*, 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 utilized by American Beef Packers, Inc., located at or near Cactus, Tex., to points in California, Mississippi, Alabama, Georgia, Florida, Tennessee, North Carolina,

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South Carolina, Ohio, Virginia, Maryland, District of Columbia, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, and Massachusetts, restricted to the transportation of traffic originating at the above named origin point and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC-139883 (Sub-No. 1), filed May 20, 1974. Applicant: MRS. CHARLES L. HAMBRIGHT, doing business as HAMBRIGHT TRUCKING, 4085 Green Hawk Trail, Decatur, Ga. 30032. Applicant's representative: William Addams, Ste 212, 5299 Roswell Road NE, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, from the TOFC terminal at Lithonia, Ga., on the one hand, and, on the other, Conyers, Covington, Stone Mountain, and Porterdale, Ga., restricted to traffic having a prior or subsequent movement in TOFC service via the Georgia Railroad Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC-139917 (Sub-No. 1), filed June 7, 1974. Applicant: SEARAIL INC., 701 South Royal St., Mobile, Ala. 36601. Applicant's representative: Jack H. Blanshan, 29 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agriculture 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 Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted to traffic having an immediate prior movement by water.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC-139946, filed June 7, 1974. Applicant: S & L EXPRESS, INC., 415 Fifth Avenue South, Nashville, Tenn. 37210. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. 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), (1) Between Nashville, Tenn., and Somerset, Ky.: From Nashville, Tenn., over Interstate Highway 65 to junction with Cumberland Parkway, thence over Cumberland Parkway to Somerset, Ky., and return over the same route, serving those points on Cumberland Parkway located in Pulaski County, Ky., as intermediate points; (2) Between the junction of

Cumberland Parkway and U.S. Highway 127 and Liberty, Ky.: From the junction of Cumberland Parkway and U.S. Highway 127 over U.S. Highway 127 to Liberty, Ky., and return over the same route, serving all intermediate points and serving the junction of Cumberland Parkway and U.S. Highway 127 for the purposes of joinder only; and (3) Between Liberty, Ky., and Somerset, Ky.: From Liberty, Ky., over Kentucky Highway 70 to junction with U.S. Highway 27, thence over U.S. Highway 27 to Somerset, Ky., and return over the same route, serving those intermediate points located in Casey and Pulaski Counties, Ky.; (1), (2), and (3) above, serving points in Davidson County, Tenn., and Pulaski County, Ky., as off-route points; (1), (2), and (3) restricted against the handling of traffic originating at, destined to, or interchanged at, Lexington, Ky., and points within its commercial zone.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn., or Bowling Green, Ky.

No. MC-139954, filed June 5, 1974. Applicant: RAYMOND C. PLANTE, doing business as J & R LINE, 34 East Street, Warren, Mass. 01083. Applicant's representative: John S. McCann, 28 West Main Street, Westborough, Mass. 01581. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Painted and unpainted furniture*, consisting of bedroom furniture and lawn furniture, some of which may be unfinished, stained, or completely finished, between points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, New York, New Jersey, and Connecticut, under contract with Harris Pine Mills, Inc., Pendleton, Oreg.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC-139956, filed June 13, 1974. Applicant: M. LANGE, INC., 1234 Clybourne Avenue, Chicago, Ill. 60610. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Safes, insulated filing equipment, fireproof vault doors and bank vaults, parts and materials used in the installation of safes, fireproofing of doors and bank vaults when moving at the same time and on the same vehicles; safe deposit boxes, night depositories, drive-in windows, steel vault linings, cash protective equipment, alarm systems, pneumatic tube systems, and materials and parts used in the installation of the above items, when moving at the same time and on the same vehicle, which because shape, size, form, or weight, require the use of special equipment and special handling*, from Chicago, Ill., to points in Indiana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-139957, filed June 17, 1974. Applicant: ANTHONY C. JALOVEC, doing business as A & J CARTAGE, 7760 W. 60th St., Summitt, Ill. 60501. Applicant's representative: Philip A. Lee, 120 West Madison St., Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap metals*, between points in Cook County, Ill.; and Benton Harbor, Mich., and Wabash, and Indianapolis, Ind.; (2) *recycled metals*, between points in Cook County, Ill.; and Wabash and Indianapolis, Ind., and (3) *silica sand*, between Ottawa, Ill., and Bridgeman, Mich., under contract with Pielet Bros., at Argo, Ill., and Michigan Standard Alloys, Inc., at Benton Harbor, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC-139958, filed May 28, 1974. Applicant: R. T. TRUCK SERVICE, INC., Route #1, Hardinsburg, Ky. 40143. Applicant's representative: Rudy Yes-sin, 314 Wilkinson Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paper products and scrap paper*, from the plantsite of the WesCor Corp., located at or near Hawesville, Ky., to points in Kentucky, Ohio, West Virginia, Indiana, Illinois, Michigan, Missouri, Tennessee, Georgia, and North Carolina; and (2), *Scrap paper*, from the destination states in (1) above, to the plantsite of WesCor Corp., located at Hawesville, Ky.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Frankfort, Ky., or Louisville, Ky.

No. MC-139959, filed June 7, 1974. Applicant: THE THREE J'S, INC., P.O. Box 10325, Lubbock, Tex. 79408. Applicant's representative: John C. Sims, 1807 Broadway, Lubbock, Tex. 79401. 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 Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Amarillo, Tex.

No. MC-139961, filed June 11, 1974. Applicant: ILLINI CONTRACT CARRIERS, INC., P.O. Box 245, Geneseo, Ill. 61254. Applicant's representative: Eugene D. Anderson, 1224 17th Street NW, Washington, D.C. 20036. Authority sought to operate as a *contract 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, C and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and materials and supplies used by meat packinghouses (except hides, and commodities in bulk, in tank vehicles), (1) from the plantsite of and storage facilities utilized by Illini Beef Packers, Inc., at or near Joslin, Ill., and Davenport, Iowa, to points in the United States (except Alaska and Hawaii); (2) between the plantsite and storage facilities utilized by Illini Beef Packers, Inc., located at or near Joslin, Ill. and Davenport, Iowa; (3) from points in the United States (except Alaska and Hawaii), to the plantsite of and storage facilities utilized by Illini Beef Packers, Inc., at or near Joslin, Ill., or Davenport, Iowa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-139973, filed June 17, 1974. Applicant: J. H. WARE TRUCKING, INC., 909 Brown Street, P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal and charcoal briquets*, from Meta, Mo., to points in Kentucky, West Virginia, Pennsylvania, Maryland, New Jersey, New York, Delaware, Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, Vermont, and Virginia and (2) *flour and cereals* in containers, from High Spire, Pa., to Buffalo, N.Y., Cleveland and Columbus, Ohio, Detroit, Mich., Chicago, Ill., Kansas City, Mo., and Minneapolis, Minn.

NOTE.—Applicant holds contract carrier authority in MC-138375, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Louis, Mo.

No. MC-139978, filed June 4, 1974. Applicant: AL'S TOWING SERVICE, 12301 East Wardman Street, Whittier, Calif. 90602. Applicant's representative: Marvin G. Stapleton, 17291 Irvine Boulevard, Suite 100, Tustin, Calif. 92680. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled and repossess vehicles and replacement vehicles and parts* thereof by use of wrecker equipment only, including wrecked, recovered trailers, between points in California, on the one hand, and, on the other, points in Alaska, Arizona, Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif. or San Francisco, Calif.

No. MC 139979, filed July 1, 1974. Applicant: AMERICAN COLLOID CARRIER CORP., P.O. Box 706, Gering, Nebr. 69341. Applicant's representative:

David R. Parker, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bentonite clay, processed clay, foundry moulding sand treating compounds, lignite, water impedance boards, agribusiness commodities and construction materials* and (2) *materials, supplies and equipment* used in the manufacturing, processing and distribution of the commodities set forth in (1) above, between points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming, restricted to traffic in (2) above either originating at or destined to the plantsites and facilities of American Colloid Company, under a continuing contract with American Colloid Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139980, filed July 7, 1974. Applicant: LEWIS ALBAUGH AND MELVIN ALBAUGH, a Partnership, doing business as ALBAUGH TRUCK LINE, 2000 East Grand Avenue, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Des Moines, Iowa, on the one hand, and, on the other, points in Iowa, restricted to shipments having a prior or subsequent movement in rail trailer-on-flat-car service.

NOTE.—Applicant holds authority in MC-139959 and (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 139981, filed July 5, 1974. Applicant: B & B TRANSPORTATION, INC., P.O. Box 1154, Cedar Rapids, Iowa 52406. Applicant's representative: Carl E. Munson, 469 Fischer Building, Dubuque, Iowa 52001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road construction and excavating machinery and equipment*, the transportation of which requires special equipment, between points in Illinois, Iowa, and Missouri, in non-radial movements.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cedar Rapids or Des Moines, Iowa.

No. MC-139983, filed May 28, 1974. Applicant: CAHOON FARMS TRUCKING, INC., Miner Road, P.O. Box 295, North Rose, N.Y. 14516. Applicant's representative: Herbert M. Canter, 315 Seitz Building, 201 East Jefferson Street, Syracuse, N.Y. 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers and related advertising materials for same when moving in mixed loads with malt beverages, from Rochester, N.Y., to points in Florida.

NOTE.—Applicant holds contract carrier authority in MC-134366 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Rochester, N.Y., or Washington, D.C.

No. MC 139984, filed June 24, 1974. Applicant: DONALD A. & RUTH D. PIERCE, doing business as BRADFORD FILM TRANSIT, 718 N. Senate Ave., Indianapolis, Ind., 46202. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Movie film, theater supplies, and advertising materials*, between points in Marion, Hamilton, Hancock, Shelby, Johnson, Morgan, Hendricks, and Boone Counties, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind.

No. MC 140004, filed June 13, 1974. Applicant: BEDNAR TRUCKING, Pierz, Minn. 56364. Applicant's representative: Sylvester Bednar (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Millwork products*, from Pierz, Minn., to points in North Dakota, South Dakota, Iowa, Wisconsin, and Illinois, under a continuing contract, or contracts, with Midstate Millwork, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Pierz, Milaca, or St. Cloud, Minn.

No. MC-139985, filed June 24, 1974. Applicant: BROTHERS TRUCK RENTALS, INC., 264 Illinois Ave., Paterson, N.J. 07507. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Yarn and fabrics*, from Wayne, N.J., Stanton and Waynesboro, Va., to points in Virginia, New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, New Jersey, and Delaware and (2) *materials, equipment, and supplies* used or useful in the manufacture, sale, and distribution of yarns and fabrics (except commodities in bulk), from points in Virginia, New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, New Jersey, and Delaware, to Wayne, N.J., Stanton and Waynesboro, Va., under contract or contracts with United Yarn Products Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

#### MOTOR CARRIER PASSENGER APPLICATIONS

No. MC 138828 (Sub-No. 5), filed June 10, 1974. Applicant: MAPLEWOOD EQUIPMENT COMPANY, a Corporation, 419 Anderson Avenue, Fairview, N.J. 07022. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between

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points in Fort Lee, N.J.: (1) From junction of Main Street and Anderson Avenue, Fort Lee, N.J., over Main Street to junction of Maple Street, thence over Maple Street to Mediterranean West Apartments, Fort Lee, N.J., and return over the same route, serving all intermediate points; and (2) From junction of Anderson Avenue and North Avenue, Fort Lee, N.J., over North Avenue to Mediterranean West Apartments, Fort Lee, N.J., and return over the same routes, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC-139604 (Sub-No. 2), filed May 28, 1974. Applicant: CHERRY HILL TRANSIT, 109 Brick Road, Cherry Hill, N.J. 08003. Applicant's representative: Raymond A. Thistle, Jr., Suite 1012, Four Penn Center Plaza, Philadelphia, Pa. 19103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between Philadelphia, Pa., and Fort Monmouth, N.J., under contract with ECOM/Green Acres Transportation, Inc.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 139775 (Sub-No. 1), filed June 14, 1974. Applicant: CITIES TRANSIT, INC., 415 South Ingram Ave., P.O. Box 1553, Lakeland, Fla. 33802. Applicant's representative: M. Craig Massey, 202 East Walnut Street, P.O. Drawer J, Lakeland, Fla. 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, between points in Sarasota, Manatee, Polk, Pinellas, Hillsborough, Pasco, Osceola, and Orange Counties, Fla., on the one hand, and, on the other, 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 Tampa or Orlando, Fla.

No. MC-139952, filed June 12, 1974. Applicant: PARKVIEW TRANSIT LIMITED, a Corporation, Melbourne Crescent, P.O. Box 1630, Bradford, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter and special operations, in round-trip sightseeing and pleasure tours, (1) Beginning and ending at Ports of Entry on the International Boundary line between the United States and Canada, and extending to points in the United States, including Alaska, but excluding Hawaii; and (2) Beginning and ending at Ports

of Entry on the International Boundary line between the United States and Canada and extending to points and places on the International Boundary line via points and places in the United States, restricted in (1) and (2) above to the transportation of passengers originating and terminating in Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC-139953, filed June 10, 1974. Applicant: PENETANG-MIDLAND COACH LINES LIMITED, 475 Bay Street, Midland, Ontario, Canada L4R 1L1. Applicant's representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations, in sightseeing and pleasure tours, from port of entry on the International Boundary Line between the United States and Canada, to points in the United States including Alaska but excluding Hawaii and return.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

## BROKER APPLICATIONS

No. MC 12826 (Sub-No. 2), filed June 17, 1974. Applicant: TRAVEL CONVENTIONS INTERNATIONAL, INC., 2702 First Avenue, North, Billings, Mont. 59102. Applicant's representative: Lawrence V. Smart, Jr., 419 NW., 23d Avenue, Portland, Oreg. 97210. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Portland, Oreg., to sell or offer to sell the transportation of *individual passengers and groups of passengers and their baggage*, in all expense tours by motor coach, rail, water, and air carriers, between points in the United States (including Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC-130043 (Sub-No. 1), filed June 10, 1974. Applicant: CHESTER A. RUBIN, doing business as PERSONAL TRAVEL SERVICE, 104 Pleasant Street, Brookline, Mass. 02146. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to engage in interstate or foreign commerce, as a *broker* at Brookline, Mass., to sell or offer to sell to motor and air carriers, the transportation, of *passengers and their baggage* in special and charter operations, beginning and ending at points in Massachusetts and extending to points in the United States including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC-130248 (CLARIFICATION), filed May 28, 1974, published in the FEDERAL REGISTER issue of June 27, 1974, and

republished as clarified this issue. Applicant: EAST TENNESSEE AUTOMOBILE CLUB, INC., 100 West Fifth Avenue, Knoxville, Tenn. 37917. Applicant's representative: Ben F. McAuley, 5th Floor Valley Fidelity Bank Building, Knoxville, Tenn. 37901. Authority sought to engage in operation, in interstate or foreign commerce as a *broker* at Knoxville and Kingsport, Tenn., and Bristol, Va., to sell or offer to sell the transportation of *individual passengers and groups of passengers, and their baggage*, by motor common carriers, from points in Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Union, Unicoi and Washington Counties, Tenn., and points in Scott and Washington Counties, Va., to points in the United States (including Alaska but excluding Hawaii).

NOTE.—The purpose of this republication is to clarify applicant's request for authority. If a hearing is deemed necessary, the applicant requests it be held at Knoxville, or Nashville, Tenn.

## FREIGHT FORWARDER APPLICATIONS

No. FF-368 (Sub-No. 1), filed June 24, 1974. Applicant: KINGS VAN AND STORAGE OF OKLAHOMA CITY, INC., 918 North Broadway, Oklahoma City, Okla. 73102. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by motor, water, rail and express, in the transportation of (1) *Used household goods and unaccompanied baggage*; and (2) *used automobiles*, between points in the United States including Hawaii, but excluding Alaska.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. FF-454, filed July 2, 1974. Applicant: TRAVELER'S OVERSEAS, INC., 25 James Street, New Haven, Conn. 06513. Applicant's representative: Robert DeMorro (same address as applicant). Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by water, in the transportation of *General commodities*, from points in Connecticut to the Port of New York, N.Y. restricted to shipments having a subsequent movement in foreign commerce.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Haven, Conn.

By the Commission.

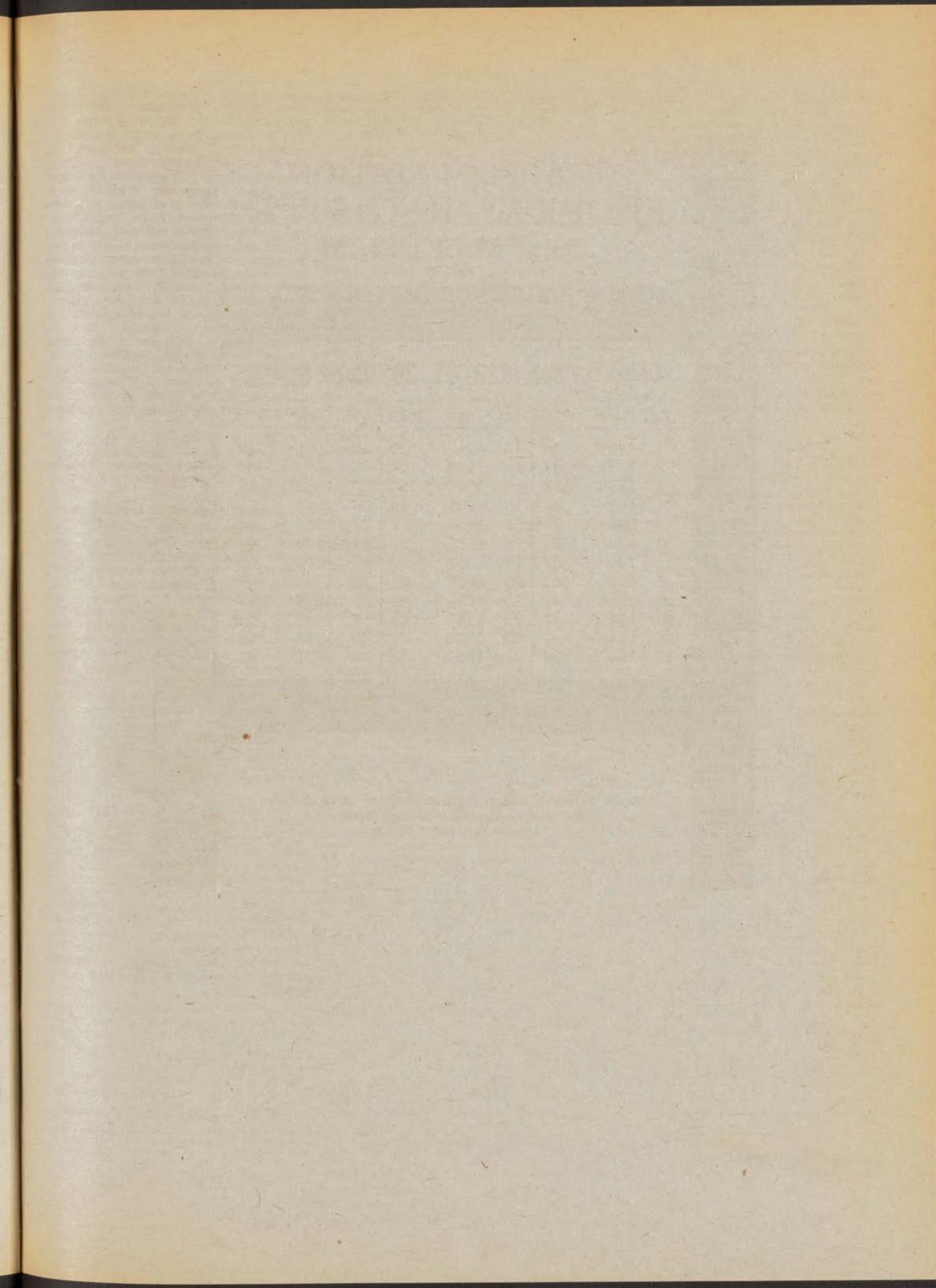
[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-17505 Filed 7-31-74; 8:45 am]

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