

# federal 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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# 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 7—Agriculture

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

[Navel Orange Reg. 331]

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

##### Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period December 20-26, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

#### § 907.631 Navel Orange Regulation 331.

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

(2) The need for this section to limit the respective quantities of Navel 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 Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel 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

Navel oranges remains active. Prices f.o.b. averaged \$3.69 per carton on a reported sales volume of 1,306 cartons last week, compared with an average f.o.b. price of \$3.62 per carton and sales of 1,011 cartons a week earlier. Track and rolling supplies at 791 cars were up 212 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 Navel 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 rule-making 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 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 Navel 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, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 17, 1974.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period December 20, 1974, through December 26, 1974, are hereby fixed as follows:

- (i) District 1: 630,000 cartons;
- (ii) District 2: Unlimited movement;
- (iii) District 3: 70,000 cartons.

(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: December 18, 1974.

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

[FR Doc. 74-29796 Filed 12-18-74; 11:55 am]

## Title 5—Administrative Personnel

### CHAPTER I—CIVIL SERVICE COMMISSION

#### PART 213—EXCEPTED SERVICE

##### Department of Commerce

Part 213 is amended to show that § 213.3114(d)(3) having expired by its own terms 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. 74-29687 Filed 12-18-74; 8:45 am]

#### PART 213—EXCEPTED SERVICE

##### National Foundation on the Arts and the Humanities

Section 213.3182 is amended to show that one position of Special Assistant to the Deputy Chairman for the Humanities, one position of Deputy Director, Division of Research Grants, and one position of Program Officer, Public Programs Division, are excepted under Schedule A until June 30, 1976. It is further amended to show that the Schedule A authority for one position of Special Assistant to the Chairman is revoked.

Effective on December 19, 1974, § 213.3182(b) is amended to read as set out below.

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

\* \* \* \* \*

(b) [Revoked] \* \* \*

(12) Until June 30, 1976, two Program Officers, Division of Public Programs.

\* \* \* \* \*

(19) Until June 30, 1976, two Special Assistants to the Deputy Chairman.

\* \* \* \* \*

(24) Until June 30, 1976, one Program Officer/Deputy Director, Division of Research Grants.

(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.74-29585 Filed 12-18-74; 8:45 am]

**PART 213—EXCEPTED SERVICE**

**National Foundation on the Arts and the Humanities**

Section 213.3382 is amended to show that one position of Congressional Liaison Officer, National Endowment for the Arts, is excepted under Schedule C.

Effective on December 19, 1974, § 213.3382(h) is added as set out below.

**§ 213.3382 National Foundation on the Arts and the Humanities.**

(h) One Congressional Liaison Officer, National Endowment for the Arts.

(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.74-29584 Filed 12-18-74; 8:45 am]

**PART 213—EXCEPTED SERVICE**

**Federal Energy Administration**

Section 213.3388 is amended to show that one position of Special Assistant to the Assistant Administrator for Conservation and Environment is excepted under Schedule C.

Effective on December 19, 1974, § 213.3388(g) (2) is added as set out below.

**§ 213.3388 Federal Energy Administration.**

(g) Office of the Assistant Administrator for Conservation and Environment.

(2) One Special Assistant to the Assistant Administrator.

(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.74-29586 Filed 12-18-74; 8:45 am]

**Title 10—Energy**

**CHAPTER II—FEDERAL ENERGY ADMINISTRATION**

**PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS**

**Allocation of Non-bonded Aviation Fuels to International Air Carriers**

On August 8, 1974, the Federal Energy Administration issued a notice of pro-

posed rulemaking and public hearing (39 FR 28863, August 9, 1974) to amend Subpart H of Part 211, the Mandatory Petroleum Allocation Regulations, proposing certain changes in supplier/purchaser relationships and allocation levels for aviation fuels. The proposed changes would also have altered the method of allocating non-bonded fuel to international air carriers. On August 21, 1974, FEA issued a notice which extended the comment period, rescheduled the public hearing and provided a further explanation of the proposed regulations (39 FR 30506, August 23, 1974).

Final regulations based on the August 8 notice were issued October 20, 1974 (39 FR 37968, October 24, 1974). In light of comments and testimony received in response to the notice of proposed rulemaking, however, FEA concluded that the method of allocating nonbonded fuel to international air carriers specified in § 211.146(c) should be retained, but that a further notice of proposed rulemaking should be issued with respect thereto because § 211.146(c) is difficult to apply in practice and in some cases produces unintended results.

A further notice of proposed rulemaking was therefore issued November 20, 1974 (39 FR 41183, November 25, 1974), proposing to modify § 211.146(c) in order to insure domestic and international air carriers access to non-bonded aviation fuel on an equitable basis. The further notice set forth a rather complex method of determining allocation of non-bonded fuel to international air carriers which involved a series of calculations which basically treated international air carriers' purchases of bonded fuel as if those purchases were subject to a supplier's allocation fraction.

Because of the complexity of the proposal, FEA also invited comments from interested parties on ways of improving the existing § 211.146(c) or on alternative methods of allocation. An alternative method was suggested by FEA whereby an international air carrier would still certify whenever it was unable to purchase sufficient bonded fuel at a price at or below its base period supplier's lawful price for non-bonded fuel, nominate an amount of non-bonded fuel which it would purchase, and subsequently certify to FEA that its total purchases of bonded and non-bonded fuel for that period did not exceed its base period use.

Comments on the proposed regulation were invited through December 6, 1974. Twenty-four comments were received. Those submitting comments included suppliers, domestic and international air carriers and trade associations. Opposition to the proposed rule was based on its complexity and corresponding susceptibility to error.

Several comments suggested a modification to the method of allocating non-bonded fuel to international air carriers which is simpler than the proposed rule and which the FEA believes is preferable to the present § 211.146(c). The modified method would substantially accomplish the goal of affording domestic and international air carriers access to non-bonded aviation fuels on an equitable

basis. This approach has therefore been incorporated into a new § 211.146(c), which is hereby adopted, along with other conforming changes.

Under the new regulation, the definitions of "adjusted allocable supply" and "bonded fuel factor" have been deleted from § 211.142. Section 211.146(c) (1) has been revised to provide that international air carriers shall certify to their base period suppliers for a period corresponding to a base period rather than for each month that they are unable to obtain sufficient bonded fuel at prices which do not exceed their base period supplier's lawful prices for non-bonded fuel. Revised § 211.146(c) (2) provides that a base period supplier of bonded fuel must notify international air carriers upon request whether and in what amounts it will supply bonded fuel at its lawful price for its non-bonded fuel at a station for an entire period corresponding to a base period, rather than for a month.

Certifications are required by § 211.146(c) (3) to be filed with suppliers at least fifteen days prior to the beginning of the period corresponding to a base period to which the certification applies, except that for the period beginning January 1, 1975, certifications are to be filed by December 20, 1974. In its certification to a base period supplier an international air carrier must specify the volumes of bonded aviation fuels which can be obtained for the period from all sources and the volumes of bonded fuel which can be obtained from that supplier; the carrier's base period use for that period; the amount of the carrier's base period volume which was supplied by that supplier; whether the carrier can utilize naphtha-base jet fuel; and the amount of bonded fuel which the supplier is to subtract from that portion of the carrier's base period use supplied by the supplier in determining the amount of non-bonded fuel to supply the international air carrier. This latter amount will include the amount of bonded fuel which the international air carrier will obtain from the base period supplier, and should also include purchases of bonded fuel to be obtained from non-base period suppliers. An international air carrier which files certifications with more than one base period supplier may apportion its bonded fuel purchases from non-base period suppliers among its base period suppliers.

Revised § 211.146(c) (4) (i) provides that in calculating its allocation fraction for a period corresponding to a base period, a supplier which has received certifications from international air carriers must add to its allocable supply (the numerator of the fraction) an amount which represents amounts of bonded fuel which it will supply to international air carriers which have made certifications to the supplier and the additional amounts of bonded fuel which such carriers have advised the supplier to subtract from that portion of their base period uses supplied by that supplier. The supplier shall include in its supply obligation (the denominator of the fraction)

the portion of the international air carrier's base period use to be supplied by that supplier.

The resulting allocation fraction will be multiplied times each purchaser's allocation requirement, as defined in § 211.10(b)(2)(iii). With respect to an international air carrier, the supplier will supply an amount of non-bonded fuel determined by multiplying the international air carrier's allocation requirement times the supplier's allocation fraction less the amount of bonded fuel which it will supply the carrier during the period and other amounts of bonded fuel which the carrier has advised the supplier to subtract from its base period use supplied by the supplier. In certain situations, the amount of non-bonded fuel to be supplied an international air carrier could be a negative figure. In such cases, § 211.146(c)(4)(ii) specifies that the supplier shall allocate no non-bonded fuel to that carrier, and that the supplier should then recalculate its allocation fraction after excluding the carrier's allocation requirements from its supply obligation and any amounts of bonded fuel included in its allocable supply for that carrier.

Section 211.146(c)(4)(iii) specifies that an international air carrier may not accept an amount of non-bonded aviation fuel, except for surplus non-bonded fuel as provided by § 211.10(g), for a period corresponding to a base period, which when added to the bonded fuel available to it from all sources for that period would exceed the carrier's allocation requirement. In addition, under § 211.146(c)(4)(iv), a carrier which purchases more bonded fuel than it has certified was available to it during a period must file an amended certification reporting that fact, and the supplier is required to reduce the amount of non-bonded aviation fuel which would be allocated to the carrier in the current or a subsequent period.

The November 20 further notice of proposed rulemaking also stated that FEA was considering a requirement that international air carriers establish their base period use with FEA for each period corresponding to a base period, and that international air carriers certify to FEA at the end of each period corresponding to a base period that they had not lifted more non-bonded aviation fuel than is permitted by FEA's regulations. Accordingly, § 211.146(c)(6) provides that within twenty days after the end of each period corresponding to a base period, an international air carrier which files a certification under § 211.146(c) is required to certify to FEA in accordance with forms and instructions issued by FEA certain information, including the amount of surplus product purchased during the period pursuant to § 211.10(g), and the amounts of bonded and non-bonded fuels (other than § 211.10(g) purchases) obtained during the period. The carrier must also certify that its purchases of fuel other than surplus fuel did not exceed one hundred percent of its base period use for that period.

With respect to the requirement that international air carriers establish their base period use with FEA, a one time only report will be required of international air carriers pursuant to § 211.146(c)(7), which provides that no international air carrier will be allocated non-bonded fuel under § 211.146(c) for any period corresponding to a base period beginning after March 31, 1975 unless it has provided the information to FEA specified in § 211.146(c)(7).

(Emergency Petroleum Allocation Act of 1974, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, (39 FR 23185)).

In consideration of the foregoing, Part 211 of Chapter II, Title 10, Code of Federal Regulations, is amended as set forth below, effective immediately.

Issued in Washington, D.C., December 13, 1974.

ROBERT E. MONTGOMERY, Jr.,  
General Counsel,  
Federal Energy Administration.

1. Section 211.141 is amended in paragraph (b) to read as follows:

§ 211.141 Scope.

(b) Bonded aviation fuels are excluded from allocation. Allocation of non-bonded fuels to international air carriers is provided for in § 211.146.

§ 211.142 [Amended]

2. Section 211.142 is amended by deleting the definitions of "Adjusted allocable supply" and "Bonded fuel factor."

3. Section 211.146 is revised in paragraph (c) to read as follows:

§ 211.146 Method of allocation.

(c)(1) For periods corresponding to a base period commencing after December 31, 1974, international air carriers which have traditionally used bonded aviation fuel for international flights shall be allocated non-bonded aviation fuels, including naphtha-base jet fuel, by their base period suppliers as provided by this paragraph. Upon certification by an international air carrier to its base period suppliers that the carrier is unable to purchase or obtain sufficient bonded aviation fuel for a period corresponding to a base period at prices which do not exceed the lawful price of its base period suppliers of bonded fuel for similar volumes of non-bonded aviation fuel at the desired location, the base period suppliers shall provide non-bonded aviation fuel, including naphtha-base jet fuel, to that carrier. Unless the international air carrier certifies that it cannot utilize naphtha-base jet fuel, the base period suppliers may to the extent of the carrier's capability to use such fuel allocate non-bonded naphtha-base jet fuel prior to allocating other non-bonded aviation fuels to the international air carrier. International air carriers which do not have base period suppliers or whose base period suppliers are unable to supply

them currently with non-bonded aviation fuel shall apply to FEA for assignment of suppliers of non-bonded aviation fuels.

(2) For each period corresponding to a base period, each base period supplier of bonded fuel shall notify international air carriers, upon request, whether the supplier will provide bonded fuel at the supplier's lawful price for its non-bonded fuel at a station and in what amounts.

(3) An international air carrier which files a certification with a supplier under this paragraph shall provide such certification to its supplier at least fifteen (15) days prior to the beginning of the period corresponding to a base period to which the certification applies except that for the period corresponding to a base period beginning January 1, 1975, an international air carrier shall provide such certification by December 20, 1974. The certification shall specify:

(i) The volumes of bonded aviation fuel which can be obtained for the period from all sources;

(ii) The volumes of bonded aviation fuel which can be obtained from that supplier;

(iii) The international air carrier's base period use for that period;

(iv) The amount of the international air carrier's base period use to be supplied by that supplier;

(v) Whether and to what extent the international air carrier can use naphtha-base jet fuel; and

(vi) The amount of bonded fuel which the supplier is to subtract from that portion of the carrier's base period use to be supplied by the supplier in addition to the volume of bonded aviation fuel to be supplied by the supplier in determining the amount of non-bonded fuel the supplier is to supply to the carrier.

(4) Suppliers of non-bonded aviation fuel shall allocate supplies of non-bonded aviation fuel as follows:

(i) A supplier shall calculate its allocation fraction in accordance with § 211.10(b), except that for the purpose of calculating its fraction it shall add to its allocable supply an amount equal to the amounts of bonded fuel which the supplier will supply to an international air carrier which has made a certification pursuant to this paragraph and any other amounts of bonded fuel which a carrier has advised the supplier to subtract from that portion of the carrier's base period use to be supplied by the supplier in order that the carrier will comply with paragraph (c)(4)(iii) and (iv) of this section.

(ii) A supplier shall allocate its aviation fuel in accordance with § 211.10(c), except that with respect to an international air carrier, a supplier shall supply an amount equal to the portion the carrier's allocation requirement supplied by that supplier multiplied times the supplier's allocation fraction, minus an amount equal to the amounts of bonded fuel which the supplier will supply to the international air carrier and any other amounts of bonded fuel which the carrier advises the supplier to subtract from

that portion of the carrier's base period use to be supplied by the supplier in order that the carrier will comply with paragraph (c) (4) (iii) and (iv) of this section and which were included in allocable supply pursuant to paragraph (c) (4) (i) of this section. In the event that the amount to be supplied to an international air carrier as calculated under this subdivision (ii) is a negative amount, the supplier shall supply no non-bonded fuel to the international air carrier, but shall recalculate its allocation fraction in the manner specified in this clause excluding from its supply obligation that carrier's allocation requirement and from its allocable supply any amounts of bonded fuel included pursuant to paragraph (c) (4) (i) of this section for that carrier.

(iii) No international air carrier shall accept an amount of non-bonded aviation fuel except for non-bonded fuel purchased pursuant to § 211.10(g) for a period which corresponds to a base period which when added to the bonded aviation fuel available to that international air carrier from all sources for that period would exceed the volume of aviation fuel the international air carrier would receive if the carrier were to use only non-bonded aviation fuels to meet its base period use for that period. An international air carrier shall take into account purchases of bonded fuel from non-base period suppliers and report such purchases to its base period suppliers in order that the base period suppliers may allocate non-bonded fuel pursuant to this paragraph. The carrier may apportion the amounts of bonded fuel so reported among its base period suppliers in any amounts provided that the sum of all the amounts apportioned equals the total purchases of bonded fuel from non-base period suppliers.

(iv) If an international air carrier purchases or otherwise obtains a quantity of bonded aviation fuel for a period which corresponds to a base period regardless of price in addition to the amount of bonded fuel which it certifies is available to it for that period under this paragraph, the carrier shall immediately report such quantity to its supplier by filing an amended certification and its supplier shall reduce by such quantity the amount of non-bonded aviation fuel which would otherwise be allocated to that carrier in the current or a subsequent period which corresponds to a base period.

(5) None of the provisions of this paragraph shall affect existing contracts for the purchase of bonded aviation fuels.

(6) Within twenty (20) days after the end of each period corresponding to a base period, each international air carrier which files a certification under this paragraph shall certify to FEA in accordance with forms and instructions issued by FEA that it fully complied with paragraph (c) (6) (iii) and (iv) of this section for that period and provide such other information as is required including the following information:

(i) The amount of surplus aviation fuel purchased during the period by the carrier pursuant to § 211.10(g);

(ii) The amount of bonded fuel purchased during the period by the carrier;

(iii) The amount of non-bonded fuel purchased during the period by the carrier other than amounts purchased pursuant to § 211.10(g); and

(iv) A copy of any certification made by the carrier pursuant to paragraph (c) (3) of this section for that period.

(7) For each period corresponding to a base period beginning after March 31, 1975, no international air carrier shall accept non-bonded aviation fuel under this paragraph unless it has provided FEA with the following information by supplier for each period corresponding to a base period:

(i) The carrier's base period volume of bonded fuel;

(ii) The carrier's base period volume of non-bonded fuel;

(iii) The amounts of any adjustments to the carrier's base period use; and

(iv) The carrier's base period use.

[FR Doc. 74-29499 Filed 12-16-74; 12:10 pm]

#### PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

##### Special Rule No. 3 for Subpart C

On November 29, 1974, FEA issued the final rule for the allocation of old oil (39 FR 42246; December 4, 1974). Subsequent to the issuance of the rule, FEA has concluded that, in light of the special needs of many small refiners, an amendment is necessary to assist those small refiners that will be required to purchase entitlements under the program to adjust on a graduated basis to their entitlement purchase obligations. Accordingly, FEA is hereby adopting Special Rule No. 3 for Subpart C of Part 211 to be effective immediately.

The Emergency Petroleum Allocation Act requires FEA to give special consideration in promulgating a mandatory allocation program to the impact of such program on small and independent refiners. The final rule for the allocation of old oil published on December 4, 1974 will provide significant benefits to such refiners, since as a general rule they are disproportionately dependent on crude oil which is exempt from price controls. FEA's concern that the competitive viability of small refiners be maintained is also reflected in the bias included in the final rule. While FEA believes that the small refiner bias will be adequate to preserve the competitive viability of the vast majority of those refiners over the long run, FEA recognizes that immediate imposition of the full entitlement purchase requirements of the program might have a severe short-term economic impact on certain small refiners which have been running a higher percentage of old oil in their refineries than the national average.

In particular, many small refiners have recently had lower run levels than the industry average; phasing in the entitlement purchase requirements of the program as to small refiners will afford these refiners an interim period during which to bring their run levels back to more normal levels. FEA also realizes that serious cash flow problems will be posed for some small refiners that are required to purchase entitlements; this Special Rule will assist small refiners in arranging any necessary financing and in structuring their marketing operations with regard to compliance with the program. In addition, FEA expects that, at the outset of the program, changes may take place in the product prices of various refiners, depending on the impact of the program on each of them; delaying the impact of the program as to small refiners will permit these refiners to adjust their product prices so as to most effectively pass through their increased crude oil costs under the program. In so providing, FEA is aware that most small refiners will have more difficulty in passing through these increased costs, due to their limited product slate.

Therefore, for all small refiners that would otherwise be required to purchase entitlements under the program, the Special Rule provides specified relief from such requirements for the first 30,000 barrels per day of their daily average volume of crude oil runs to stills. This Special Rule applies to the months of November and December 1974, and January 1975. For small refiners having run levels under 30,000 barrels per day, no purchases of entitlements are required for November 1974. For December 1974 and January 1975, such small refiners will be required to purchase one-third ( $\frac{1}{3}$ ) and two-thirds ( $\frac{2}{3}$ ), respectively, of the entitlements they would otherwise be required to purchase under § 211.67 (b). For small refiners with run levels in excess of 30,000 barrels per day, this Special Rule is applicable only to that number of entitlements which bears the same proportion to the total number of entitlements required to be purchased that 30,000 barrels per day bears to the average daily volume of crude oil runs to stills of that small refiner. For February 1975, and subsequent months, small refiners will be required to purchase the full number of entitlements in accordance with the final rule issued on December 4, 1974.

FEA also considers that, in a certain number of cases, some form of exception relief will be warranted for small refiners. FEA's Office of Exceptions and Appeals is already implementing an expedited exceptions process for the program. This Special Rule will further ensure that FEA has sufficient time to evaluate and process any exception requests from small refiners required to purchase entitlements prior to the point in time at which the program is fully effective as to such refiners.

This Special Rule is effective immediately because delay of its effectiveness

will result in small refiners being subject to the full impact of the entitlement purchase requirements before a rulemaking procedure could be completed and because this rule is not likely to have a substantial impact on the national economy or large numbers of individuals or businesses.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185).

In consideration of the foregoing, Part 211 of Chapter II, Title 10 of the Code of Federal Regulations, is amended as set forth below, effective immediately.

Issued in Washington, D.C., December 16, 1974.

ROBERT E. MONTGOMERY, JR.,  
General Counsel.

The Appendix to Subpart C of Part 211 is amended by the addition of a Special Rule No. 3 to read as follows:

**SPECIAL RULE NO. 3**

1. *Scope.* This Special Rule provides for a reduction in the entitlement purchase requirements of § 211.67(b) for specified volumes of old oil included in the adjusted crude oil receipts of small refiners for the months of November and December 1974, and January 1975.

2. *Reduction in entitlement purchase requirements for small refiners.* (a) Each small refiner with a volume of crude oil runs to stills of less than 30,000 barrels per day in the month concerned, that would otherwise be required to purchase entitlements under § 211.67(b): (i) shall not be required to purchase any entitlements for the month of November 1974; (ii) shall not be required to purchase in excess of one-third (1/3) of the number of entitlements otherwise required to be purchased by that small refiner under § 211.67(b) for the month of December 1974; and (iii) shall not be required to purchase in excess of two-thirds (2/3) of the number of entitlements otherwise required to be purchased by that small refiner under § 211.67(b) for the month of January 1975.

(b) Each small refiner with a volume of crude oil runs to stills in excess of 30,000 barrels per day in the month concerned, that is required to purchase entitlements under § 211.67(b): (i) shall not be required to purchase a number of entitlements for the month of November 1974, which is in the same proportion to the total number of entitlements otherwise required to be purchased by that small refiner under § 211.67(b) that 30,000 barrels per day is to the daily average volume of that small refiner's crude oil runs to stills for that month; (ii) shall not be required to purchase in excess of one-third (1/3) of that proportion (as calculated in (i) above) of the total number of entitlements otherwise required to be purchased under § 211.67(b) for the month of December 1974; and (iii) shall not be required to purchase in excess of two-thirds (2/3) of that proportion (as calculated in (i) above) of the total number of entitlements otherwise required to be purchased under § 211.67(b) for the month of January 1975.

3. *Adjustment to number of entitlements issuable to refiners and eligible firms.* The total number of entitlements exempted from the purchase requirements of § 211.67(b) pursuant to paragraph 2 of this special rule shall be deducted, on a pro-rata basis, from the number of entitlements otherwise issuable to and available for sale by each refiner

and each eligible firm which has entitlements available for sale in the month concerned.

4. *Provisions of Subpart C.* The provisions of subpart C of part 211 shall remain in full force and effect except as expressly modified by the provisions of this special rule.

[FR Doc.74-29590 Filed 12-16-74; 3:51 pm]

**Title 12—Banks and Banking**  
**CHAPTER II—FEDERAL RESERVE**  
**SYSTEM**

**SUBCHAPTER A—BOARD OF GOVERNORS OF**  
**THE FEDERAL RESERVE SYSTEM**

[Reg. G]

**PART 207—SECURITIES CREDIT BY PER-**  
**SONS OTHER THAN BANKS, BROKERS**  
**OR DEALERS**

**Extensions of Credit in Certain Stock**  
**Option and Stock Purchase Plans**

This interpretation explains that certain stock option and employee stock purchase plans that contain freedom of cancellation provisions involve extensions of credit when the optionee/purchaser receives the right to obtain the stock at a fixed price and defers payment therefor.

207.109. Questions have been raised as to whether certain stock option and stock purchase plans involve extensions of credit subject to Regulation G when the participant is free to cancel his participation at any time prior to full payment, but in the event of cancellation the participant remains liable for damages. It thus appears that the participant has the opportunity to gain and bears the risk of loss from the time the transaction is executed and payment is deferred. In some cases brought to the Board's attention damages are related to the market price of the stock, but in others, there may be no such relationship. In either of these circumstances, it is the Board's view that such plans involve extensions of credit. Accordingly, where the security being purchased is a margin security and the credit is secured, directly or indirectly, by any margin security, the creditor must register and the credit must conform with either the regular margin requirements of § 207.1(c) or the special "plan-lender" provisions set forth in § 207.4(a) of the regulation, whichever is applicable. This assumes, of course, that the amount of credit extended is such that the creditor is subject to the registration requirements of § 207.1(a) of the regulation.

By order of the Board of Governors,  
December 2, 1974.

[SEAL] THEODORE E. ALLISON,  
Secretary of the Board.

[FR Doc.74-29520 Filed 12-18-74; 8:45 am]

**Title 13—Business Credit and Assistance**  
**CHAPTER I—SMALL BUSINESS**  
**ADMINISTRATION**

[Rev. 2]

**PART 101—ADMINISTRATION**

Due to extensive reorganization within the Small Business Administration, Part

101—Administration is revised in its entirety to read as set forth below. This revision also includes new provisions for investigations under the Small Business Act (§101.8) and public participation in rulemaking (§ 101.9).

Effective Date: Upon publication in the Federal Register.

Dated December 10, 1974.

THOMAS S. KLEPPE,  
Administrator.

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AUTHORITY: Sections 4 and 5, Public Law 65-536, 72 Stat. 384 and 385 (15 U.S.C. 633 and 634, as amended); Section 308, Public Law 85-699, 72 Stat. 694 (15 U.S.C. 687, as amended); 5(b)(11) Public Law 93-386 (Aug. 23, 1974); and 5 U.S.C. 552.

§ 101.1 Purpose, function, general organization.

(a) *Purpose.* To aid, counsel, assist, and protect the interests of small business concerns and to help victims of disaster.

(b) *Functions.*—(1) *Procurement assistance.* To insure that a fair proportion of the total Government purchases and contracts or subcontracts for property and services for the Government be placed with small business enterprises by, among other things, certifying as to

the competency of small business concerns to perform such contracts, or subletting contracts to small business concerns on which the Agency is prime contractor; to insure that a fair proportion of the total sales of Government property be made to small business enterprises; and to assure that small businesses obtain the benefit of Government sponsored research and development.

(2) *Management and technical assistance.* To improve the management skills of owners, potential owners, and managers of small business concerns with direct action programs and through established channels of business relations; to provide technical and product assistance to small business concerns; and to inventory productive facilities of small business concerns.

(3) *Financial assistance.* To make loans to small business concerns and to victims of floods or other catastrophes, including loans to small business concerns suffering economic injury as a result of displacement by Federal construction, inability to process products for human consumption because of undetermined disease, and need to make changes in facilities or methods of operation because of various Federal laws imposing safety and health requirements; to make direct or bank participation loans on the basis of certifications made by the Secretary of Commerce to assist firms, large and small, to adjust to changed economic conditions resulting from increased competition from imported articles; and to make loans to State and local development companies for purpose of assisting small business concerns.

(4) *Guaranteeing leases and bonds.* To guarantee the payment of rentals under leases entered into by business concerns, and also to guarantee sureties of small businesses against portions of losses resulting from the breach of bid, payment, or performance bonds.

(5) *Small business investment companies.* To provide venture capital in the form of equity financing and long-term loan funds to small business concerns and provide advisory services to such concerns through small business concerns and provide advisory services to such concerns through small business investment companies; to license small business investment companies, regulate the operations of such companies, and purchase or guarantee the purchase of debentures from small business investment companies to supplement their capital requirements for the financing of small business concerns.

(6) *Advocacy of small business interests.* To protect the interests of small businesses as they may be adversely affected by activities of other Federal agencies.

(7) *Further functional description.* The more detailed program functions of the Agency are set forth in other sections of this part and other parts of this chapter.

(c) *General organization.* (1) Management of the Small Business Administration is vested in an Administrator appointed by the President with the ad-

vice and consent of the Senate. The Administrator is authorized to appoint three associate administrators under the Small Business Act and one associate administrator under the Small Business Investment Act. The Administrator is authorized to appoint a Deputy Administrator who shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator. The Administrator is authorized, subject to the Civil Service and Classification Laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of the Small Business Act and the Small Business Investment Act.

(2) The headquarters of the Small Business Administration is located at 1441 L Street NW., Washington, DC 20416.

(d) *Applicable law.* (1) Loans made by SBA are authorized and executed pursuant to Federal programs adopted by Congress to achieve national purposes of the U.S. Government.

(2) Instruments evidencing a loan, obligation of security interest in real or personal property payable to or held by the Administration or the Administrator, such as promissory notes, bonds, guaranty agreements, mortgages, deeds of trust, and other evidences of debt or security shall be construed and enforced in accordance with applicable Federal law.

(3) In order to implement and facilitate these Federal loan programs, the application of local procedures, especially for recordation and notification purposes, may be utilized to the fullest extent feasible and practicable. However, the use of local procedures shall not be deemed or construed to be any waiver by SBA of any Federal immunity from any local control, penalty, or liability.

(4) Any person, corporation, or organization that applies for and receives any benefit or assistance from SBA, or that offers any assurance or security upon which SBA relies for the granting of such benefit or assistance, shall not be entitled to claim or assert any local immunity to defeat the obligation such party incurred in obtaining or assuring such Federal benefit or assistance.

#### § 101.2 Organization and functions of the Central Office-Administrator.

All offices heading §§ 101.2 through 101.2-8 are located in Washington, D.C., and their heads report directly to the Administrator. The Administrator is responsible to the President and Congress for exercising direction, authority, and control over the Small Business Administration. He determines and approves all policies covering the Agency's programs to aid, counsel, assist, and protect the interests of the Nation's small business concerns. He delegates responsibility and authority, except the authority to approve or disapprove: Pool loans; Applied research programs; and Defense production pools, as set forth in sections 7(a), (6), 9(d), and 11 of the Small Business

Act, to the Deputy Administrator, associate administrators, and other Central Office officials reporting directly to him. He consults with Federal, state, and local agencies in behalf of small business interests in the national economy. He reports to the President and Congress on Agency program accomplishments and problems. He maintains as a responsibility of his office the activities related to equal employment opportunity within SBA, advisory councils, and formal review of size appeals cases. He periodically evaluates the performance, accomplishments, short-range, and long-range planning goals of the Central Office officials reporting directly to him.

(a) *National Advisory Council—Small Business Administration.* The National Advisory Council of the Small Business Administration is composed of representatives from each of the District Advisory Councils and Members-at-Large from each of the Agency regions. These representatives are persons actively engaged in small business or finance, or in services or professions related to small business including the fields of labor, law, accounting, insurance, education, real estate, and the news media. These members particularly qualified by their knowledge of and interest in small business are able to contribute substantially to the Agency and the small business community. All members are selected by the Administrator and serve at his pleasure without compensation. The council meets with and advises the Administrator on the development, execution, and evaluation of present or proposed SBA programs. All functions are purely advisory and all determinations of actions to be taken are made solely by the responsible SBA officials.

(b) *Office of Equal Employment Opportunity and Compliance.* The Director, Office of Equal Employment Opportunity and Compliance (EEOC), serves as a special assistant to the Administrator and as his principal advisor on Agency civil rights policies. The Office of EEOC develops and recommends policies concerning the equal employment opportunity and compliance (EEOC) program and develops plans, operating procedures, and standards to effectively strengthen and improve the Agency's civil rights, equal employment opportunity, and compliance programs and activities. Develops program goals and objectives within the framework of approved policies and reviews and evaluates program effectiveness. Serves as principal liaison with other Federal agencies and non-Federal organizations concerned with civil rights and also serves as the Agency's equal employment officer; civil rights coordinator; and compliance officer. Directs, coordinates, and administers compliance programs and activities executed by Central Office staff and provides advice, assistance, and support to the Administrator in relation to the EEOC program.

#### § 101.2-1 General Counsel.

Develops plans, procedures, and standards for providing legal services in support of SBA program operations, includ-

ing execution of loan closing and litigation activities by Agency counsel. Develops and recommends policies governing, the Agency legal functions and activities and develops program goals and objectives within the framework of approved policies. Reviews and evaluates legal program effectiveness including on-site visits to evaluate field office performance and analyzes and interprets legislation, regulations, and orders relating to the operation of the Small Business Administration. Advises the Administrator, Deputy Administrator, Associate and Assistant Administrators and other key officials on the legal aspects of the development and execution of policies and programs. Negotiates with Federal agencies as to the legal aspects of matters pertaining to the responsibilities of SBA and drafts resultant agreements. Develops legal theories incorporated in requests to the Comptroller General or to other Federal agencies for decisions in matters of interest to small business. Provides legal counsel, advice, and assistance to Agency officials in connection with the financial, investment, administrative, technical, procurement and management assistance, and minority enterprise programs, and in the formation of defense production and research and development pools. Within approved policies, gives direct legal advice and assistance to the field offices and exercises technical supervisory responsibility with respect to legal functions in the field offices. Also, advises with respect to eligibility of applicants for assistance from SBA and advises with respect to servicing and liquidation of loans. He assists and participates with the Department of Justice in litigation arising from delinquent loans, criminal matters, and other SBA program activities and prosecutes administrative proceedings pursuant to the Small Business Investment Act. He reviews legislative proposals affecting small business and develops recommendations for the Office of Management and Budget and congressional committees; prepares legislative proposals relating to SBA; and develops reports for congressional hearings or the Office of the President. Serves as legal adviser to the Size Appeals Board. He maintains liaison with governmental and other agencies having activities related to the legal functions of the Agency.

(a) *Office of Finance.* Develops plans, procedures, and standards for the provision of all legal services and assistance relating to the Agency's financial assistance, including disaster assistance, economic development, and small business investment company programs; including the closing and disbursing of SBA and HUD loans; closing of EDA approved loans, when authorized, but excluding liquidation and litigative matters. Develops and recommends policies concerning the legal finance program. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Provides legal counsel, assistance, services, and support to the Associate Ad-

ministrator for Operations and the Associate Administrator for Finance and Investment and other Central Office officials in connection with the financial assistance, lease guarantee, and surety bond, economic development, and SBIC programs, exclusive of liquidation and litigative matters. Within approved policies, gives direct legal advice and assistance to the field offices within these program areas. Interprets applicable acts, regulations, and policies from a legal standpoint, including advice as to eligibility and compliance with statutory and regulatory requirements. Analyzes and comments on proposed legislation, policies, programs, and procedures relating to the financial assistance, disaster assistance, lease guarantee, surety bond, economic development, and SBIC programs, exclusive of liquidation and litigative matters. Maintains liaison with governmental and other agencies having activities related to the legal functions of this office.

(b) *Office of Interagency Affairs.* Develops policies concerning the legal aspects of the SBA advocacy program. Represents SBA at hearings and court proceedings involving the Agency's advocacy program. Develops plans, procedures, and standards for the provision of legal advice, assistance, services, and support relating to:

(1) Procurement and management assistance; sections 8(a) and 406 contracts and grants.

(2) Size standards; size appeals.

(3) Small business defense production; research and development pools.

(4) Administrative functions, including fiscal, personnel, property management; contracts for the procurement of supplies and services.

(5) Ad hoc committee matters; equal employment opportunity; advisory council; planning, research and analysis; congressional and public affairs; minority enterprise; franchising.

(6) Implementation of the requirements of the Civil Rights Act of 1964.

(7) Employee organization-management program; negotiation of agreements.

Develops program goals and objectives in conformance with approved policy. Reviews and evaluates program effectiveness. Provides legal counsel to small business concerns in their dealings with Federal procurement officials. Interprets applicable acts, regulations, and policies from a legal standpoint, including determinations as to eligibility and compliance with statutory and regulatory requirements. Interprets the Administrative Procedure Act, except with respect to the Small Business Investment Act. Provides legal counsel, assistance, services, and support to Central Office officials relating to the above-listed programs. Within approved policies, gives direct legal advice and assistance to the field offices on program matters. Maintains liaison with the Federal Trade Commission and the Antitrust Division of the Department of Justice.

(c) *Office of Litigation.* Develops plans,

procedures, and standards for the conduct of litigation activities of the Small Business Administration. Develops and recommends policies concerning the litigation program. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates litigation program effectiveness. Advises the Administrator and key program officials with respect to all legal action necessary in litigative matters pending in the Agency, and provides legal services, as required. Acts as liaison with the Department of Justice in all civil litigation and criminal matters. Prepares cases for submission to the Department of Justice, with recommendations for litigation or prosecution; obtains and evaluates evidence; assists in the trial of cases whenever necessary or requested; and recommends review or appeal of adverse decisions. Conducts legal research, prepares pleadings, and conducts litigation and other legal proceedings with respect to revocation of SBIC licenses, subpoena enforcement, injunctions and receivers, removal or suspension of directors and officers of licensees, and violations of SBIC regulations. Conducts all administrative hearings required to enforce compliance with the provisions of the SBI Act, policies and regulations, including preparation of necessary pleadings. Advises the Administrator, Associate Administrator for Operations, and the Associate Administrator for Finance and Investment, and other Central Office officials on problems involving subpoenas served upon SBA employees disclosure of information. Reviews and evaluates matters pertaining to security checks referred by the Security and Investigations Division. Advises and assists the Office of Audits and Investigations in all matters involving possible criminal activities by borrowers and others. Prepares and conducts any Agency disbarment proceedings which may be instituted as the result of improper activity by representatives of borrowers and SBIC's. Conducts final legal review of all Boards of Survey Reports and recommendations on claims under the Federal Tort Claims Act in the denial or allowance of claims in unlimited amounts. Provides advice, assistance, and support to the Associate Administrator for Operations in connection with field litigation activities. Within approved policies, gives direct advice and assistance to field offices on litigation program matters. Serves as member of the Central Office Claims Review Committee.

#### § 101.2-2 Associate Administrator for Operations.

Plans, directs, and administers all regional and direct office operations, including disaster operations. Serves as the focal point of contact between the Central Office and the regional directors. Receives and evaluates input from the field on aspects of SBA's programs and policies as they affect SBA's performance in the regions and districts, and coordinates with Central Office program and staff personnel to effect such revisions as may be appropriate. Plans, arranges, and par-

participates in periodic high-level conferences between key Central and field office officials on matters involving program or policy issues. Reviews and evaluates regional and district office operations in management and program areas. Initiates corrective actions when required. Formulates a system of goals, policies, procedures, and regulations for regional management that reflects and implements the basic objectives and goals of the Agency. Has final responsibility for setting goals and objectives. Reviews the priorities, objectives, and program targets established by program staff offices. Recommends the ordering of integrated priorities, consistent with national goals. Defines lines of authority and responsibility of regional directors and coordinates their efforts for attainment of predetermined objectives. Provides advice and guidance to field staff in implementing Agency goals and objectives and in problem solutions in specific operational areas. Analyzes reports involving field visits by Central Office technicians and ensures that corrective action is taken on any problems outlined therein. Reviews and analyzes regional reports and data from the Management Information Summary to provide Agency top management with an overview of progress or lack thereof toward goal attainment and directs that corrective action is taken in case of the latter. Develops and implements a system of periodic onsite reviews of regional and district office operations. This will involve the selection of staff members of appropriate program and staff functions to comprise an Agency team to accomplish a total management analysis of activity and to take or recommend corrective actions. Participates in the development of a Management Information System as related to field office operations. Formulates and gathers data for input into the Agency's measurement of production in all program elements, and to provide regional management with key indicators of strengths and weaknesses. Develops and maintains basic data in profile form of all regional and district offices for use by Central Office staff. Areas to be included are:

- (a) Personnel resources allotted and use thereof.
- (b) Management reviews and problems encountered.
- (c) Annual program targets and accomplishments, and
- (d) Operating budget data.

Participates in the development, review, and correction of systems to assure adequate management information and control at both Central and field office levels. Participates in the development and implementation of a continuing program of field management development and training. Develops adequate controls over field activities and evaluates and appraises regional management to ascertain whether plans and objectives are being achieved. Plans, directs and administers the Agency's disaster operations through contingency planning, administration during the disaster, and disaster maintenance. Recommends physical and product disaster declara-

tions to the Administrator. Maintains liaison with other government agencies and individual Congressmen and committee staff members relating to the disaster program. Serves as a member of the Size Appeals Board.

(a) *Disaster Operations Staff.* Plans, directs, and administers the Agency's disaster operations program for all disasters. Directs the execution of disaster operations through contingency planning, and assures that regional offices effectively carry out disaster loan activities. Analyzes reports of product disaster information and physical disaster damage from field office and other sources and recommends disaster declarations to the Administrator through the AA/O. Maintains necessary liaison and coordination with Federal, state, and local governments, as well as with private organizations and SBA Central Office officials, maintains, and disseminates up-to-date handbooks, guides, flow charts, and standard operating procedures to reflect past knowledge and experience, and assure increased efficiency of new disaster offices when open. Maintains a roster of SBA personnel in a constant state of readiness to move to the site of a disaster to establish required disaster offices. Monitors and provides advice, guidance, and assistance to regional and district offices in connection with all disaster operations, including the establishment and operation of disaster offices.

#### **§ 101.2-3 Associate Administrator for Finance and Investment.**

Develops plans, operating procedures, and standards to effectively strengthen and improve the Agency's finance and investment programs designed to meet the existing and potential needs of the small business community. Develops and recommends policies concerning the financial assistance programs, including related activities of liquidation and disposal. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Promotes the financial assistance program nationwide, enlisting support and participation by private sector financial and investment institutions, States, counties, and municipalities, to broaden the range of assistance to small business concerns. Plans, directs, and administers the small business investment company program, including licensing, lending, and regulations to effectively strengthen and improve the Agency's programs of venture capital assistance to small businesses. Promotes nationwide the investment program to maximize the direct involvement of private business and financial institutions in the provision of equity and long-term financing of small business concerns. Provides technical advice, assistance, and support to the Associate Administrator for Operations relating to finance and investment program matters. Directs and administers the Small Business Investment Company examination program and the Portfolio Review program. Represents the Administrator in negotiations with other Government

agencies whose activities relate to his program area. Serves as a member of the Size Appeals Board.

(a) *Office of Financing.* Plans, develops, and executes new loan programs. Reviews proposed and new financial legislation. Makes final determinations of loan eligibility on complex cases submitted by regional directors. Maintains liaison with other Federal, state, and local agencies whose activities relate to the financing programs of SBA. Develops and recommends policies, criteria, guidelines, and standards for all SBA lending except 501, 502, and SBIC as well as the financial aspects of the Certificate of Competency Program (COC) and 8(a) business plans. Serves as a member of the COC Review Committee which takes or recommends final action on requests for compromise settlements of obligations due SBA, and as an alternate member of the Size Appeals Board. Approves or declines business and disaster loans, and conducts review of selected disaster loans. In cooperation with the Associate Administrator for Finance and Investment, evaluates lending programs and takes corrective action. Makes final visits as necessary. Provides technical advice, assistance, and support to the Associate Administrator for Finance and Investment relating to his program area. Develops goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Provides assistance in developing and conducting training programs for field financing personnel.

(b) *Office of Portfolio Management.* Develops and recommends Agencywide policy for the administration of the Agency's portfolio of loans, lease guarantees, the financial aspects of Certificates of Competency and 8(a) contracts, including loan servicing, and loan liquidation and disposal activities. Develops plans, operating procedures, standards, goals, and objectives for (1) the servicing and/or liquidation of these accounts, including nonjudicial foreclosure but exclusive of litigative matters; (2) the liquidation of rehabilitation loans for HUD and Economic Development Administration loans for the Department of Commerce; and (3) the liquidation of Small Business Investment Companies and loans to small business acquired and retained as a result of Small Business Investment Company liquidation. Reviews and evaluates program effectiveness. Maintains liaison, participates, and provides technical advice with and to all other Government agencies and departments within SBA on matters relating to portfolio management activities. Serves as chairman, Central Office Claims Review, and as vice-chairman of the Small Business Investment Company Liquidation Determination Board. Coordinates with the Comptroller of the Currency to provide field offices with National Bank Examiner reports on SBA-guaranteed loans serviced by National banks.

(c) *Office of Community Development.* Develops and recommends to Associate Administrator for Finance and Invest-

ment Agency policy concerning the community development programs of the Small Business Administration, including State and local Development Company programs, Lease Guarantees, and Surety Bond Guarantees. Develops plans, operating procedures, and standards to effectively strengthen and improve the Agency's programs involving community development counseling, the processing of state development company and local development company loans, processing of applications for lease guarantee and surety bond guarantee. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Maintains liaison with state and local development companies and other governmental and nongovernmental agencies having programs relating to these activities. Maintains continuing liaison with the insurance industry, and particularly with the surety bond underwriters and associations of agencies or brokers, for the purpose of keeping them informed as to policy and procedures in both the lease guarantee and surety bond guarantee programs. Also works closely with these groups in order to promote the programs in a way to meet the needs of the maximum number of small business concerns. Provides advice, assistance, and support to the Associate Administrator for Finance and Investment relating to the community development programs of SBA, including the making and/or reviewing of legislative recommendations relative to all community development matters. Develops criteria for management of investment portfolio of lease guarantee revolving fund.

(d) *Deputy Associate Administrator for Investment (Investment Division)*. Plans, directs, coordinates, and administers the Agency's program for licensing Small Business Investment Companies to operate under the provisions of the Small Business Investment Act, as amended. Develops and recommends policies and established procedures governing the investment program. Recommends changes in legislation and regulations governing the program and program activities. Takes final action on all transactions contemplated by the Small Business Investment Act or the SBA regulations. This includes the issuance of licenses to small business investment companies (SBIC's); the purchase of debentures from Small Business Investment Companies and 301(d) licensees or guarantees thereof; and conversion of existing direct loan notes to debentures; the repurchase of subordinated debentures and direct loan notes from the holders; and the purchase of preferred stock from 301(d) licensees. Determines actions required to protect SBA's credit position in connection with such transactions; also, defines courses of action to be followed in cases of noncompliance with the act or regulations. When indicated, requests investigations and appropriate legal action. Takes final action on all requests and applications submitted by licensees for prior SBA approval of transactions requiring such approval un-

der the regulations; i.e., changes in control, changes in capital structure, mergers, dissolutions, and surrenders of licenses; approval of officers, directors, and 10 percent or more stockholders in connection with actions involving change of control. Also determines that surviving company meets the prescribed licensing standards. Provides counseling with respect to an interpretation of established policies and regulations; also provides information relating to licensed Small Business Investment Companies. Develops and implements a system of accounts for the Small Business Investment Companies and approves investment companies' selections of independent public accountants. Promotes and stimulates the involvement of key business enterprises in the investment program. Coordinates with SBA and other Government agency officials in directing these efforts toward those businesses owned, or to be owned, by the socially or economically disadvantaged. Serves as liaison for the Associate Administrator with other organizational segments of SBA, other Government agencies, financial and industrial organizations, trade associations, and similar groups in relation to program activities.

(e) *Office of Investment Management and Evaluation*. Develops and recommends policies and regulations to improve the operations of Small Business Investment Companies for the benefit of small business. Conducts research studies, with emphasis on the growth, stabilization and financing of the Small Business Investment Company industry. Also participates with the Office of the Assistant Administrator for Advocacy, Planning, and Research in connection with economic studies involving the investment program. Prepares investment program goals and missions and develops the planning, programming and budgeting data reflecting short-range and long-range objectives of the investment program. Develops and establishes procedures and instructions to Small Business Investment Companies for reporting program evaluation data on portfolio small business concerns. Analyzes financial and economic statistical data furnished by licensees and small business concerns on financial reports, portfolio financing reports, program evaluation reports, and sample survey questionnaires, and provides information on the effectiveness of the Small Business Investment Company industry to management. Provides technical information to the program coordinators in the field relative to the formation and licensing of Small Business Investment Companies. Coordinates with other offices of the Agency in the preparation of all technical information and material released to the public on the investment program. Provides Small Business Investment Companies, and other interested groups with new technical information on the industry and publishes the Guide to the Regulations and Policy and Procedural Releases. Services as technical liaison with the Securities and Exchange Commission on all matters relating to the investment program and the

Federal Securities Laws. Provides aggregate debt management support for outstanding direct and guaranteed loans and debentures of SBIC's and coordinates and expedites the periodic public sale of SBA guaranteed SBIC debentures for SBIC's including intra-agency and inter-agency liaison where required and liaison with potential purchasers. Participates in the implementation of periodic SBA guaranty fundings for SBIC's by providing detailed analysis on the method and timing of funding as related to bond market conditions. Prepares SBIC information required for Congressional hearings and other matters relating to Congressional inquiries. Designs, develops, and implements ongoing sample surveys of the small business portfolio concerns of SBIC's. Provides technical liaison with the Reports Management Division and the Data Management Division on computer applications for SBIC and small business concern statistics and reports.

(f) *Office of Small Business Investment Company Operations*. Provides licensing and operational assistance and service to the Small Business Investment Companies. Plans, administers, and coordinates the program for licensing Small Business Investment Companies to operate under the provisions of the Small Business Investment Act of 1958, as amended. Recommends action on license applications filed under the act and regulations, including the review of security information reports. Implements procedures for the licensing, funding, and regulating of Small Business Investment Companies. Provides counseling with respect to and interpretation of the act and established regulations; answers specific official inquiries and provides information relating to licensed Small Business Investment Companies. Reviews and recommends the action to be taken for the approval of officers, directors, and 10 percent or more stockholders in connection with actions involving change of control of a licensee. Also determines that surviving company meets the prescribed licensing standards. Conducts the analysis of all financial statements, examination and investigation reports covering the operations and practices of the individual Small Business Investment Companies. Evaluates the financial stability, reliability of the companies, and compliance with the act and regulations. Recommends to the Deputy Associate Administrator actions to assure compliance. Recommends the levels of reserves for losses in connection with outstanding loans and debentures of operating licensees. Recommends appropriate action on all requests and applications submitted by Small Business Investment Companies for prior SBA approval of transactions requiring such approval under the regulations, including applications for funding. As required, provides testimony as an expert witness in administrative proceedings or court proceedings involving Small Business Investment Companies.

(g) *Office of 301(d) Operations*. Provides licensing and operational assistance and service to section 301(d) licensees. Plans, administers, and coordinates the program for licensing to oper-

ate under the provisions of the Small Business Investment Act of 1958, as amended. Recommends action on proposals and license applications filed under the act and regulations, including the review of security information reports. Implements procedures for the licensing, funding, and regulating of section 301(d) licensees. Provides counseling with respect to and interpretation of the act and established regulations; answers specific official inquiries and provides information relating to licensed section 301(d) licensees. Reviews and recommends the action to be taken for the approval of officers, directors, and 10 percent or more stockholders in connection with actions involving changes of control of a licensee. Also, determines that surviving company meets the prescribed licensing standards. Conducts the analysis of all financial statements, examination and investigation reports covering the operations and practices of the individual section 301(d) licensees. Evaluates the financial stability, reliability of the companies, and compliance with the act and regulations. Recommends to the Deputy Associate Administrator actions to assure compliance. Recommends the levels of reserves for losses in connection with outstanding loans and debentures of operating licensees. Recommends appropriate action on all requests and applications submitted by section 301(d) licensees for prior SBA approval of transactions requiring such approval under the regulations, including applications for funding. As required, provides testimony as an expert witness in administrative proceedings or court proceedings involving section 301(d) licensees.

(h) *Office of Small Business Investment Company Examinations.* Plans, directs, and executes Agencywide annual examination program relating to Small Business Investment Companies licensed under the Small Business Investment Act. Develops and recommends policies and establishes standards and procedures governing the examination program, and develops program goals and objectives within the framework of approved policies. Schedules and maintains control over all examinations conducted on a nationwide basis. Issues reports to Agency officials on the results of on-site examinations which contain the actual or potential violations of the Small Business Investment Act and regulations. Develops and reports facts and evidence to support corrective actions, administrative proceedings, recommendations for legal action, and makes recommendations for investigations when considered appropriate. Maintains liaison with SEC, FDIC, Comptroller of the Currency, GAO, Home Loan Bank Board, and other agencies where matters are of mutual interest or in matters affecting the examination program.

(i) *Office of program development.* Assists the Associate Administrator for Finance and Investment in all outreach activity in connection with the promotion and development of Agency financial assistance and investment activity.

Coordinates the efforts of the financial institutions, community liaisons, and Small Business Investment Company promotional functions. Directs the promotion and development nationwide of Agency policy governing participation by private sector financial and investment institutions in the SBA programs of financial assistance and investment. Maintains continuing liaison and personal contact with top representatives of banking, insurance, institutional investor, and other financial institutions and associations to promote their participation in guaranty and participation financial assistance programs of the Agency, to include the development of a secondary market in the SBA guaranteed portions of SBA loans. Represents the Associate Administrator for Finance and Investment at meetings or conventions of banking, insurance, investment, or other groups constituting sources of direct or indirect funding or financial participation in loans for small business. Coordinates conference activities in connection with community development workshops, lease guarantee, and surety bond seminars. Works with field offices in preparation of agenda, conference notes, and related material. Plans and recommends education and training programs to encourage community leadership. Works with participating colleges and other educational institutions in developing new techniques and advances concepts in community planning. Develops methods which can be used by community planning groups to take maximum advantage of human and natural resources as a means of stimulating rural economies and curtailing outmigration. Maintains liaison with USDA, Department of Commerce, Housing and Urban Development, Interior, and other Government agencies. Serves as Agency representative on the Interagency Economic Adjustment Committee, CSTE Task Force, Model City WIC Review, and other capacities as designated. Counsels with interested groups or individuals concerning the possible formation and licensing of Small Business Investment Companies and to promote the growth and development of the programs. Serves as liaison with other Government agencies, financial and industrial organizations, trade associations, and similar groups to keep such organizations informed of the investment programs. Coordinates with the Office of Public Information in the preparation of all promotional material released to the public on the investment program and preparation of the Small Business Investment Company Digest. Develops, fosters, and stimulates interest and participation nationwide in SBA programs involving the banking-investment industry and state and local governments. Promotes with state, county, and municipal officials plans for the use of public sources of funds in SBA loan programs. In cooperation with financing and legal staff, works with public officials to establish enabling policies and legislation. Negotiates basic agreements with financial institutions at the national level. Develops plans

and operating procedures to effectively strengthen and support the efforts of field bank relations officers and other field financing personnel participating in this program to meet the expanding needs of the small business community. Coordinates activities in which field bank relations officers may be helpful in developing sources of funds for community development projects. Supervises preparation of Bank Newsletter. Prepares articles and speeches for the Associate Administrator for Finance and Investment. Conducts followup with private sector financial community officials in generating direct and indirect sources of funding for SBA financial assistance programs. Serves as secretary and processes applications to the Lending Institution Certification Committee, which determines the eligibility of nonbank lending institutions. Reviews publications and other materials revealing current trends in economic development, and disseminates excerpted material to Central Office program personnel.

(j) *Office of Portfolio Review.* Plans, directs, and executes a system of program assistance for Central Office management to provide quality control and uniformity in the application of Financial Assistance policies and the procedures that reflect the basic objectives and goals of the Agency. Develops procedures for detailed loan analysis to determine the quality of credit judgments exercised by field offices under their delegation of authority, and establishes standards to control quality in the performance of the loan analysis. Makes an indepth analysis of selected Financial Assistance loans, particularly those which reflect a high proportion of Agency investment or risk, i.e., very large loans, past due and delinquent loans, deferments, loans purchased or in liquidation, and charged off accounts. Pinpoints deficiencies in policy application, Financial Assistance procedures, credit or eligibility criteria, and standards. Where appropriate, causes immediate corrective action to be taken by the appropriate regional or district director concerning specific deviations from stated Agency policy. Submits a report of findings and recommendations to the Associate Administrator for Finance and Investment for transmittal to the appropriate regional or district director for corrective action indicated, and to Office of Financial Assistance program directors for use in improvement of the Financial Assistance program. At the direction of the Associate Administrator for Finance and Investment, performs specific reviews of particular problems in a Financial Assistance function, as requested by the program director. The results of these special reviews will be used by Central Office program personnel to establish new or modified policies and procedures, to isolate and correct communication problems, or to identify areas requiring further extensive analysis. Participates with the Associate Administrator for Finance and Investment in periodic conferences with the Associate Administrator for Operations, as ap-



small business management training. Develops and promulgates small business management publications. Also, develops training materials for use in courses, conferences, and clinics conducted for small businessmen, and workshops for prospective small businessmen. Plans and develops prototype educational programs and courses. Administers and operates the SBA Film Distribution Center. Develops plans, operating procedures, and other actions to implement the Foreign Trade program. Maintains liaison with the Department of Commerce to assure effectiveness in mutually supporting programs, with particular emphasis on export trade. Provides advice, assistance, and support to the AA/O and other Central Office officials relating to the management information and training program. Maintains liaison with other Federal agencies and Professional or trade associations whose activities are program related.

(b) *Office of Program Evaluation and Field Coordination.* Develops guidelines for the evaluation of the management assistance program and prepares schedules for onsite review visits. Conducts surveys of field office management assistance activities and programs through both onsite visits and reviews of reports and other program documentation. Assesses the effectiveness of current management assistance policies, procedures, and activities. Identifies problems and proposes corrective action to the Assistant Administrator for Management Assistance. Works with field managers and management assistance personnel in solving problems onsite where this is possible. When requested by the AA/MA, conducts visits to field offices in order to emphasize the program and motivate field management assistance personnel. Provides advice, assistance, and support to the AA/O and other Central Office officials relating to the program evaluation and field coordination program.

(c) *Office of Management Counseling Services.* Develops plans, operating procedures, and standards to effectively strengthen and improve the Agency's management counseling program for small businessmen. Maintains liaison with other Federal agencies and non-Federal organizations whose activities are program related. Develops program goals and objectives in conformity with approved policies. Reviews and evaluates program effectiveness. Evaluates management assistance programs provided by franchisors for franchisees. Provides advice, assistance, and support to the AA/O and other Central Office officials relating to the management counseling program. Develops and recommends policies concerning Agency use of volunteer management assistance groups, such as SCORE and ACE. Develops and recommends policies concerning Agency use of national professional associations such as the National Association of Accountants. Develops and recommends policies concerning the management contracts program of SBA. Develops plans, systems, operating procedures, and standards to effectively strengthen and improve the

Agency's management contracts program, involving the negotiation and management of Equal Opportunity Act, Section 406 contracts. Evaluates and makes recommendations on proposals for these contracts, grants, or agreements. Develops and recommends policies and procedures for the SBA Small Business Institute (SBI) program. Maintains contact with the American Assembly of Collegiate Schools of Business and with business school leaders concerning further development and mutual support regarding the SBI program. Develops procedures for selection of schools to participate in the program. Maintains faculty Project Directors Manual in coordination with academic representatives. Continually reviews and updates methods and procedures for effective implementation of the SBI program. Develops specific goals, within approved policy, for each of the borrower services activities managed by the Agency, i.e., SCORE, ACE, management consulting contracting, market analysis, and engineering feasibility studies. Serves as the Agency liaison with other Federal activities having responsibility for volunteer management services to the business public, including such agencies as ACTION, the Veterans Administration, and the Department of Defense. Develops and recommends policies and procedures for innovative methods of providing counseling services to small businesses. In cooperation with representatives of the Office of Portfolio Management and other offices of AA/F&I, develops and recommends plans, procedures, and methods to improve the effectiveness of management assistance provided to SBA borrowers.

#### § 101.2-6 Assistant Administrator for Administration.

Develops plans, systems, procedures, and standards for effective implementation of budget and finance, personnel, and management systems programs, including emergency preparedness activities. Administers the Agency's investigatory, security, examinations and review, internal and external audits, management studies, and personnel management program review activities Agencywide. Coordinates and maintains control over all formal and informal interagency committees, councils, task forces, or other coordinating groups in which SBA participates. Develops goals and objectives for Agency administrative and management activities. Reviews and evaluates their effectiveness. Represents the Administrator in negotiations with other government agencies on matters relating to office programs and activities.

(a) *Office of Audits and Investigations.* Develops plans, systems, procedures, and standards for effective implementation of internal audits, external audits, security and investigations. Directs, coordinates, and administers the investigatory, security, and audit activities Agencywide. Develops and recommends policies concerning these programs and activities, and develops

program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Represents the Administrator in negotiations with the FBI and General Accounting Office and other agencies on matters relating to division programs and activities. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and regional offices. Submits to appropriate officials, reports and recommendations covering deficiencies disclosed by audits, inspections and investigations. Analyzes reports of corrective action taken on reported deficiencies. Recommends to the Administrator any matters which require further action by the officials concerned or by the Administrator.

(b) *Office of Personnel.* Develops and recommends policies concerning the personnel programs and related activities. Develops plans, procedures, and standards to effectively strengthen and improve the Agency's personnel program, including position classification, recruitment, selection, placement, promotion, separation, pay and wage administration, labor-management relations, performance evaluation and incentives, grievances and appeals, conduct and discipline, training and career development, personnel records management, employee services, and safety. Plans, directs, coordinates, and executes Agencywide personnel management program reviews. Provides technical advice, assistance, and support to the Associate Administrator for Operations and other Central Office officials relating to the personnel program. Reviews and processes all field personnel actions requiring Central Office approval. Maintains liaison with the Civil Service Commission in matters relating to the development, interpretation, and application of personnel regulations and procedures. Develops plans, and establishes standards to provide for effective analysis and improvement of the Agency organization. Maintains an organizational plan which describes the structure and functions of the organizational units and the location and geographical responsibilities of the field offices, etc. Directs the conduct of organizational studies as requested by the Administrator or other top management officials of SBA, or on a continuing basis as necessitated by changes in staffing requirements and/or shifts in program emphasis or direction. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Coordinates and administers the Central Office fund drives.

(c) *Office of Budget and Finance.* Develops plans, operating procedures, and standards to effectively strengthen and improve all budget, accounting, and fiscal activities of the Agency. Develops and recommends policies concerning the budget and finance programs. Directs the development and administration of systems for the accountability of all funds, property, and other assets for which the

Agency is responsible. Directs the establishment and implementation of procedure and control systems involving the collection, deposit, and disbursement of funds, including the preparation of financial information and data, and certain statistical data covering the operational programs of the Agency. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Represents the Administrator in negotiations with the Office of Management and Budget, congressional appropriation committees, General Accounting Office, Treasury Department, and other agencies on budgetary, accounting, and fiscal matters. Participates with the Office of Management Services in the development of systems for the accountability of all funds, property, and other assets for which SBA is responsible, including the collection, deposit, and disbursement of funds for the Agency.

(d) *Office of Management Services.* Develops plans, policies, and procedures for the effective operation of the Office of Management Services and the subordinate Reports Management Division, Administrative Services Division, Data Management Division, and Systems Division. Develops all Small Business Administration accounting systems. Designs, prescribes, and installs all SBA accounting systems, including the development of systems procedures. Conducts surveys and systems analysis of current and new program and recommends adoption and use of advanced technological methods. Develops, modifies, and assists the Accounting Operations Division to install all systems of accounting. Analyzes Agency manual systems to determine the need for automation. Develops computer systems to provide increased cost/benefit return in satisfying management information needs. Conducts feasibility studies to determine the practicability of automating new systems or changing existing automated systems. Develops instructions to computer programmers for new systems and documentation in computer language acceptable to the computer. Develops test data and systems verification to determine adequacy of computer programs. Prepares operation instructions for the successful automation of the new computer systems. Develops work measurement and manpower reporting systems for the Agency through techniques developed by the Industrial Engineers on the staff. Directs the conduct of Agencywide procedural and manpower utilization surveys and studies. Develops systems for Agencywide manpower requirements. Conducts reviews to identify operating problems, management effectiveness, and manpower management. Recommends policies and procedures to correct deficiencies identified in reviews, thereby improving utilization of manpower in all program areas. Responsible for reporting Management by Objectives status to the Office of Management and Budget (OMB). Develops program goals and objectives within the framework of approved policies. Reviews and evaluates

program effectiveness. Provides for the development of adequate controls over the administration of these programs as carried out by the Central and field offices. Represents the Administrator in negotiations with the General Services Administration, OMB, and other agencies on matters relating to Office of Management Services programs and activities.

**§ 101.2-7 Assistant Administrator for Congressional and Public Affairs.**

Develops and recommends plans, procedures, and standards to effectively strengthen and improve the public affairs, public information, and congressional relations programs of the Small Business Administration. Develops and recommends policies concerning the congressional and public affairs programs. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Provides advice, assistance, and support to the Administrator, the Associate Administrator for Operations, and other Central Office officials relating to the congressional and public affairs programs, and the administration of the advisory councils program. Develops and prepares statements, briefings, and speeches for the Administrator and other key SBA officials. Develops and coordinates an orientation program for visitors to the Central Office. Develops Agency guidelines for making information and/or records available for public use in conformance with the Freedom of Information Act; and acts as coordinator for the Agency regarding the cost and availability of information and/or records requested by the public.

(a) *Office of Congressional Relations.* Serves as liaison with Members of Congress, congressional committees, commissions, organizations, and agencies in relation to program matters. Processes and coordinates with concerned SBA offices regarding oral inquiries and responses to Members of Congress or congressional committees and the Executive Office of the President. Obtains, assembles, prepares, and coordinates information and data requested by Members of Congress or Congressional committees on the SBA programs, exclusive of material for presentation by the Administrator before congressional committees and statements of Agency position on legislative proposals. Keeps the Administrator and key officials of the Agency informed of the activities of congressional committees as they relate to the programs and activities of SBA. Interprets for Members of Congress the Agency's policies, programs, practices, and objectives. Works with other Federal agencies on matters of mutual interest.

(b) *Office of Public Affairs.* Develops plans, procedures, and standards to effectively strengthen and improve the public affairs program. Coordinates field office implementation of these plans through the Associate Administrator for Operations. Develops and recommends policies concerning the public affairs

program. Develops program goals and objectives in conformance with approved policies. Reviews and evaluates program effectiveness. Prepares statements, briefings, and speeches for the Administrator and other key SBA officials. Plans, organizes, and conducts Administrator's news conferences with representatives of newspapers, wire services, trade and business publications, and radio and television networks. Provides advice, assistance, and support to the Associate Administrator for Operations relating to field public information and public relations activities, including the provision of public informational material to advance the programs and policies of the Agency. Plans, develops, and operates an orientation program for visitors to the Central Office.

(d) *Office of Public Information.* Disseminates to news media, radio and television stations information as to the work of the Agency to keep the public fully informed as to the activities, plans, policies, and regulations that affect individuals and the small business community. Establishes and maintains liaison with high-level, national representatives of newspapers, wire service, business press, trade associations, chambers of commerce and similar groups. Promotes their involvement in informing the public as to Agency policies, programs, and objectives. Prepares and issues news releases, statements, pamphlets, and other informational materials for public dissemination. Provides material for insertion in publications of other Government agencies. Responsible for final design and editing of Agency general publications (except Management Aids). Edits reports, statements, studies, or other informational materials as requested from operating offices. Plans and directs the development of SBA program and informational films, other than management training films. Distributes these films through the PMA film library nationwide to further the understanding of SBA's policies, programs, and objectives. Plans and directs photographic activities in conjunction with presentation of SBA programs for news stories, articles, pamphlets, and conferences. Responsible for artwork in all publications (except Management Aids) and exhibits. Prepares public statements and special reports, as required. Coordinates SBA participation in public meetings. Plans, organizes, and directs preparation of the Agency's Annual Report to the President and the Congress. Develops Agency guidelines for making information and/or records available for public use in conformance with the Freedom of Information Act; and acts as coordinator for the Agency regarding the cost and availability of information and/or records requested by the public.

**§ 101.2-8 Assistant Administrator for Advocacy, Planning, and Research.**

Conducts economic planning studies and evaluations of the economic environment and relates to the needs and problems of the small business community. As the economic advisor of the

Agency, reviews and comments to the Administrator upon all proposed legislation affecting the Agency or other Federal agency programs having an impact on small business. Initiates and participates in interagency studies dealing with the critical aspects of the economy and public policy affecting small business. Coordinates the development of Agency policy plans, programs, goals and objectives. As the principal planning officer of the Agency, develops and directs the preparation of Agency program memorandums as required by the Office of Management and Budget and coordinates with program offices in the developing and maintaining of the SBA Five-Year Plan. Develops policies, plans, systems, and procedures to effectively strengthen and improve the planning and program evaluation functions of the Agency. Conducts economic, cost benefit, program analysis and special studies of agency activities to provide the Administrator and program managers with alternative courses of action and policy. Develops and recommends policy concerning the advisory councils program. Develops plans and procedures for the establishment and operation of the National, District, and Community Advisory Councils. Provides advice, assistance, and support to the Associate Administrator for Operations in relation to the field advisory councils program. Program managers retain responsibility for program related liaison with other agencies, interagency agreements, development of program policy, including coordination with other agency program policy, and overall program interrelationships, to include program evaluation. Plans, organizes, and participates in the annual meeting of the National Advisory Council for the Small Business Administration. Participates in meetings of the district advisory councils. In cooperation with the Associate Administrator for Operations, reviews and coordinates agendas of meetings and proposed resolutions of the councils, and notifies the councils chairmen of the Agency's position on the resolutions received. Reviews and consolidates resolutions adopted by the district advisory councils for presentation to and consideration at the annual meeting of the National Advisory Council. Directs the development of and recommends new and changed size standards for all SBA programs. Is responsible for the determination and interpretation of the SBA size standards and serves as a member of the Size Appeals Board. Initiates studies and develops procedures to provide an historical and current statistical description of the small business sector to provide, in a timely manner, data for policy and program formulation. Provides in-house research capability and identifies and formulates economic and industry research projects to be pursued under contract, and monitors such contracts approved by the Administrator. Conducts studies, in cooperation with program offices, involving across-the-board investigations of SBA programs to

measure their effectiveness in terms of costs, benefits, and other considerations. Serves as the central analytical staff to review and evaluate, in conjunction with appropriate program offices, major program evaluation studies submitted to the Administrator. Develops and initiates studies of socio-economic and legislative changes which affect the competitive position of small business.

(a) *Office of the Chief Counsel for Advocacy.* Serves as the Agency's focal point for the development, modification, and ongoing review of its policy, positions, and courses of action, under the direction of the Assistant Administrator for Advocacy, Planning, and Research (AA/APR). Reviews all pending policy changes from any source in order to set actual priorities for consideration by the Agency. Assists and works with the office of General Counsel in the preparation of legislation and testimony on behalf of the Agency and the small business community, and in the preparation of Agency submissions in rulemakings and formal proceedings of other Federal agencies. Constantly solicits from Agency key personnel their views on Agency policy. Assists the AA/APR when needed, to prepare material required for the Office of Management and Budget, the Congress, and for other Federal and State governmental organizations. Initiates, coordinates, and develops the Agency's position as the principal Government's advocate of small business. Promotes, counsels, and champions the position of and for small business and the Agency with all Federal agencies and State governments. Develops an ongoing relationship with same in order to facilitate and develop new programs and policies, or modify existing programs and policies. However, Central Office program officials continue to maintain liaison with other Federal agencies, etc. on program matters. Participates in interagency studies dealing with critical aspects of the economy and public policy affecting the small business community. Plans and develops, through appropriate channels, the Agency's position in this regard. Along with the Office of General Counsel, keeps abreast of policy developments and regulations of other governmental departments and pending congressional action which materially affects the competitive position, the survival, and the best interests of small business. Recommends Agency's position in this regard. Initiates, develops, and maintains liaison with trade and professional organizations so that the Agency is made fully aware of the problems and positions of its small business members. Maintains an up-to-date catalog of all services and programs providing benefits to small businesses, not only from the Small Business Administration, but from all other Federal agencies and departments as well. Develops and recommends policy concerning the Advisory Council program of the Agency. Implements approved Agency policy in this regard. Recommends and establishes single purposed councils to provide the

Agency with advice and counsel on current issues or problems of small business. Develops plans and procedures for the establishment and operation of the National, Regional, District, Community, and Specialized Advisory Councils. Develops plans and procedures, including effective liaison with small business trade and professional associations, as well as those associations serving small business. Provides advice, assistance, and support to the Associate Administrator for Operations in relation to the field Advisory Councils. When appropriate, works through AA/O in the utilization of field personnel in this regard. Plans, organizes, and participates in the meetings of National Advisory Councils. Participates with and assists through the AA/O, field personnel in the meetings of Regional, District, and Community Advisory Councils. Coordinates all resolutions for appropriate actions and replies adopted by all Advisory Councils. When appropriate, presents to National Councils for their consideration. Keeps Central Office Officials informed of the activities of the Councils as they relate to their functional areas of responsibility. Assists and works with AA/F&I or his designee, in the planning, organizing, and participating in the meetings of the National Small Business Investment Company Advisory Council. Prepares the summaries of these meetings. Processes and recommends the appointment of persons to serve on the Advisory Councils. Processes reimbursement of travel claims for all members of all Agency Advisory Councils. With the assistance of and through the AA/CPA, publishes a periodic newsletter concerning Agency programs, policies, positions, and activities of all Advisory Councils. This publication shall also go to professional and trade associations mentioned above. Participates whenever appropriate in the meetings of professional and trade associations mentioned above. Develops and maintains effective liaison with economic committees or commissions of Veterans organizations. Program managers retain responsibility for program related liaison with other agencies, interagency agreements, development of program policy, including coordination with other agency programs, and overall program interrelationships, to include program evaluation.

(b) *Office of the Chief Economist.* Directs research to develop statistical and economic information about small business in the American economy. Devises a system which will provide for the retention, maintenance, and dissemination of this information. Develops and initiates studies of socio-economic and legislative changes which affect the competitive position of small business. Generates information to aid in the formulation of an economic position on these matters for policy purpose. Recommends and monitors research contracts to be performed outside the Agency. Conducts economic analyses and policy recommendations relating to finance and taxation, monetary and fiscal policy, and is-

issues of interest to the small business community. Conducts special studies on the impact of energy and environmental policies and programs upon the competitive status of small business. Analyzes the impact of material shortages and price escalations on the small business sector. Develops and implements a comprehensive planning and program evaluation system. Reviews the Agency's objectives and makes determinations of the effectiveness of the Agency's total output in the accomplishing of these objectives. Determines and coordinates revisions to the system to meet the changing needs of management. Directs and coordinates the preparation of the "Annual Report on the State of Small Business" which is presented yearly to the President and members of Congress. This report contains a detailed profile of the small business community, its current and future needs, and the Agency's proposals for corrective action and new programs. Directs the development of and recommends new and changed size standards for all SBA programs. Has responsibility for the determination and interpretation of the SBA size standards. Coordinates the development of the SBA Five-Year Plan. This document is submitted to the Office of Management and Budget and provides the basis for the annual OMB Spring Review.

**§ 101.2-9 Associate Administrator for Minority Small Business.**

Formulates policy relating to the Agency's programs which provide assistance to minority small business concerns and reviews the execution of such programs in light of such policy. Develops plans, policies, operating procedures, and standards to effectively strengthen and improve the Agency's minority small business program, including the provision of centralized services in the disadvantaged areas. Develops program goals and objectives within the framework of approved policies. Reviews and evaluates program effectiveness. Provides direction and emphasis in the coordination of all Agency programs to achieve the objectives of the Minority Small Business effort. Chairs the ad hoc Minority Small Business advisory group established for this coordinative purpose. Evaluates the performance of the field offices to insure compliance with Minority Small Business program policies and procedures. Represents the Administrator at interagency meetings convened by the Secretary of Commerce for the purpose of coordinating programs and activities that affect or contribute to the growth of minority business enterprise. Serves in this capacity, in cooperation with the Associate Administrator for Procurement Assistance and the Assistant Administrator for Management Assistance, at other interagency meetings, and in negotiations with Federal agencies whose activities relate to the Minority Small Business and business development programs. Provides information and assistance and otherwise participates with the Secretary of Commerce, when requested, in

the development of national program objectives for minority business enterprise. Confers with top representatives of industry, trade associations, local governments, and community action groups to enlist their substantial participation and involvement in the SBA Minority Small Business program. Promotes their cooperation in the development of minority enterprises and entrepreneurship in the disadvantaged areas. Negotiates basic agreements with industries for establishment of local outlets and franchises and for the provision of management and technical assistance and other types of support. Coordinates with and invites participation by the Associate Administrator for Procurement Assistance in meetings and conferences that include representatives of manufacturing and construction industries. Works with the Associate Administrator for Procurement Assistance in the development of policies and procedures governing the combined Minority Small Business-Procurement Assistance effort to involve minorities in the manufacturing construction, and related service industries.

(a) *Office of Program Planning and Control.* Coordinates Agency approach to Minority Small Business. Fosters use of innovative and imaginative concepts to assure that resources allocated to Minority Small Business are working effectively and efficiently. Evaluates effect of current programs on Minority Small Business, and recommends changes if appropriate. Assists in setting Minority Small Business goals. Keeps the Performance Management System working, and makes appropriate recommendations based on Performance Management System analysis. Conducts, as appropriate, experimental projects in collaboration with program offices to test innovative programs. Works with the Associate Administrator for Finance and Investment, the Associate Administrator for Procurement Assistance, the Assistant Administrator for management Assistance, and the Assistant Administrator for Advocacy, Planning, and Research in the Central Office to insure that they consider Minority Small Business views in their program areas. Establishes and maintains a free flow of information in both directions.

(b) *Office of Government and Industry Relations.* Seeks and stimulates private sector support for Minority Small Business through Fortune's 500, banks, trade associations, and other private entities in minority business development. Works closely with OMBE, HUD, FAA, DOT, HEW, DOD, and other Federal agencies that have programs relating to and/or affecting Minority Small Business. Plans and develops special impact projects, such as shopping centers, Local Development Companies, airport opportunities, construction projects, etc., that would promote and develop minority participation, management, and ownership. Continues to expand and improve the Minority Vendors program in order to insure maximum private sector corporate support and the fullest

possible benefit to minority enterprises. Works with the Office of Public Information to insure maximum coverage of Minority Small Business success stories and program announcements, etc.

(c) *Office of Program Assistance.* Monitors performance of Minority Enterprise Representatives and field offices to identify problem areas deserving special recognition. Provides guidance and orientation to Minority Enterprise Representatives and other field personnel involved in minority business development. Assists in problem solving, and keeps field offices and Minority Enterprise Representatives apprised of development in Minority Small Business program areas. Reviews declines and problem cases to determine merits of case and see that all possible avenues of assistance have been explored. When necessary, acts as advocate for minority firms with and outside the Agency. Monitors SBA's 406 Grantees and Call Contractors to insure the most effective and efficient use of 406 funds for minority businesses. Replies to all Congressional, White House, and other inquiries relating to individual case matters. Guides and assists minority and other organizations interested in minority business development. Participates in relevant conferences, workshops, seminars, meetings, training programs, etc. Works with the Offices of Budget and Finance, Personnel, Equal Employment Opportunity and Compliance, and the Associate Administrator for Operations on matters of mutual concern.

**§ 101.3 Organization and functions of the field offices.**

(a) *Regional office.* An SBA office, headed by a regional director, it is the principal field office of the Agency, responsible and responsive to the Central Office. The city locations and geographical boundaries of each of the 10 regional offices were designated by the President in a statement on May 2, 1969. Such office exercises full authority and supervisory responsibility for: (1) The execution of all field activities within the region; (2) supervision of all district offices within the region.

(b) *District office.* An SBA office headed by a district director, located in a city designated by the Administrator within a defined, limited, and contiguous geographical area within the region. Such office is responsible and responsive to the regional office for the region in which it is located. Except for restrictions based on delegations of authority, the district office has full authority and supervisory responsibility for: (1) The execution of all field activities within the district boundaries; (2) supervision of all branch offices and post-of-duty stations located within the district boundaries; and (3) providing subordinate branch offices and post-of-duty stations with the technical capability necessary to execute assigned programs.

(c) *Branch office.* An SBA office headed by a branch manager, located in a city designated by the Administrator within a defined, limited, contiguous

geographic area within a district. Such office is directly responsible and responsive to the district office within whose boundaries it is located. It executes one or more elements of the business or disaster loan programs and has limited authority for program execution.

(d) *Post-of-duty station.* An SBA office headed by an officer-in-charge, located in a city designated by the Administrator within a district. Such office is directly responsible and responsive to the district office within whose boundaries it is located. It performs tasks required to promote and support the business and disaster loan programs and procurement and management assistance activities. It has no authority for program execution.

#### § 101.3-1 Listing of field offices.

(a) *Region I.* Regional Office, 150 Causeway Street, Boston, MA 02114. Having jurisdiction over the following district offices and post-of-duty stations:

- (1) 150 Causeway Street, Boston, MA 02114. Serving Massachusetts.
- (2) 326 Appleton Street, Holyoke, MA 01040. Serving counties of Berkshire, Franklin, Hampden, and Hampshire.
- (3) 40 Western Avenue, Augusta, ME 04330. Serving Maine.
- (4) 55 Pleasant Street, Concord, NH 03301. Serving New Hampshire.
- (5) 450 Main Street, Hartford, CT 06103. Serving Connecticut.
- (6) 87 State Street, Montpelier, VT 05602. Serving Vermont.
- (7) 57 Eddy Street, Providence, RI 02903. Serving Rhode Island.

(b) *Region II.* Regional Office, 26 Federal Plaza, New York, NY 10007. Having jurisdiction over the following district and branch offices and post-of-duty stations:

- (1) 26 Federal Plaza, New York, NY 10007. Serving the New York counties of Bronx, Columbia, Delaware, Dutchess, Greene, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester.
- (2) 970 Broad Street, Newark, NJ 07102. Serving New Jersey.
- (3) Hunter Plaza, Fayette and Salina Streets, Syracuse, NY 13202. Serving the New York counties of Allegany, Albany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Erie, Essex, Franklin, Fulton, Genesee, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, Saratoga, Schoenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates.
- (4) 111 West Huron Street, Buffalo, NY 14202. Serving the New York counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming.
- (5) 1051 South Maine Street, Elmira, NY 14904. Serving the New York counties of Broome, Chemung, Schuyler, Steuben, Tioga, and Tompkins.

(6) 99 Washington Avenue, Albany, NY 12210. Serving the New York counties of Albany, Rensselaer, Saratoga, Schoenectady, Schoharie, Warren, and Washington.

(7) 55 St. Paul Street, Rochester, NY 14604. Serving the New York counties of Livingston, Monroe, Ontario, Seneca, Wayne, and Yates.

(8) 255 Ponce de Leon Avenue, Hato Rey, PR 00919. Serving the Commonwealth of Puerto Rico and the U.S. Virgin Islands.

(c) *Region III.* Regional Office, 1 Decker Square, East Lobby, Bala Cynwyd, PA 19004. Having jurisdiction over the following district and branch offices:

(1) 1 Decker Square, East Lobby, Bala Cynwyd, PA 19004. Serving the Pennsylvania counties of Adams, Berks, Bradford, Bucks, Carbon, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York.

(2) Miller Furniture Building, 7-11 Market Square, Harrisburg, PA 17108. Serving the Pennsylvania counties of Adams, Clinton, Cumberland, Dauphin, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, Potter, Snyder, Union, Tioga, and York.

(3) 34 South Main Street, Wilkes-Barre, PA 18703. Serving the Pennsylvania counties of Bradford, Carbon, Columbia, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, and Wyoming.

(4) 844 King Street, Wilmington, Dela. 19801. Serving Delaware.

(5) 7800 York Road, Towson, MD 21204. Serving Maryland except the counties of Montgomery and Prince Georges.

(6) 109 North Third Street, Clarksburg, WV 26301. Serving West Virginia.

(7) Charleston National Bank, Charleston, WV 25301. Serving the West Virginia counties of Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, Mason, McDowell, Mercer, Mingo, Monroe, Nicholas, Pocahontas, Putnam, Raleigh, Roane, Summers, Wayne, Webster, Wirt, and Wyoming.

(8) 1000 Liberty Avenue, Pittsburgh, PA 15222. Serving the Pennsylvania counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntington, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland.

(9) 400 North Eighth Street, Richmond, VA 23240. Serving Virginia except the counties of Arlington, Fairfax, and Loudoun.

(10) 1030 Fifteenth Street, NW., Washington, DC 20416. Serving the District of Columbia and the Maryland counties of Montgomery and Prince

Georges and the Virginia counties of Arlington, Fairfax, and Loudoun.

(d) *Region IV.* Regional Office, 1401 Peachtree Street, NE., Atlanta, GA 30309. Having jurisdiction over the following district and branch offices and post-of-duty stations.

(1) 1401 Peachtree Street, NE., Atlanta, GA 30309. Serving Georgia.

(2) 908 South 20th Street, Birmingham, AL 35205. Serving Alabama.

(3) 222 South Church Street, Charlotte, NC 28202. Serving North Carolina.

(4) 215 South Evans Street, Greenville, NC 27834. Serving the North Carolina counties of Beaufort, Bertie, Brunswick, Camden, Carteret, Currituck, Chowan, Columbus, Craven, Dare, Duplin, Edgecombe, Gates, Greene, Halifax, Hertford, Hyde, Jones, Lenoir, Martin, Nash, New Hanover, Onslow, Pamlico, Perquimans, Pasquotank, Pitt, Pender, Tyrrell, Washington, Wayne, Wilson, and Northampton.

(5) 1801 Assembly Street, Columbia, SC 29201. Serving South Carolina.

(6) Petroleum Building, Suite 690, Pascagoula and Amite Streets, Jackson, Miss. 39205. Serving Mississippi.

(7) 111 Fred Haise Boulevard, Biloxi, Miss. 39530. Serving the Mississippi counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Pearl River, Perry, and Stone.

(8) 400 West Bay Street, Jacksonville, FL 32202. Serving the Florida counties of Alachua, Baker, Bay, Bradford, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hernando, Holmes, Jackson, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Okaloosa, Orange, Putnam, Santa Rosa, St. Johns, Seminole, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington.

(9) 600 Federal Place, Louisville, KY 40202. Serving Kentucky.

(10) 2222 Ponce de Leon Blvd., Coral Gables, FL 33134. Serving the Florida counties of Brevard, Broward, Charlotte, Collier, Dade, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Monroe, Okeechobee, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, and Florida.

(11) 1802 North Trask Street, Tampa, FL 33607. Serving the Florida counties of Hillsborough, Pinellas, Polk, and Pasco. (Circuit rider to Manatee and Hendry.)

(12) 404 James Robertson Parkway, Nashville, TN 37219. Serving Tennessee.

(13) 502 Gay Street, Knoxville, TN 37902. Serving the Tennessee counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Cumberland, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Unicoi, Union, and Washington.

(14) 167 North Main Street, Memphis, TN 38103. Serving the Tennessee counties of Fayette, Hardeman, Haywood, Lauderdale, Shelby, and Tipton.

(e) *Region V. Regional Office, 219 South Dearborn Street, Chicago, IL 60604.* Having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 219 South Dearborn Street, Chicago, IL 60604. Serving Illinois.

(2) 502 East Monroe Street, Springfield, IL 62701. Serving the Illinois counties of Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Logan, McDonough, Macon, Massac, Menard, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Union, Vermilion, Wabash, Washington, Wayne, White, and Williamson.

(3) 1240 East Ninth Street, Cleveland, OH 44199. Serving the Ohio counties of Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Harrison, Huron, Jefferson, Lake, Lorain, Lucas, Mahoning, Medina, Ottawa, Portage, Sandusky, Stark, Summit, Trumbull, Tuscarawas, Wayne, and Wood.

(4) 34 North High Street, Columbus, OH 43215. Serving the Ohio counties of Adams, Allen, Ashland, Athens, Auglaize, Belmont, Brown, Butler, Champaign, Clark, Clermont, Clinton, Coshocton, Crawford, Darke, Defiance, Delaware, Fairfield, Fayette, Franklin, Fulton, Gallia, Greene, Guernsey, Hamilton, Hancock, Hardin, Henry, Highland, Hocking, Holmes, Jackson, Knox, Lawrence, Licking, Logan, Madison, Marion, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Paulding, Perry, Pickaway, Pike, Preble, Putnam, Richland, Ross, Scioto, Seneca, Shelby, Union, Van Wert, Vinton, Warren, Washington, Williams, and Wyandot.

(5) 550 Main Street, Cincinnati, OH 45202. Serving the Ohio counties of Adams, Brown, Butler, Clermont, Clinton, Hamilton, Highland, Montgomery, Preble, and Warren.

(6) 1249 Washington Boulevard, Detroit, MI 48226. Serving Michigan.

(7) 201 McClellan Street, Marquette, MI 49855. Serving the Upper Peninsula of Michigan.

(8) 36 South Pennsylvania Street, Indianapolis, IN 46204. Serving Indiana.

(9) 122 West Washington Avenue, Madison, WI 53703. Serving the Wisconsin counties of Adams, Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Door, Douglas, Dunn, Eau Claire, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Iron, Jackson, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Menominee, Milwaukee, Monroe, Oconto, Oneida, Outagamie, Ozaukee, Pepin, Pierce, Polk, Portage, Price, Racine, Richland, Rock, Rusk, St. Croix, Sauk, Sawyer, Shawano,

Sheboygan, Taylor, Trempealeau, Vernon, Vilas, Walworth, Washburn, Washington, Waukesha, Waushara, Winnebago, and Wood.

(10) 735 West Wisconsin Avenue, Milwaukee, WI 53223. Serving the Wisconsin counties of Dodge, Fond du Lac, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha.

(11) 500 South Barstow Street, Eau Claire, WI 54701. Serving the Wisconsin counties of Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Lincoln, Oneida, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vilas, and Washburn.

(12) 12 South Sixth Street, Minneapolis, MN 55402. Serving Minnesota.

(f) *Region VI. Regional Office, 1720 Regal Row, Dallas, TX 75235.* Having jurisdiction over the following district and branch offices and post-of-duty station.

(1) 1100 Commerce Street, Dallas, TX 75202. Serving the Texas counties of Anderson, Archer, Baylor, Bell, Bosque, Brown, Callahan, Clay, Coleman, Collin, Comanche, Cooke, Coryell, Dallas, Delta, Denton, Eastland, Ellis, Erath, Falls, Fannin, Freestone, Grayson, Hamilton, Hendrickson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Limestone, McLennan, Mills, Montague, Navarro, Palo Pinto, Parker, Rains, Rockwall, Shackelford, Somervell, Stephens, Tarrant, Throckmorton, Van Zandt, Wichita, Wilbarger, Wise, and Young.

(2) 5000 Marble Avenue, N.E., Albuquerque, NM 87110. Serving New Mexico.

(3) 808 Travis Street, Houston, TX 77002. Serving the Texas counties of Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Milam, Montgomery, Newton, Orange, Polk, Robertson, San Jacinto, Trinity, Tyler, Waller, Walker, Washington, and Wharton.

(4) 611 Gaines Street, Little Rock, AR 72201. Serving Arkansas except Columbia, Lafayette, and Miller counties.

(5) 1205 Texas Avenue, Lubbock, TX 79408. Serving the Texas counties of Andrews, Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Childress, Cochran, Coke, Collingsworth, Cottle, Crane, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Farmer, Potter, Randall, Reagan, Roberts, Runnels, Scurry, Sherman, Sterling, Stonewall, Swisher, Taylor, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum.

(6) 219 East Jackson Street, Lower Rio Grande Valley, TX 78550. Serving the Texas counties of Aransas, Brooks,

Cameron, Duval, Hildalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, San Patricio, Starr, Willacy, and Zapata.

(7) 3105 Leopard Street, Corpus Christi, TX 78408. Serving the Texas counties of Aransas, Brooks, Kleberg, Nueces, and San Patricio.

(8) 505 East Travis Street, Marshall, TX 75670. Serving the Arkansas counties of Columbia, Lafayette, and Miller; the Texas counties of Bowie, Camp, Cass, Cherokee, Franklin, Gregg, Harrison, Marion, Morris, Nacogdoches, Panola, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur, and Wood; and the Louisiana parishes of Bienville, Bossier, Caddo, Claiborne, De Soto, Red River, and Webster.

(9) 1001 Howard Avenue, New Orleans, LA 70113. Serving Louisiana, except Bienville, Bossier, Caddo, Claiborne, De Soto, Red River, and Webster Parishes.

(10) 50 Penn Place, Oklahoma City, OK 73118. Serving Oklahoma.

(11) 301 Broadway, San Antonio, TX 78205. Serving the Texas counties of Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brewster, Burnet, Caldwell, Calhoun, Comal, Concho, Crockett, Culberson, De Witt, Dimmit, Edwards, El Paso, Fayette, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hudspeth, Irion, Jackson, Jeff Davis, Karnes, Kendall, Kerr, Kimble, Kinney, Lampasas, La Salle, Lavaca, Lee, Live Oak, Llano, Loving, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Pecos, Presidio, Real, Reeves, Refugio, San Saba, Schleicher, Sutton, Terrell, Tom Green, Travis, Uvalde, Val Verde, Victoria, Webb, Williamson, Wilson, and Zavala.

(12) 109 North Oregon Street, El Paso, TX 79901. Serving the Texas counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Terrell.

(g) *Region VII. Regional Office, 911 Walnut Street, Kansas City, MO 64106.* Having jurisdiction over the following district offices.

(1) 911 Walnut Street, Kansas City, MO 64106. Serving the Kansas counties of Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Labette, Leavenworth, Linn, Marshall, Miami, Montgomery, Nemaha, Neosho, Osage, Pottawatomie, Shawnee, Wilson, Woodson, and Wyandotte; and the Missouri counties of Adair, Andrew, Atchison, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Chariton, Christian, Clay, Clinton, Cole, Cooper, Dade, Dallas, Daviess, De Kalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson, Laclede, Lafayette, Lawrence, Linn, Livingston, Macon, McDonald, Mercer, Miller, Moniteau, Morgan, Newton, Nodaway, Ozark, Pettis, Platte, Polk, Pulaski, Putnam, Randolph, Ray, St. Clair, Saline, Schuyler, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, and Wright.

(2) 210 Walnut Street, Des Moines, IA 50309. Serving Iowa.

(3) 215 North 17th Street, Omaha, NE 68102. Serving Nebraska.

(4) 210 North 12th Street, St. Louis, MO 63101. Serving the Missouri counties of Audrain, Bollinger, Butler, Callaway, Cape Girardeau, Carter, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Jefferson, Knox, Lewis, Lincoln, Madison, Maries, Marion, Mississippi, Monroe, Montgomery, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Ralls, Reynolds, Ripley, St. Charles, St. Francois, Ste. Genevieve, St. Louis, St. Louis City, Scotland, Scott, Shannon, Shelby, Stoddard, Warren, Washington, and Wayne.

(5) 120 South Market Street, Wichita, KS 67202. Serving the Kansas counties of Barber, Barton, Butler, Chase, Chautauqua, Cheyenne, Clark, Clay, Cloud, Comanche, Cowley, Decatur, Dickinson, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Geary, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearney, Kingman, Kiowa, Lane, Lincoln, Logan, Lyon, McPherson, Marion, Meade, Mitchell, Morris, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wabaunsee, Wallace, Washington, and Wichita.

(h) *Region VIII.* Regional Office, 721 19th Street, Denver, CO 80202. Having jurisdiction over the following district offices:

(1) 721 19th Street, Denver, CO 80202. Serving Colorado.

(2) 100 East B Street, Casper, WY 82601. Serving Wyoming.

(3) 653 Second Avenue North, Fargo, ND 58102. Serving North Dakota.

(4) 618 Helena Avenue, Helena, Montana 59601. Serving Montana.

(5) 125 South State Street, Salt Lake City, UT 84138. Serving Utah.

(6) National Bank Building, Eighth and Main Avenue, Sioux Falls, SD 57102. Serving South Dakota.

(7) 515 9th Street, Rapid City, SD 57701. Serving the South Dakota counties of Butte, Custer, Fall River, Lawrence, Meads, Pennington, and Shannon.

(i) *Region IX.* Regional Office, 450 Golden Gate Avenue, San Francisco, CA 94102. Having jurisdiction over the following district and branch offices and post-of-duty stations:

(1) 450 Golden Gate Avenue, San Francisco, CA 94102. Serving California except the counties of Imperial, Inyo, Kern (E. Pt.), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Diego, San Luis Obispo, and Ventura.

(2) 1130 O Street, Fresno, CA 93721. Serving the California counties of Fresno, Kern (W. Pt.), Kings, Madera, Merced, and Tulare.

(3) 1149 Bethel Street, Honolulu, HI 96813. Serving Hawaii and American Samoa.

(4) Ada Plaza Center Building, Agana, Guam 96910. Serving Guam and the Trust Territory of the Pacific Islands.

(5) 849 South Broadway, Los Angeles, CA 90014. Serving the California counties of Kern (E. Pt.), Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, San Luis Obispo, and Ventura.

(6) 300 Las Vegas Boulevard South, Las Vegas, NV 89101. Serving Nevada and the California county of Inyo.

(7) 112 North Central Avenue, Phoenix, AZ 85004. Serving Arizona.

(8) 110 West C Street, San Diego, CA 92101. Serving the California counties of Imperial and San Diego.

(j) *Region X.* Regional Office, 710 Second Avenue, Seattle, WA 98104. Having jurisdiction over the following district and branch offices.

(1) 710 Second Avenue, Seattle, WA 98104. Serving the Washington counties of Chelan, Clallam, Douglas, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima.

(2) 1016 West Sixth Avenue, Anchorage, AK 99501. Serving the Alaska election districts of Ketchikan-Prince of Wales, Wrangell-Petersburg, Sitka, Juneau, Yakutat, Cordova-Valdez, Palmer, Anchorage, Seward, Kenai, Kodiak, Aleutian Islands, Bristol Bay, Bethel, Nome, and Wade Hampton.

(3) 503 Third Avenue, Fairbanks, AK 99701. Serving the Alaska election districts of Barrow-Kobuk, Fairbanks-Yukon, and Yukon-Kuskokwim.

(4) 216 North Eighth Street, Boise, ID 83701. Serving Idaho, except the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone; and the Oregon counties of Baker, Grant, Harney, Malheur, Union, and Walla.

(5) 921 Southwest Washington Street, Portland, OR 97205. Serving Oregon except the counties of Baker, Grant, Harney, Malheur, Union, and Walla; and the Washington counties of Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum.

(6) Court House Building, Room 651, Spokane, WA 99210. Serving the Washington counties of Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman; and the Idaho counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

#### § 101.4 SBA forms for public use.

SBA forms used by the public when applying for or obtaining SBA assistance or when providing services for SBA are available in all field offices. See § 101.3-1.

#### § 101.5 Seal.



The Administrator and the Assistant Administrator for Administration, and each Regional and District Director, and Branch Manager are authorized to certify and authenticate as true, originals and copies of any books, records, papers, or other documents on file within the Small Business Administration; to certify and authenticate as true, originals, and copies of extracts from such material; to certify the nonexistence of records on file; and to cause the Seal of the Small Business Administration to be affixed to all such certifications for all purposes, including the purposes authorized by 28 USC 1733. This authority applies to any books, records, papers, or other documents on file within their respective jurisdictions.

#### § 101.6 Litigation.

Service of process in any suit instituted against SBA may be accomplished in accordance with the provisions of Rule 4 of the Federal Rules of Civil Procedure or in accordance with the provisions of section 2410 of Title 28, United States Code. All litigation instituted by or against SBA will be prosecuted or defended by the Attorney General through the United States Attorney for the Federal District in which the matter arises.

#### § 101.7 Employment of fee counsel.

(a) *Business loans.* SBA employs attorneys on a full-time basis in most of its field offices and these employees usually perform all the legal services requested on behalf of SBA in the making of business loans. The loan applicant or borrower usually employs his own attorney to represent his interests, and this attorney is selected and paid by the applicant or borrower, except that the reasonableness of the fee is reviewed by SBA. On occasions, such as where the volume of activity has not been sufficient to require a full-time employee, or the area is too remote to economically use the services of a full-time employee, SBA has hired fee counsel to represent it in business loans.

(b) *Disaster loans.* In disaster loans, as defined in Part 123 of this chapter, SBA may contract for the services of fee counsel because the disaster presents an emergency and a volume of activity that cannot be promptly and economically

served by the available full-time or temporary employees.

(c) *Compensation.* All work performed at the request of, and for, SBA is performed in compliance with its regulations and instructions, and is compensated for at an hourly rate determined by SBA and established in the contract between SBA and the fee counsel. The contract may be terminated upon written notice by either party.

(d) *Duties.* The fee counsel acts under the general supervision of the General Counsel through field counsel, and takes such action as is legally requisite and necessary for the making of loans under the provisions of the Small Business Act. In the event that fee counsel acts contrary to, or fails to act in accordance with SBA's Regulations and instructions, the loan may be reassigned either to another fee counsel or to a full-time employee. In the performance of functions as an attorney for SBA the highest standards of professional conduct are requisite and proper. All matters of confidence proper to the attorney-client relationship are respected by fee counsel.

#### § 101.8 Investigations: Small Business Act.

##### § 101.8-1 Application of the rules of this part.

The rules of this part apply only to investigations conducted under the Small Business Act (15 U.S.C. 631 *et seq.*). They do not apply to adjudicative or rule-making proceedings or investigations under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*).

##### § 101.8-2 Scope of rules.

Where, from complaints received from members of the public, examination of filings and reports made with the Agency, communications from Federal or State agencies, or otherwise, it appears that there may be a violation of the Small Business Act, as amended, or the rules and regulations thereunder, or of any order issued under the Act, or where it appears that there is a likelihood that a violation has been or is about to be committed, the Administrator or the Assistant Administrator for Administration or the Director of the Office of Audits and Investigations may order a formal investigation if it is deemed necessary.

##### § 101.8-3 Authority of officer conducting investigation.

The person or persons designated by the Order of Formal Investigation shall have all the authority to conduct the inquiry as set forth in Section 5(b) (11) of the Act, 15 U.S.C. 634(b) (11), including the authority to administer oaths and affirmations, subpoena witnesses, compel their attendance to take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry.

##### § 101.8-4 Non-public formal investigation proceedings.

Unless otherwise ordered by the Administration, all formal investigative proceedings shall be non-public and the reports thereon are for the use of the Administration only.

##### § 101.8-5 Right to copy of data or transcript of testimony.

Transcripts, if any, of formal investigative proceedings shall be recorded by the official reporter, or by any other person or means designated by the officer conducting the investigation. A person who has submitted data or evidence in such investigations shall be entitled to retain or procure a copy of his data or a transcript of his testimony on payment of the prescribed fees; provided, however, in the case of non-public investigations such person shall file a written request stating the reason for desiring to procure such copy or transcript. The Administration may in non-public investigatory proceeding for good cause deny such request. In the latter event, such person, upon proper identification, shall have the right to inspect the official transcript of his testimony.

##### § 101.8-6 Counsel for witnesses in investigations.

Any person compelled to appear in person at an investigation designated in § 101.8-2 may be accompanied, represented and advised by counsel, but such counsel may not represent any other witness or any person being investigated, unless permitted in the discretion of the officer conducting the investigation or the Administration upon being satisfied that there is no conflict of interest in such representation and that the presence of identical counsel for other witnesses or persons being investigated would not tend to hinder the course of the investigation.

##### § 101.8-7 Suspension or disbarment of counsel.

The Administrator for good cause shown may, in accordance with the procedures set forth in Part 104 of this chapter, reprimand, suspend or disbar counsel from practice before the Administration because of contemptuous conduct, dilatory tactics or other improper conduct in the course of an investigation.

##### § 101.8-8 Information obtained in investigations.

Information or documents obtained by the Administration in the course of any investigation shall, unless made a matter of public record, be deemed confidential. Officers and employees are hereby prohibited from making such confidential information or documents or any other non-public records of the Administration available to anyone other than an officer or employee of the Administration, unless the Administration authorizes the disclosure of such information or the production of such documents as not being contrary to the public interest. Any officer or employee

who is served with a subpoena requiring the disclosure of such information or the production of such documents shall appear in court and, unless the authorization described in the preceding sentence shall have been given, shall respectfully decline to disclose the information or produce the documents called for, basing his refusal upon this section. Any officer or employee who is served with a subpoena shall promptly advise the Assistant Administrator for Congressional and Public Affairs and the Office of General Counsel of the service of such subpoena, the nature of the information or documents sought, and any circumstances which may bear upon the desirability of making available such information or documents.

##### § 101.8-9 Service of subpoena.

(a) Service of subpoenas issued in an investigative proceeding may be effected as follows:

(1) *By registered mail.* A copy of the subpoena shall be addressed to the person, partnership, corporation, or unincorporated association to be served at his or its residence or principal office or place of business, registered, and mailed; or

(2) *By delivery to any individual.* A copy of the subpoena may be delivered to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation or unincorporated association to be served; or

(3) *By delivery to an address.* A copy of the subpoena may be left at the principal office or place of business of the person, partnership, corporation or unincorporated association, or it may be left at the residence of the person or a member of the partnership or of an officer or director of the corporation or unincorporated association to be served.

(b) *Proof of service.* (1) When service is by registered mail, it is complete upon delivery of the document by the Post Office.

(2) The return Post Office receipt for a document registered and mailed, or the verified return of certificate by the person serving the document by personal delivery, setting forth the manner of said service, shall be proof of the service of the document.

##### § 101.8-10 Witness fees.

Witnesses in an investigative proceeding shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

##### § 101.9 Public participation in rule-making.

SBA is governed as a matter of policy by the public participation provisions of the Administrative Procedure Act, 5 U.S.C. section 553, notwithstanding the exemptions given by such section 553 for matters relating to agency management or personnel, or to public property, loans, grants, benefits, or contracts. Where, as provided by 5 U.S.C. section 553, it is determined that such public

participation procedures would be impracticable, unnecessary, or contrary to the public interest, a specific finding to this effect shall be published with the rules or regulations in question. Such exceptions from public participation procedures are not to be favored and will be used sparingly, as for example, in emergencies and in instances where public participation would be useless or wasteful because proposed regulations, or amendments thereto, cover minor technical matters. In connection with any notice of proposed rulemaking, written material or suggestions submitted will be available for public inspection during regular business hours at the office indicated in such notice.

[FR Doc. 74-29541 Filed 12-18-74; 8:45 am]

#### Title 14—Aeronautics and Space

### CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 11412; Amdt. No. 36-3]

## PART 36—NOISE STANDARDS—AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

### Acoustical Change Approvals

The purpose of this amendment is to tighten the conditions under which an applicant for an acoustical change approval must show that issuance of type certificate changes authorizing modification of certain turbojet or transport category airplanes will not increase the takeoff or sideline noise levels of those airplanes. The primary basis of this amendment is section 611 of the Federal Aviation Act of 1958 (49 U.S.C. 1431) as amended by the Noise Control Act of 1972.

This amendment is based on three proposals contained in Notice 71-26, published in the *FEDERAL REGISTER* (36 FR 18584) on September 17, 1971. That Notice contained other proposals that are still under consideration by the FAA and that may result in additional rule making. Interested persons have been afforded an opportunity to comment on the matters contained in this amendment, and all relevant comments have been considered.

Pursuant to 49 U.S.C. 1431(b)(1), the Federal Aviation Administration has consulted with the Secretary of Transportation, prior to the adoption of this amendment. Pursuant to that provision, section 309 of the Clean Air Act, as amended (42 U.S.C. 1857 h-7), and § 1500.9(b) of the guidelines of the Council on Environmental Quality entitled "Preparation of Environmental Impact Statements" (40 CFR Part 1500), published in the *FEDERAL REGISTER* on August 1, 1973, the FAA has consulted with the Administrator of the Environmental Protection Agency, and has submitted this amendment to that agency for review and comment, prior to adoption of this amendment.

#### I. NOTICE 71-26.

Among its proposals, Notice 71-26, as stated above, proposed three changes af-

fecting the acoustical change requirements in order to ensure that valid comparative tests of modified and unmodified aircraft are conducted. This amendment addresses these three proposals with respect to type design changes of airplanes that do not comply with the noise levels prescribed in Appendix C of Part 36, that is, airplanes covered by § 36.1(c)(2) of that Part.

First, the Notice proposed to prohibit any reduction in power or thrust during the takeoff and sideline noise tests conducted before and after the type design change. Second, the Notice proposed to require that the takeoff and sideline noise levels be determined using the quietest airworthiness approved configuration available at the highest approved takeoff weight. As the Notice stated, these two amendments were proposed "since, by manipulating the schedules of power or thrust reduction and the takeoff configuration, an unrepresentative comparison may result under which the changed aircraft may actually be capable of generating more noise, under the same conditions, than before the type design change."

Finally, the Notice proposed to amend the airspeed requirement by eliminating  $V_2+10$  knots as a minimum takeoff airspeed (that may be exceeded without limit) and requiring instead a speed of  $V_2+10$  knots with a flight test tolerance of  $\pm 3$  knots. This proposal, like the two discussed above, was intended to ensure a valid comparative test by prohibiting the modified airplane from overflying the measurement points at an airspeed markedly different from that of the unmodified airplane (since flyover time can affect recorded noise levels).

#### II. COMMENTS RECEIVED

The following public comments in response to Notice 71-26 were relevant to the matters addressed in this amendment (that is, the airspeed, thrust, and configuration conditions to be used in acoustical change demonstrations for airplanes that do not meet Appendix C of Part 36):

A. *Test airspeed.* 1. One comment objected to the proposal concerning test airspeed stating that Part 36 requires all procedures used to show compliance with that Part to be consistent with the airworthiness regulations constituting the type certification basis of the airplane. This comment suggested that, rather than a speed of  $V_2+10\pm 3$  knots, the test speed should be the lowest airspeed at which airworthiness compliance is shown. A related comment stated that, under the airworthiness requirements of Part 25, the all-engine takeoff speed can exceed  $V_2+10+3$  knots at 35 feet under certain test conditions. This comment stated that the proposed airspeed limit would require the airplane to decelerate at 35 feet, which would not represent safe operational practice. In response to this comment, and in order to ensure that the test airspeed is consistent with airspeeds demonstrated under the airworthiness regulations constituting the type certification basis of

the airplane, this amendment provides that the acoustic day reference speed must be the minimum approved value of  $V_2$ , plus 10 knots, "or the all-engines-operating speed at 35 feet (for turbine engine powered airplanes) or 50 feet (for reciprocating engine powered airplanes), whichever speed is greater as determined under the regulations constituting the type certification basis of the airplane." In addition, since the unqualified reference to the speed  $V_2$ , as proposed in the notice, would have permitted a range of speeds to be selected (since acoustic day reference  $V_2$  values would, therefore, be permitted to vary for the same airplane) which could result in invalid noise comparisons, the language discussed above ensures that a single value (i.e., minimum approved value) of  $V_2$  is used for the purpose of determining the acoustic day reference speed. Under this amendment, the criteria for selecting the acoustic day reference speed must also be followed in selecting test day speeds, except that a test tolerance of  $\pm 3$  knots is allowed. These amendments are intended to improve the ability of the acoustical change demonstration to ensure that speed differences between the two tests do not mask real increases in noise on the part of the altered aircraft.

2. One comment stated that any tolerance more restrictive than  $\pm 10$  knots is overly restrictive for flight test purposes, and will result in repeated tests and unnecessary omission of data. However, another commentator agreed that a test tolerance of  $\pm 3$  knots is acceptable. The FAA believes that a test tolerance of more than  $\pm 3$  knots may permit unnecessary correction errors to be introduced and is not needed in order to conduct a satisfactory flight test program.

3. One comment stated that, for some aircraft, the best noise performance is obtained with climb speeds greater than  $V_2+10+3$  knots. This comment suggested that a speed of  $V_2+10+X$  be used, with  $X$  being the same for the tests conducted before and after the type design change. The FAA agrees that a speed greater than the proposed test speed may in fact be optimum with respect to obtaining low noise levels in a test environment. However, for the purpose of establishing whether or not takeoff or sideline noise has escalated as a result of a type design change, it is sufficient to use a well defined airspeed such as the one discussed above. It is not necessary to add the further complication of determining which specific value of  $X$  would in fact be optimum acoustically.

B. *Prohibition of thrust reduction.* 1. One comment stated that prohibiting reduction in power or thrust would deter development of acoustic devices that are most effective at reduced power. This comment stated that such a rule would unfairly treat derivative aircraft having such devices and would thus reduce the incentive to improve the acoustical performance of such aircraft. For the purpose of acoustical change testing, the FAA, after several years of experience in

administering § 36.1(c) (2), believes that the objective of eliminating the potential for significant noise escalation (that results from permitting cutback in power and thrust as a means of showing compliance with that section) in the current regulation outweighs the hypothetical benefits to be derived from the development of such devices.

2. It was argued that, if the change in type design permits proper flight characteristics with a reduction in power or thrust, such reduction should be permitted. As stated above, the objective of § 36.1(c) (2) is to prevent the issuance of type certificate change approvals that permit an increase in the noise levels generated by the airplane. Demonstrations of takeoff and sideline noise levels at reduced thrust do not ensure that the noise levels associated with takeoff thrust will not be increased in operation as a result of the type design change. Requiring full takeoff power or thrust before and after the type design change will help to prevent such escalation. It is thus not pertinent to the objectives of § 36.1(c) (2) that there may be reduced thrust values at which the modified (derivative) airplane may be as quiet as the unmodified airplane. The FAA does agree, however, that any reduction in power or thrust that is required by the operating limitations of the airplane during takeoff or climbout should be permitted during the noise test. This amendment thus modifies the proposed language by only prohibiting reductions in power or thrust "below the highest airworthiness approved power or thrust."

3. One comment stated that prohibiting reduction in power or thrust is contrary to the fundamental purpose of Part 36, which is to encourage power cutback. With respect to the goal of § 36.1(c) (2), the fundamental objective has never been to encourage power cutback as a test procedure, but rather to stop the issuance of type certificate change approvals that permit noise levels, already higher than those in Appendix C of Part 36, to be increased further in actual operation. Unless full-power takeoff and sideline noise demonstrations are made, this objective can be compromised as discussed above.

4. One commentator stated that it is inconsistent to allow thrust reduction for the purpose of showing compliance with Appendix C, while prohibiting thrust reduction under § 36.1(c) (2) for the purpose of showing that one airplane is as quiet as another. The FAA agrees that, so far as use of power or thrust is concerned, a different takeoff and sideline noise test concept is intended under § 36.1(c) (2) than under those portions of Part 36 that require compliance with the noise limits of Appendix C of that Part. The reason for this intended difference is that no real potential for noise escalation has yet been observed in the administration of those provisions of Part 36 that are tied to specific noise levels, whereas such a potential clearly exists under § 36.1(c) (2), where the only reference noise level is that of an airplane type design that

may itself have been modified using levels of power or thrust different from those of its "parent" aircraft. This potential for repeated modifications using dissimilar power or thrust, and the fact that aircraft covered by § 36.1(c) (2) are already incapable of complying with the noise limits specified in Appendix C, dictate that more restrictive test conditions, designed to positively prevent even further takeoff or sideline noise escalation, be applied to those aircraft than are necessary for aircraft whose modification is tied to the noise levels of Appendix C.

5. It was stated that prohibiting reduction of power or thrust under § 36.1(c) (2) will seriously curtail the industry practice of developing growth versions of aircraft. The specific claim was made that such an effect would not be economically reasonable and would violate the FAA's duty, under section 611 of the Federal Aviation Act of 1958, to consider whether any proposed standard or regulation is economically reasonable. The FAA disagrees. The effect of § 36.1(c) (2), as amended by this action, is simply to require a type certificate change applicant to either develop means of "freezing" the noise level of the aircraft, or to accept the economic value of the airplane as it is. No effect on the current economic viability of an aircraft is imposed by this amendment. Considering the high noise levels generated by aircraft covered by § 36.1(c) (2), a requirement that desired economic growth be accomplished without acoustical degradation is believed to be reasonable and fair for aircraft that already exceed the noise limits of Appendix C of Part 36.

6. One comment stated that the FAA has issued an Advisory Circular (AC 91-39, January 18, 1974) which refers to a reduction in power or thrust at a height of 1,500 feet above field elevation. It was argued that the FAA should, therefore, permit such a cutback under § 36.1(c) (2). The FAA disagrees. The terms of AC 91-39, while intended to encourage the reduction of the total takeoff noise impact of aircraft operations, were not intended, and are not detailed enough, to ensure that design changes incorporated into a given aircraft do not increase the noise generated by that aircraft. Requiring full takeoff power, before and after the type design change, will, on the other hand, help to minimize the probability that a modified aircraft will be noisier than it was before modification under a range of takeoff procedures (including those in AC 91-39).

7. It was stated that prohibiting reduction in power or thrust is inconsistent with achieving takeoff noise reduction over communities. This comment is partially correct with respect to takeoff procedures used in actual operation. However, the purpose of the certification procedures in § 36.1(c) (2) is not to determine how quiet an aircraft can be in operation, but is rather to ensure that, if the aircraft already exceeds Appendix C noise levels, its capability of generating noise is not increased further when

a type certificate change approval is issued. For this purpose, the aircraft must be tested at full takeoff power.

8. One comment stated that requiring comparative noise testing at takeoff power could involve the retesting of airplanes that may have previously been tested with reduced thrust, since noise data would not be available for those airplanes at takeoff power. It is recognized that this amendment may have this effect. However, insofar as previously acquired noise data was obtained through the use of procedures that may permit noise to escalate, the FAA believes that such data should not continue to be used and that the cost of obtaining new data is justified by the public interest in preventing escalation of the noise levels of aircraft that already exceed the limits specified in Appendix C.

C. *The quietest configuration.* Comments were received stating that the proposed requirement that takeoff and sideline noise demonstrations under § 36.1(c) (2) be conducted using "the quietest airworthiness approved configuration" is unclear. It was suggested that the regulation refer instead to "the quietest comparable airworthiness approved configuration of that airplane model" (prior to the change in type design). The FAA believes that adoption of the commentator's proposed language could cause unnecessary penalties by requiring comparison of the modified aircraft with one having the same model designation but that is quieter. Such a result would be more restrictive than intended by the regulation, which is only intended to require that the modified airplane not be noisier than it was prior to the type design change. The rule as proposed by FAA requires comparison only with the quietest configuration of the type design of the particular aircraft for which a type certificate change is being issued.

D. *Other comments.* 1. One comment stated that the proposal to apply the new requirement to all applications received after the publication date of Notice 71-26 would make it impossible for manufacturers to fix designs, start production, and make final commitment until the certification requirements are finally established. The FAA agrees that, unless sufficient reasons exist, type certification regulations should apply only to applications received after the effective dates of such regulations. However, as stated in the Notice, the FAA believes that sufficient reason exists in this case, since the effectiveness of the proposals in the notice could be compromised, possibly for long periods of time, unless the amendment is applied to all applications made after the notice was published in the FEDERAL REGISTER. As also stated in the notice, however, this amendment is not retroactive to any type design change approvals issued before its effective date.

2. It was stated that changing the manner in which acoustical changes are evaluated would constitute an infringement on the pre-existing rights of type

certificate holders. Nothing in this amendment affects the ability of type certificate holders to exercise the rights granted therein. However, such rights do not include the right to obtain further FAA type certificate change approvals, the effect of which would be to authorize escalation of the noise of aircraft that already exceed Appendix C noise limits.

3. It was urged that the provisions of §§ 36.101 and 36.103 concerning the approval of equivalent procedures should be retained. With respect to compliance with Appendices A and B of Part 36, this amendment does not alter the provisions for approval of equivalent procedures for measuring and evaluating aircraft noise under those appendices during acoustical change demonstrations. It is not, however, intended that the equivalency provisions applicable to the measurement and evaluation of noise under §§ 36.101 and 36.103 be extended to include the flight test procedures of § 36.1(c)(2)(i) through (iii). Those procedures are thus stated to be "in addition to the applicable provisions of Appendices A and B of this Part" and are essential aspects of a valid comparative noise test for aircraft that are not limited by the noise levels specified in Appendix C.

Finally, in order to prevent a conflict between the new provisions of § 36.1(c)(2) and those in the general takeoff test conditions prescribed in § C36.7 of Appendix C of Part 36, paragraph (a) of the latter section is amended to specifically except the provisions of § 36.1(c)(2).

(Sections 313(a), 601, 603, and 611, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and 1431 as amended by Noise Control Act of 1972 (P.L. 92-574)); Section 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Title I, National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); Executive Order 11514, March 5, 1970)

In consideration of the foregoing, Part 36 of the Federal Aviation Regulations is amended, effective January 20, 1975, as follows:

1. Section 36.1(c)(2) is amended to read as follows:

#### § 36.1 - Applicability.

(c) \* \* \*

(2) The noise levels created by the airplane prior to the change in type design, measured and evaluated as prescribed in Appendices A and B of this part, for airplanes that cannot achieve the noise limits prescribed in Appendix C of this part prior to the change in type design. For airplanes covered by this subparagraph for which application for acoustical change approval is received by the FAA after September 17, 1971, the following must be complied with, in addition to the applicable provisions of Appendices A and B of this part, in determining the takeoff and sideline noise levels of the airplane:

(i) There may be no reduction in power or thrust, below the highest airworthiness approved power or thrust, during the tests conducted before and after the change in type design.

(ii) For the noise levels measured and

evaluated before and after the change in type design, the test day speeds and the acoustic day reference speed must be the minimum approved value of  $V_{2+10}$  knots, or the all-engines-operating speed at 35 feet (for turbine engine powered airplanes) or 50 feet (for reciprocating engine powered airplanes), whichever speed is greater as determined under the regulations constituting the type certification basis of the airplane. The tests must be conducted at the test day speeds  $\pm 3$  knots. Noise values measured at the test day speeds must be corrected to the acoustic day reference speed.

(iii) During the tests conducted before the change in type design, the quietest airworthiness approved configuration available for the highest approved take-off weight must be used.

2. Section C36.7(a) of Appendix C of Part 36 is amended by inserting the words "Except as provided in § 36.1(c)(2)" before the words "this section applies \* \* \*."

Issued in Washington, D.C., on December 12, 1974.

ALEXANDER P. BUTTERFIELD,  
Administrator.

[FR Doc. 74-29480 Filed 12-18-74; 8:45 am]

[Docket No. 74-SO-116; Amdt. 39-2047]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Piper PA-28-180 Airplanes

There has been an instance where an incorrect placard was installed on a Piper PA-28-180 airplane which could result in improper operation. Since this condition could exist in other airplanes of the same design, an airworthiness directive is being issued to require inspection for the correct placard and replacement if necessary on Piper PA-28-180 airplanes.

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

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

PIPER. Applies to Model PA-28-180 airplanes serial numbers 28-7305001 through 28-7505079 certificated in all categories. Compliance required as indicated.

To detect an incorrect placard accomplish the following:

a. Before further flight, unless already accomplished, check the airplane Operating Limitations Placard to insure that it indicates that spins are not approved for normal and utility category operation. If placard correctly indicates that spins are not approved, no further action is necessary.

b. If the incorrect placard is installed, cut out appropriate temporary Operating Limitations Placard from Piper Service Bulletin No. 436 or an FAA approved equivalent and attach over existing placard before further flight.

c. If a temporary placard is necessary, install permanent placard Piper Part No. 76206-00 (m.p.h.) or 76298-00 (knots) or an FAA approved equivalent within 100 hours time in service from the effective date of this AD.

The action required by paragraphs (a) and (b) may be performed by the pilot.

NOTE.—For the requirements regarding the listing of compliance and method of compliance with this AD in the airplanes permanent maintenance record, see FAR 91.173.

This amendment becomes effective December 21, 1974.

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

Issued in East Point, Georgia on December 9, 1974.

P. M. SWATEK,  
Director, Southern Region.

[FR Doc. 74-29481 Filed 12-18-74; 8:45 am]

### Title 21—Food and Drugs

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 121—FOOD ADDITIVES

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

#### SANITIZING SOLUTIONS; CORRECTION

In FR Doc. 64-11578 appearing at page 15256 in the issue of Friday, November 13, 1964, the substance "diethylene glycol monoethyl ether" was inadvertently listed as a required ingredient rather than an optional ingredient of the sanitizing solution identified in § 121.2547(b)(4).

Section 121.2547(b)(4) is corrected by listing diethylene glycol monoethyl ether as an optional ingredient. As corrected, § 121.2547(b)(4) reads as follows:

#### § 121.2547 Sanitizing solutions.

(b) \* \* \*

(4) An aqueous solution containing iodine, butoxy monoether of mixed (ethylene-propylene) polyalkylene glycol having a cloudpoint of 90° C-100° C in 0.5 percent aqueous solution and an average molecular weight of 3,300 and ethylene glycol monobutyl ether. Additionally, the aqueous solution may contain diethylene glycol monoethyl ether as an optional ingredient.

Dated: December 12, 1974.

SAM D. FINE,  
Associate Commissioner  
Compliance.

[FR Doc. 74-29489 Filed 12-18-74; 8:45 am]

#### SUBCHAPTER D—DRUGS FOR HUMAN USE PART 449—ANTIFUNGAL ANTIBIOTICS

#### Revised Minimum Potency Limit for Nystatin

A notice was published in the FEDERAL REGISTER of August 30, 1972 (37 FR

17561), proposing to raise the minimum potency limit for nystatin from 2,000 units to 3,800 units per milligram. The notice afforded interested persons an opportunity to submit written comments on the proposal within a 60-day period. Comments were received from two manufacturers of nystatin, as follows:

1. One manufacturer objected to the 3,800-unit limit as too low in light of today's advancements in manufacturing and processing the drug. The firm proposed a limit of 4,500 units per milligram instead.

2. The second manufacturer, who requested a delay in establishing a new potency limit for nystatin, stated that there is a significant difference between the potencies obtained by them and those obtained by the Food and Drug Administration and that these differences should be resolved before a new minimum potency is established. This firm felt that a problem might result from the nystatin standard used in the assays, and requested that a decision on the minimum potency be delayed until the new nystatin standard, then under consideration, was established.

At the completion of a collaborative study, the new standard was established in August 1973.

After receipt of the comments, the Food and Drug Administration reviewed the certification records for both firms for fiscal year 1973 and 2 previous years.

A compilation of that data showed that nearly all batches submitted for testing had a potency value of at least 4,400 units of nystatin per milligram.

Both firms were informed by letter that, based on a reevaluation of available data and experience with the new standard, a minimum potency of 4,400 units was being considered instead of the originally proposed limit of 3,800 units. Comments from both firms are on display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

The firm that had proposed a 4,500-unit limit agreed to the 4,400-unit limit.

The second firm stated that, although the product produced at one of two locations would meet the 4,400-unit recommended limit, occasional batches produced at its other facility would be rejected under the new specification. This firm also stated that because of the possible future shortage of petroleum-based products, substitution of solvents might be necessary and might result in a product of lower potency.

The Commissioner of Food and Drugs finds that it would not be in the best interest of the public to allow material of lower potency on the market simply because of the possible rejection of occasional batches; and if alternate procedures were employed to produce this drug, these procedures would have to have prior approval by the Food and

Drug Administration. If they resulted in a product of lower potency, revision of the potency limit would be considered at that time.

After considering all the comments and evaluating laboratory data as well as certification experience based on the new standard, the Commissioner concludes that the minimum potency for nystatin should be raised to 4,400 units per milligram and that the antibiotic drug regulations should be amended as set forth below. (The antibiotic drug regulations were reorganized and republished in the FEDERAL REGISTER of May 30, 1974 (39 FR 18922).)

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), § 449.50 (formerly § 148k.1) *Nystatin* is amended in paragraph (a) (1) (i) by changing the figure "2,000" to read "4,400."

**Effective date.** This order shall become effective January 20, 1975.

(Sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357))

Dated: December 13, 1974.

MARY A. MCENIRY,  
Assistant to the Director for  
Regulatory Affairs, Bureau of  
Drugs.

[FR Doc.74-29488 Filed 12-18-74;8:45 am]

# Title 24—Housing and Urban Development

## CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 426]

## PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

### Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

#### § 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Perry	Marion, city of	Dec. 12, 1974. Emergency			
Colorado	La Plata	Unincorporated areas	do.			
Florida	Pasco	New Port Richey, city of	do.	Jan. 16, 1974		
Do.	St. Johns	Hastings, town of	Sept. 25, 1970. Emergency	July 19, 1974		
			Dec. 31, 1971. Suspension			
			Dec. 6, 1974. Reinstated			
Illinois	Will	Beecher, village of	Dec. 12, 1974. Emergency	Apr. 12, 1974		
Do.	McHenry	Lake In The Hills, village of	do.	do.		
Kansas	Harvey	Sedgwick, city of	do.	June 7, 1974		
Louisiana	St. Landry	Opelousas, city of	do.	June 14, 1974		
Mississippi	Rankin	Brandon, city of	do.	June 7, 1974		
Do.	Webster	Eupora, town of	do.	do.		
Pennsylvania	Chester	Londonderry, township of	do.	Oct. 18, 1974		
Do.	Beaver	Beaver Falls, city of	do.	Feb. 22, 1974		
Do.	Clinton	East Keating, township of	do.	do.		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.)

Issued: December 9, 1974.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc.74-29412 Filed 12-18-74;8:45 am]

[Docket No. FI 427]

## PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

## Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

## § 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Calhoun	Anniston, city of	Dec. 16, 1974, Emergency	Dec. 17, 1973		
Do	Marion	Hamilton, city of	do	May 31, 1973		
Illinois	Cook	Country Club Hills, city of	do	Apr. 5, 1974		
Do	Fulton	Liverpool, village of	do	Dec. 28, 1973		
Do	Iroquois	Watseka, city of	do	Mar. 8, 1974		
Indiana	Lake	Hammond, city of	do	Mar. 15, 1974		
Kansas	Wyandotte	Kansas City, city of	do			
Massachusetts	Norfolk	Wrentham, town of	do	July 19, 1974		
Mississippi	Oktibbeha	Starkville, city of	do	June 7, 1974		
Missouri	Wright	Mansfield, city of	do	Apr. 5, 1974		
Nebraska	Cheyenne	Sidney, city of	do	Feb. 1, 1974		
New Jersey	Burlington	Edgewater Park, township of	do	Sept. 13, 1974		
Do	Sussex	Hopateong, borough of	do	June 28, 1974		
Do	Somerset	Raritan, borough of	do	May 3, 1974		
New Mexico	Donna Ana	Hatch, village of	do	Aug. 16, 1974		
Do	Lea	Livingston, city of	do	June 21, 1974		
New York	Fulton	Gloversville, city of	do	do		
Do	Nassau	Hewlett Neck, village of	do	June 28, 1974		
Pennsylvania	Washington	Canonsburg, borough of	do	Feb. 1, 1974		
Do	Clarion	East Brady, borough of	do	Nov. 22, 1974		
Do	Butler	Evans City, borough of	do	June 28, 1974		
Do	Lehigh	Hanover, township of	do	do		
Do	Westmoreland	Latrobe, borough of	do	July 26, 1974		
Do	Butler	Middlesex, township of	do	do		
Do	Allegheny	Moon, township of	do	Sept. 6, 1974		
Do	Lackawanna	Moscow, borough of	do	Jan. 16, 1974		
Do	Washington	North Strabane, township of	do	do		
Do	Berks	Pike, township of	do	do		
Texas	Bell	Killeen, city of	do	Nov. 1, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 9, 1974.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc. 74-29413 Filed 12-18-74; 8:45 am]

## Title 47—Telecommunication

## CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19555; FCC 74-1042]

## PART 1—PRACTICE AND PROCEDURE

## Implementation of the National Environmental Policy Act of 1969; Termination of Proceeding

1. A notice of proposed rulemaking in this proceeding was released on August 1, 1972 (FCC 72-663, 36 FCC 2d 108, 37 FR 15711, August 4, 1972). The purpose of the proposed rules was to implement the National Environmental Policy Act (NEPA)<sup>1</sup> and particularly Section 102 (2) (c) of that Act. Section 102 (2) (c) requires all agencies of the Federal Government to consult with and obtain the comments of expert Federal agencies before taking any major action significantly affecting the quality of the human environment and, following such consultation, to prepare a detailed environmental impact statement. Copies of the statement and of the comments of appropriate Federal, State and local agencies are to be made available to the Council on Environmental Quality (CEQ) and to the public under the Public Information Act and are to "accompany the proposal through the existing agency review processes."

<sup>1</sup> Public Law 91-190, January 1, 1970, 42 U.S.C. 4321-4347. Section references herein are to sections of the public law. A copy of the law is attached as Appendix 1 to this Report, and filed as part of the original document.

2. The proposed rules required applicants for authority to construct communications facilities to submit with the application either a preliminary environmental report, if the construction would not have significant environmental effect, or a detailed report if it would (§§ 1.1315 and 1.1317). Where it appeared that construction would involve a significant environmental problem and that comment would be helpful in assessing environmental effect, the applicant was required, prior to filing, to notify and request comment from persons and organizations which could provide such comment (§ 1.1311). Under § 1.1315(a), applicants for authority to engage in construction of a very minor nature were excused from the reporting requirement. In the case of

construction involving expenditures of less than \$100,000, applicants were permitted to substitute for the preliminary environmental report a statement that the project would not have significant environmental effect, provided the application was one for which the Commission gave public notice of filing (§ 1.1313). Section 1.1321 dealt with the Commission's consideration of environmental reports and specified procedures for eliciting agency and public comment on such reports. Section 1.1323 specified procedures for consideration of comments received and for Commission preparation of a detailed environmental statement. Section 1.1325 dealt with consideration of the statement during the hearing and decision-making process.

3. Comments and reply comments on the proposed rules were requested by September 29 and October 30, 1972, respectively. At the request of the American Radio Relay League, the time for filing comments was extended to October 31 and the time for filing reply comments was extended to December 8, 1972. Comments and/or reply comments were filed by the following interests:

BROADCAST INTERESTS

National Association of Broadcasters (NAB)  
National Association of Educational Broadcasters (NAEB)  
Channel 6, Inc., Fayette Broadcasting Corporation, and Springfield Television, Incorporated, jointly (Channel 6)  
Christian Broadcasting Network (Christian Network)  
Evening News Association, RKO General, Inc., Time-Life Broadcast, Inc., and Universal Communications Corporation jointly (Evening News)  
Storer Broadcasting Company (Storer)

CABLE TELEVISION INTERESTS

Buckeye Cablevision, Inc., Colony Communications, The Jerrold Corporation, and Sammons Communications, jointly (Buckeye)  
New Channels Corporation (New Channels)

COMMON CARRIER INTERESTS

American Telephone and Telegraph Company (AT&T)  
Data Transmission Company (Datran)  
GTE Service Corporation (GTE)  
MCI Carriers (MCI)  
United Telecommunications, Inc. (United)  
Western Tele-Communications, Inc. (Western)  
The Western Union Telegraph Company (Western Union)

SAFETY AND SPECIAL INTERESTS

Aeronautical Radio, Inc. (ARINC)  
Aerospace and Flight Test Radio Coordinating Council (AFTRCC)  
The Central Committee on Communications Facilities of the American Petroleum Institute (API)  
The American Radio Relay League (ARRL)  
The Associated Public-Safety Communications Officers, Inc. (APCO)  
The Land Mobile Section of the Communications and Industrial Electronics Division of the Electronics Industries Association (EIA)  
Motorola, Inc. (Motorola)  
The Special Industrial Radio Service Association, Inc. (SIRSA)  
Utilities Telecommunications Council (UTC)

OTHER INTERESTS

Association of Federal Communications Consulting Engineers (AFCEE)  
National Association of Regulatory Utility Commissioners (NARUC)  
The Network Project  
Dr. Richard A. Tell (informal comments)

4. In carrying out its consultative responsibilities under NEPA and in accordance with Executive Order 11514, CEQ has issued Guidelines, which essentially constitute an interpretation and amplification of section 102(2)(c) and advice to agencies on its implementation.<sup>2</sup> Although the Guidelines are variously referred to as rules or a directive and are phrased in mandatory terms, they are, in our judgment, merely advisory in nature, as some participants in this proceeding maintain, and do not have the force and effect of law. As guidance provided by the expert agency pursuant to a statutory mandate, however, they are entitled to respect and should not be varied from unless an agency, after consultation with the Council, is convinced

that their application in a particular factual and procedural setting is not sensible or is unreasonably disruptive or unworkable. See *Greene County Planning Board v. P.F.C.* 455 F.2d 412, 421 (2nd Cir. 1972). We have carefully studied the Guidelines and the comments and have drawn on them heavily in drafting final rules to implement the Act.

5. Taken as a whole, the comments question the viability of the proposed rules. They raise a number of questions concerning the overall approach and details of the rules and contain many constructive suggestions. In many respects, these suggestions are close in substance to the guidance offered by CEQ. Perhaps the two most important points made are (1) that the Commission should make a greater effort to identify those of its actions which are major within the meaning of NEPA and should require the submission of environmental data only for such action; and (2) that the Commission should assume responsibility for conclusions regarding the environmental effect of its actions and not ask the applicant to do so.

6. In a similar vein, § 1500.6(c) of the Guidelines provides that, "The words 'major' and 'significantly' are intended to imply thresholds of importance and impact that must be met before a statement is required," and that each agency is responsible for identifying those of its actions which pass these thresholds. Section 1500.7(c) reads as follows:

(c) Where an agency relies on an applicant to submit initial environmental information, the agency should assist the applicant by outlining the types of information required. In all cases, the agency should make its own evaluation of the environmental issues and take responsibility for the scope and content of draft and final environmental statements.

Section 1500.6(c) goes on to say that for actions which normally require statements and for those which require statements in certain circumstances, the agency should identify the typically associated environmental consequences and specify what information needs to be gathered, how and when it is to be assembled and analyzed, and the bases on which decisions to prepare impact statements will be made.

7. We are in agreement with these points made in the comments and the Guidelines and have, accordingly, substantially modified the proposed rules. The "notice by the applicant" provision (proposed § 1.1311) and provisions of proposed §§ 1.1315 and 1.1317 calling for conclusions on the part of the applicant have been deleted, and adjustments have been made in other sections. These changes reflect our acceptance of responsibility for assessing the environmental significance of our actions and, in the case of environmentally significant actions, for invoking and implementing the environmental impact statement process. To require the applicant to make judgments and to give notice which must subsequently be made and given by the Commission is a pointless and wasteful process. If he concludes that the action is

significant and the Commission disagrees, his efforts to comply with such a requirement have been totally wasted. If he concludes that the action is not significant and the Commission disagrees, the proceeding is delayed while he complies with the requirement, and the notice and report-statement process is engaged in both by the applicant and the Commission, with consequent annoyance and burden to those asked to comment. If the applicant and the Commission agree that the action is significant, the notice and report-statement process is also duplicated.

8. The proposed \$100,000 threshold provision (§ 1.1313) has also been deleted. This is based on our conclusion, following consideration of the comments, that a dollar figure cannot be used in a meaningful way to distinguish between major and minor communications facilities. Most of those who discussed this provision urged an increase in the dollar amount or the elimination of land and electronic equipment from the cost computations. We were principally impressed, however, by comments filed by the Association of Federal Communications Consulting Engineers, which took the position that the cost of an antenna structure had little relationship to its environmental significance. The Association stated that the cost of a 490 foot self-supporting structure may exceed \$100,000, whereas a guyed tower over 1,000 feet tall or ten 200 foot towers can cost less than \$100,000. The magnitude of the structures referred to makes it evident that the specific \$100,000 figure is not an appropriate threshold; and disparities in the environmental effect of structures which can be constructed for a given dollar value demonstrate that a dollar threshold provision is not realistic. We will instead endeavor herein to distinguish between major and minor facilities on the basis of their physical characteristics and probable environmental significance. At first blush, it might seem that deletion of the \$100,000 provision materially, and perhaps unnecessarily, increases the burden on applicants. However, the provision as proposed could be taken advantage of only if the applicant could perceive no significant environmental effect and if construction of the facilities had not been the subject of local objection. In such a case, the environmental information required by the final rules consists of little more than a description of the facilities to be constructed, a description of the area in which the facilities are to be located, and a statement as to the considerations which led to selection of that area for the site. See § 1.1311(a). This is information the applicant should not find it difficult to furnish, and is the minimum information required by the Commission to make the environmental determination for which we are accepting responsibility.

9. In summary, the final rules identify types of facilities which are considered to be major on the basis of their probable environmental significance (see § 1.1305) and require that information relating to such facilities be submitted

<sup>2</sup> 38 FR 20550, August 1, 1973, 40 CFR Part 1500. A copy of the Guidelines is attached hereto as Appendix 2, filed as part of the original document.

to the Commission with applications for construction permits (see § 1.1311). On the basis of available information, including information submitted by the applicant, the processing staff will assess the environmental consequences of a grant (see § 1.1313). If the environmental consequences are considered significant, the staff will, to the extent it is useful and appropriate, discuss matters of environmental concern with the applicant, concerned individuals, and experts, in and out of Government, in an effort to identify alternatives which are not, or which are less, objectionable. The applicant may in the process withdraw his application or amend it to eliminate or reduce its environmental significance. If these efforts fail to resolve the matter, the staff will prepare a draft environmental impact statement and will take the measures necessary to obtain comment from appropriate agencies and the public (see § 1.1315). Upon consideration of the comments, the staff will prepare, and the Commission will consider, a final environmental impact statement (see § 1.1317). Section 1.1319 concerns consideration of the final statement in a hearing proceeding. The final rules are set out as Appendix 4 hereto.

#### MAJOR ACTIONS

10. With regard to actions considered major under NEPA and Section 1500.6(c) of the Guidelines,<sup>3</sup> we think there is no class of action taken by the Commission which will always or even usually require the preparation of an environmental impact statement. There are three principal classes of action which will require the preparation of statements in certain instances: legislative proposals, rule making and actions authorizing "major" construction.<sup>4</sup> It is possible that other Commission actions will require preparation of a statement in unusual circumstances, but we are unable to forecast what those actions or circumstances may be, and their identification must be left to a case-to-case determination. Legislation and rule making are discussed in paragraph 12, *infra*. In the case of major construction, information needed by the Commission should be submitted with

the application and will be analyzed when the application processing staff reaches the application for processing. The classes of construction considered major, information to be submitted with the application, typical environmental consequences of such construction, and the bases for preparation of an impact statement are discussed in paragraphs 13-38.

11. The Network Project, referring to the social importance of a diversity in sources of information, advances the argument that actions involving "the growth \* \* \* of large media conglomerates" warrant preparation of an environmental impact statement. Diversity of control over the news media is clearly an affirmative social value. We think, however, that invocation of the environmental statute must be related in some meaningful way to the effect of an action on the physical environment. We fully understand that the societal consequences of environmental change warrant consideration in making environmental determinations. But actions which have no discernible impact on the physical environment cannot be held to require preparation of an impact statement, no matter what social, economic or moral issues may otherwise be presented. We can find no relationship between the ownership structure of broadcast facilities and the physical environment, and consequently reject the position advanced by the Network Project. An action made subject to the environmental impact statement process should have some reasonably proximate and predictable effect on the physical environment.

12. *Legislation and rulemaking.* In advance of specific legislation or rule making, it is difficult to be more definite than to say that an impact statement will be prepared when the enactment of legislation (or its defeat) or the adoption of a rule (or its rejection) appears to carry with it significant environmental consequences. We do not expect to propose environmentally significant legislation but are nevertheless aware of our responsibilities should we propose such legislation or, as is more likely, should we be asked to comment on environmentally significant legislation proposed by others. In one rule making area, frequency allocation proceedings, it is possible to be somewhat more definite. The preparation of a statement would be appropriate in proceedings which involve the availability of frequencies for use in a way which can significantly affect the physical environment. Examples would include communications facilities designed to warn of power outages, of an oil spillage, or of forest fires. A statement will be prepared before a rule having a significant adverse effect on facilities devoted to such uses is adopted and before a rule having a significant beneficial effect on them is rejected. We do not consider that it would serve the interest of the public or of the environment to prepare a statement prior to action which

has a beneficial effect, since preparation of the statement would delay the benefit. We stress, in addition, that the use of the radio spectrum for environmentally beneficial purposes must, realistically, be dealt with in frequency allocation rule making proceedings rather than in particular application proceedings.

13. *Major actions authorizing construction.* NEPA applies to major Federal actions having a significant effect on the quality of the human environment. Considerable thought has been given to the question of whether it is possible to determine in advance, by rule, that a particular class of Commission action authorizing construction is either major or minor within the meaning of the act, to list those classes of action which are major, and to consider environmental significance only in the case of major action. It would appear, however, that such an effort cannot be usefully attempted. With the possible exception of extreme cases, where the conclusion would in any event be obvious, the importance of an action within the meaning of NEPA cannot be separated from its environmental significance<sup>5</sup> and, in the case of construction, significance cannot be considered apart from the location of the construction being authorized. We do think, however, that advance judgments can be made as to the likelihood that actions within a class will have significant environmental effect and that this factor can properly be considered in determining whether routine environmental processing of applications is called for. We have followed this course. From the continuum of Commission actions authorizing construction (over 500,000 annually), we have singled out as "major" those which, on a relative basis, we think are more likely than others to have significant environmental effect. Environmental information will be required with applications requesting the Commission to take such actions, and the Commission will make an environmental judgment before taking the action. In the case of other ("minor") actions, the Commission will not engage in routine environmental processing but reserves the right to address such significant environmental questions as appear and will do so on motion of any interested person. Factors we have considered in selecting major classes of actions include the size of the facilities to be authorized, their geographic extent, their typical location and the activity

<sup>3</sup> The reader may find it helpful at this point to refer back to para. 6, *supra*.

<sup>4</sup> The Guidelines are in part directed to internally generated programs (e.g., flood control) in which an agency plans, designs and possibly constructs facilities (e.g., dams) which impact the environment. In some respects, they seem better adapted to this type of activity than to the activities of a regulatory agency, whose normal function is to approve or disapprove proposals submitted to it by others under procedures providing fully for participation by interested persons or agencies. In Commission practice, legislative proposals, rule making and enforcement proceedings may be generated internally. Legislation and rule making initiated by the Commission can be environmentally significant, but Commission initiated enforcement proceedings are not.

<sup>5</sup> In our inquiry into this question, we have located only one case, *Davis v. Morton*, 335 F. Supp. 1258 (D.N.M. 1971), which was decided, even in part, on the ground that the action of a Federal agency, although having environmental significance, was not "major", and that case was reversed on appeal, 4 ERO 1735 (10th Cir. 1972). In a second case, the court determined that the action was not major but, in doing so, looked to the particular facts and circumstances and went on to conclude independently that the project was not significant, *Julls v. City of Cedar Rapids, Iowa*, 349 F. Supp. 88 (N.D. Ia. 1972).

involved in constructing them.<sup>6</sup> Another permissible factor, we think, but one we found it unnecessary to consider, is the number of applications for which routine environmental processing would be useful and productive, it being apparent that processing in every instance would be neither possible nor productive, so diluting staff attention as to produce no useful results.

14. On the basis of these criteria, we consider that the following classes of facilities are "major":

(a) Underground cable or wave guide routes, and aerial transmission lines, for long distance telecommunication.<sup>7</sup> (This category does not include the installation of additional cable over existing routes. Nor does it include the laying of submarine cable.)

(b) Private and common carrier microwave relay antenna towers or supporting structures exceeding 100 feet in height, excluding pole mounted microwave antennas. (This category does not include the mounting of a microwave antenna on an existing tower or building.)

(c) Standard (AM), FM, television and international broadcast antenna towers or supporting structures which exceed 300 feet in height, and all AM broadcast directional arrays without regard to height. (This category does not include the mounting of an FM or television antenna on an existing tower or building.)

(d) Other antenna towers or supporting structures including pole mounted microwave antennas, which exceed 300 feet in height and are not located in areas devoted to heavy industry or to agriculture. (This category does not in-

clude the mounting of small antennas on an existing tower or building.)

(e) Satellite earth stations having an antenna of 30 feet or more in diameter.

(f) Communications facilities to be located in the following areas:

(1) Facilities which are to be located in an officially designated wilderness area or in an area whose designation as a wilderness area is pending consideration;

(2) Facilities which are to be located in an officially designated wildlife preserve or in an area whose designation as a wildlife preserve is pending consideration;

(3) Facilities which will affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology or culture, which are listed in the National Register of Historic Places or are eligible for listing (see 36 CFR 800.2 (d) and (f) and 800.10);

(4) Facilities to be located in areas which are recognized either nationally or locally for their special scenic or recreational value.

(g) Facilities whose construction will involve extensive changes in surface features (e.g., wetland fill, deforestation or water diversion).

These categories do not include a modification of existing facilities involving no change in the site, and no substantial change in the height, of those facilities, construction of antenna structures to be located in an antenna farm, construction of temporary antenna structures which will have no lasting effects of environmental significance, or replacement of an existing structure with a structure of the same kind on the same site. Classes of facilities not listed in (a)-(g) above are considered minor. The bases for the classification of facilities as major or minor are discussed below.

15. *Cable routes.* In developing a new underground cable route, a swath is cleared and trenched, the cable is buried, and the swath is restored. Thereafter, it must be maintained in a condition permitting access by maintenance vehicles. Repeater facilities, which may be housed in a small structure or buried, are usually required approximately every one to four miles. Access roads and a source of electrical power must be provided for such facilities.

16. Underground cable routes are considered "major" because they involve considerable construction activity over long distances, potentially affecting all types of terrain and land uses, because they are national in scope and can therefore pose difficulties for local, State and regional land use authorities, and because they involve the clearance and continuing maintenance of a swath through the territory covered which can permanently scar the landscape. Although there may be other relevant considerations, such as construction activity, our main concern is with the appearance of the swath.

17. The installation of new cable over existing cable routes is excluded from this category because it involves no new

scarring of the landscape and because use of existing routes is environmentally preferable to construction of a new route.<sup>8</sup> Action on an application for a submarine cable landing license is also considered a minor action. Although laying transoceanic cable obviously involves considerable activity over vast distances, the environmental consequences for the ocean, the ocean floor, and the land are negligible. In shallow water, the cable is trenched and immediately covered; in deep water, it is simply laid on the ocean floor. In the landing area, it is trenched for a short distance between the water's edge and a modest building housing facilities.

18. It is evident that the route between at least two major terminals must be considered as a whole. To the extent practicable, the route should be planned to utilize farm land and fields which have already been cleared, where there would be no significant visual impact, and to avoid wooded, hilly terrain, where the visual impact would be the greatest. Where the swath will leave a visible scar on the landscape, the route should be planned to avoid areas of special scenic beauty, historical or archeological significance, park land, recreation areas, and other areas of high use by man. Areas in which construction and maintenance activity would have an unduly disruptive effect on wildlife should also be avoided. When sensitive areas must be traversed, special design features can and should be used to minimize the visual impact. To the extent feasible, for example, cable should be routed through less visible, low lying areas and should be screened by natural vegetation from areas of extensive use. Where serious aesthetic or other environmental problems are unavoidable, consideration should be given to the alternative of microwave relay stations over all or part of the route.

19. In applications for authority to construct cable facilities, we want the applicant to describe the terrain to be traversed and its uses, to discuss environmental and other considerations which led to selection of the particular route, to discuss the nature and extent of any unavoidable adverse effects along the route selected, to discuss efforts made to minimize such effects, and (where adverse effects are present) to explain whether alternative routes were considered, why they were rejected, and why the alternative of cable was decided on. In deciding whether to prepare an environmental impact statement, the Commission will look to the terrain and its uses. Where the cable route is unobtrusive or where the area has no special environmental significance and design features have been utilized to minimize environmental impact, no statement will be prepared. Where the route adversely affects an environmentally sensitive area or where it seriously impacts a mar-

<sup>6</sup> The electric power consumer by communications facilities may also prove to be a relevant consideration. However, energy conservation officials have not at this date taken steps to curtail new uses of electricity, and since new projects are unlikely to be undertaken without assurance of adequate energy to operate and heat the facilities, this step may prove to be unnecessary. In the absence of guidance from energy conservation officials, we would not deny a permit because of the electric power usage the facilities entail.

To put this matter in perspective, the largest consumer of power among VHF television stations serving Washington, D.C. consumes from 350,000 to 550,000 kilowatt hours of electricity per month. This would be sufficient to power perhaps 1000 homes if the occupants of those homes were doing their utmost to limit their use of electric power. It would be far less in the summer months for air conditioned homes. By comparison the headquarters building for the FCC, with 208,477 square feet of office space, last year used between 388,000 and 508,000 kw/hours per month. The bulk of the power used by a VHF television station is for lighting, air conditioning and other common uses of electricity and not for the transmitter. Moreover, far greater power is used by television and radio receivers than is used to run the stations. Thus, energy conservation measures, if imposed, would have far greater impact if they were directed to the hours of operation of stations rather than to the number of stations operating.

<sup>7</sup> By and large, current authorizations are for underground cable routes only.

<sup>8</sup> If the installation of new cable does involve additional scarring, as by widening the swath, an environmental statement should be submitted.

ginally valuable area, a statement will be prepared.

20. *Microwave relay antenna towers.* Microwave relay antenna towers are part of a microwave relay system. Most stations are constructed at approximately 25 mile intervals along a route. As a line of sight beam path must be provided between adjacent stations, they are usually located on high ground, if available, and can be several hundred feet in height. They can be relatively bulky. Many are located in remote areas. Very little land is required, and construction is limited to erecting the tower, a small building to house equipment, and (if not already in place) an access road and a power line.

21. The microwave tower and the system with which it is associated are considered major because the tower is usually a relatively substantial structure in both height and bulk and because the system may extend over long distances, potentially affecting many types of terrain and land uses. A lower cutoff is specified for microwave than for other towers because the tower and the antennas mounted on it tend to be bulkier and more obtrusive than other towers of the same height. Here again, although there may be other relevant considerations, our principal concern is with the visual impact of the tower and service facilities on environmentally significant land use areas.

22. Towers of less than 100 feet in height have been excluded from this category because of their height, of course, but also because of their lesser bulk. Pole mounted microwave antennas are dealt with as "other antenna towers", *infra*, para. 30, because of their lesser bulk.

23. As is the current practice, microwave relay stations connecting at least two major terminals must be considered together. Environmentally sound construction techniques should of course be utilized and can be set out in a code (see Note 13, *infra*), but the effects of construction proper normally have little or no environmental significance. The principal, and probably the only, significant environmental effect is the visual impact of the completed facilities. To the extent possible, the route should be planned to avoid areas in which a tall man-made structure would intrude objectionably. The same considerations should govern the selection of particular sites. Generally speaking, for example, advantage should be taken of natural features such as hills and woodland to shield the tower from view.<sup>9</sup>

24. In applications for authority to construct microwave facilities, we want the applicant to discuss environmental and other considerations which led

to selection of a particular route, to note the height and any special design features of the tower at each relay point, to describe the site of each station and discuss the reasons for its selection, to point out any special features of a site which distinguish it from the surrounding countryside or which would be helpful in assessing its environmental value, to discuss the nature and extent of any unavoidable adverse effects, to discuss efforts made to minimize such effects, and (where adverse effects are present) to explain whether alternative routes or sites were considered and (if so) why they were rejected. In deciding whether to prepare an environmental impact statement, the Commission will consider whether any of the sites selected has special environmental significance and (if so) whether and the extent to which the microwave station will intrude objectionably on the site. If the station were located on farmland in an area where more or less homogeneous farmland stretched for mile after mile, for example, it is unlikely that a statement would be necessary. If, on the other hand, a tower in the same farming area was so located as to visually impact a lake used for recreation or resort purposes or a historic battlefield, a statement probably would be necessary.

25. *Broadcast antenna towers.* Broadcast antenna structures are ordinarily at least 150 feet high and can be as high as 2000 feet or higher. The quality of service rendered depends, *inter alia*, on the height and location of the antenna. The location of the tower must be consistent with zoning and air safety requirements. Radio frequency interference caused and received is also a factor, as are the cost and availability of land. TV and FM antenna structures must be higher than surrounding buildings or natural formations and must provide line of sight communication with the service area. They should be located near to the service area, preferably at its center.<sup>10</sup> Standard (AM) antenna structures must be located where there is room for a ground system with a minimum radius of approximately 50 to 140 meters (equalling the height of the structure), depending on frequency. If possible, they should be located in areas where ground conductivity is favorable; marshy areas are preferred. Reradiating structures within the vicinity of the proposed site must be avoided. Topographical features, such as a series of hills between the antenna and the service area, are also of concern. See 47 CFR 73.188, 73.189, 73.315, 73.316, and 73.685.

26. Construction activity proper is usually not extensive. A self-supporting structure normally requires little land. The base area and the bulk of components, however, increase with height. The guyed tower requires a land area whose radius at least equals the height of the

tower. An AM directional array consists of a cluster of towers (as many as 20, usually 3-8) and may extend over substantial acreage. Installation of the ground system associated with an AM antenna requires clearance of trees within the area.

27. The likelihood that broadcast antenna towers will have significant environmental effect depends on their height and bulk and the land area required for their construction. Those for which we think routine environmental processing is warranted, and which are therefore classified as major facilities, are single towers which exceed 300 feet in height (whether self-supporting or guyed) and AM directional arrays. Towers of lesser height are also less bulky or occupy a smaller land area and are considered minor. Under favorable conditions, in addition, FM and TV antennas, which are only a few feet in length, can be mounted on a tall building or an existing antenna tower. Doing so obviously has no significant aesthetic effect and is environmentally preferable to the construction of a new tower, provided there is compliance with radiation safety standards (see Appendix 3). New FM and TV antenna towers can also be located in an "antenna farm" (i.e., an area in which similar towers have already been clustered) and, when so located, are unlikely to alter the character of that area. For these reasons, authorizations involving use of existing structures or location of a new tower in an antenna farm are considered minor actions.

28. Depending on the nature and location of the site, construction activity could have some significant effect. Here again, however, the principal factor of environmental significance is the visual impact of the completed structure, which depends on its physical characteristics and its location. A tall tower can of course be seen from a considerable distance. At most locations in a built-up area, however, nearby buildings and trees are likely to block it from view. From a distance, moreover, the visual impact is very slight. People are more likely, we think, to regard a tower as a landmark, to be pointed out to visitors, than as an objectionable structure. There could be exceptions, as where the tower shares the horizon with, or blocks the view of, a locally treasured and otherwise dominant church spire. By and large, however, we think that visual impact at a distance will not have significant effect. The visual impact of an antenna structure on the immediate site is more likely to be significant. Here, local zoning and planning authorities have an important role. Their approval as well as the Commission's is required; their disapproval of a site on the basis of land use considerations is conclusive. The roles of land use authorities and the Commission are discussed *infra*, at paragraphs 39-41. Generally speaking, it can be assumed that broadcast antenna structures are environmentally compatible with industrial or farming uses, with most commercial uses, or with undeveloped areas lacking

<sup>9</sup> It should be understood that all generalizations of this kind are subject to exceptions. Thus, in a given case, it may be preferable to locate an antenna tower on the brow of a hill overlooking a scenic valley rather than in the valley. The view of the valley is thereby preserved, and the higher location may mean that smaller structure will suffice.

<sup>10</sup> Some structures are located on remote mountain sites at some distance from the community served. As a rule, however, they are located in developed areas.

special scenic value. Residential areas, city parkland and sites proximate to monuments or to historically or architecturally valuable buildings should ordinarily be avoided.

29. In applications involving the authorization of "major" broadcast facilities, we want the applicant to discuss environmental and other considerations which led to the selection of a particular site, to describe the surrounding area and its uses to describe any environmentally noteworthy buildings or features of the immediate area, to discuss the nature and extent of any unavoidable adverse effects, to discuss efforts made to minimize such effects, and (where adverse effects are present) to explain whether alternative sites were considered and (if so) why they were rejected. (The height and design features of the tower are of course relevant, but this information is routinely submitted as part of the application form and need not be duplicated in the narrative environmental statement.) In deciding whether to prepare an environmental statement, the Commission considers whether the site has any special environmental significance and (if so) whether and the extent to which it would be adversely affected by the antenna structure.

30. *Other antenna towers.* This category applies to all antenna towers other than broadcast and microwave relay antenna towers, and specifically includes pole mounted microwave antennas. It applies, for example, to television broadcast translator stations and to base stations associated with land or maritime mobile operations, but is not limited thereto. Most such towers are guyed and are similar in physical characteristics to guyed broadcast antenna towers of the same height. Towers of substantial height are almost always associated with industrial, commercial, agricultural or local government activities and are therefore located in areas devoted to and/or zoned for those uses. Subject to the approval of appropriate Federal, State and local land use authorities, however, such towers may be constructed in any use area, including areas which are environmentally significant.

31. The likelihood that such towers will have a significant environmental effect depends on their height and location. Those for which we think routine environmental processing is warranted, and which are therefore classified as major facilities, are towers which are in excess of 300 feet in height and are not located in areas devoted to "heavy industry" or to agriculture. By the term, "heavy industry," we mean an area of intensive industrial use, normally containing large structures, covering substantial acreage, and isolated from less intense, and particularly residential, land use areas. Examples would include the following: steel mills, oil refineries, aluminum plants, chemical plants, power plants, oil fields, copper mines, freight yards, a heavy truck terminal, a major warehouse complex, etc. Dozens of other examples could be cited. What we mean to include is any area in which the en-

vironmental effect of a tall antenna tower would be virtually nil by comparison with the effect of the industrial facilities with which it is associated. In the case of agricultural activities, we would normally expect antenna towers to be located on large farms and ranches, near a house or outbuilding and at a considerable distance from highways or other areas of general use. By comparison with a silo or windmill, for example, the tower should be most inconspicuous.

32. We do not think we can make a blanket preliminary judgment concerning the probable aesthetic effect of tall antenna towers in areas devoted to uses other than heavy industry or agriculture. Our main concern here would be with residential areas and with scenic, recreational, historic and other comparable areas of special environmental significance. There is probably little basis for concern in areas of light industrial or commercial use, but we are not quite prepared to make the same blanket judgment for such use that we have made for heavy industry. Commercial areas, and particularly urban commercial areas, often have historic, architectural or life style characteristics which warrant protection. Theatres, art galleries, museums, libraries and other cultural facilities, as well as monuments and public parks, are frequently interspersed among commercial uses. Urban commercial areas, in addition, tend to merge into and impact adjacent areas of residential use. State and local government facilities, such as police stations and fire houses, are often located in, or adjacent to, predominantly residential areas. Radio facilities are found in coastal areas, for the benefit of boatmen, or in forests in connection with fire watch activities, and so forth, ad infinitum. Except as noted above, we do not think we can generalize about the compatibility of a given tower with a given area. What we are doing, and consider it reasonable to do, is to draw a line based on the height of the structure and to concentrate routine processing on the larger structures, for which the probability of significant effect is greater. The information to be submitted routinely with applications involving "major" antenna towers is essentially the same as that to be submitted with broadcast station applications, as discussed above at paragraph 29, and will be considered by the Commission in the same way in determining whether to prepare an environmental impact statement.

33. *Satellite Earth Stations.* For the most part, satellite earth stations currently being authorized consist of a circular parabolic dish or dishes with diameters of from 30 to 100 feet, a maximum height above ground level about the same as the diameter, and a small building to house equipment and operating personnel. They are now being located some 25-30 miles outside of the city served, and are connected with communications facilities in the city by a one or two hop microwave relay system or by cable. Where possible, they are located in areas protected from terrestrial interference, such as an abandoned

quarry or a horseshoe valley open to the south. In the future, it is anticipated that smaller dish antennas will be located on the top of tall buildings in the city served.<sup>11</sup>

34. The authorization of earth stations is included as a major action because the facilities are substantial in size by comparison with most other communications facilities authorized by the Commission and because microwave relay antenna towers or cable facilities are an adjunct to the station.

35. Although the visual impact of the facilities is a factor, because they are relatively substantial, it seems to us unlikely that the impact would be adverse. Even assuming that the intrinsic aesthetic effect of a parabolic dish antenna would be adverse, its location in remote areas or on roof tops should minimize that effect. Experience to date, moreover, indicates that the location of an earth station at a given site tends to enhance aesthetic values at that site. The abandoned quarry which constituted a safety hazard, for example, would be fenced, terraced and otherwise restored. Moreover, satellite communication can serve as an alternative to cable or microwave facilities and should have less effect on the environment than those facilities.

36. In applications for authority to construct satellite earth stations, the applicant should furnish with his application a description of the facilities, the site and its uses, should point out any environmentally valuable features or uses of the site which would be intruded on by the facilities, should specify the environmental and other considerations which led to selection of the site, should specify measures taken to minimize any adverse environmental effects, if they are present, and (if there are adverse effects) should discuss any alternative sites considered and the reasons for their rejection. In deciding whether to prepare an environmental impact statement, the Commission will look to the site and its uses and the compatibility of the facilities therewith.

#### ENVIRONMENTAL CONSEQUENCES

37. In the above discussion of major actions authorizing the construction of communications facilities, we have stressed the visual or aesthetic impact of such facilities as their primary environmental effect. In most cases, indeed, if aesthetics were not a factor, we doubt very much that routine environmental input and processing would be justified. The construction of most antenna towers involves a minor amount of activity over a short period by comparison with projects for which impact statements have ordinarily been prepared by other agencies, and the operation of communications facilities appears to have little or no effect on the environment. They do not, for example, contribute in any dis-

<sup>11</sup> The authorization of earth stations having an antenna less than 30 feet in diameter is not considered a major action. Several of such smaller stations have been authorized in the amateur radio service.

tinctive or significant way to air or water pollution. They do not use hazardous substances, and, except as noted in the margin, do not produce them.<sup>32</sup> In short, as some of those submitting comments suggest, communications is a clean industry.

38. Our emphasis on the aesthetic consequences of communications facilities as the primary consideration, however, should not be read as meaning that other environmental consequences perceived by the applicant can properly be ignored; they should be dealt with in the narrative statement submitted with an application to construct major facilities. Such consequences may follow from construction activity *per se* or from operation and maintenance of the facilities. Construction can, for example, involve a substantial change in surface features—e.g., wetland fill—and can impact environmentally sensitive areas—e.g., a wildlife preserve. The statement should clearly indicate both the extent of construction activity and the characteristics of the site on which it is to be undertaken.<sup>33</sup> In a sensitive area, the recurring presence of maintenance vehicles can be

a factor warranting consideration, as can be the noise associated with the operation of stand-by generators. In the case of antenna towers exceeding 500 feet in height, the impact of the structure on migratory birds is a matter of concern. Location of such structures along favored migration routes should be avoided if possible and, if not, should be discussed in the statement.<sup>34</sup> We offer these specifics simply as examples of possible environmental effects and obviously not as a compendium of all such effects, which would have in any event to be incomplete. For general insight into the variety of possible environmental consequences, we would suggest referring to Appendix II of the CEQ Guidelines, 38 FR 20557. In addition, it is well to keep in mind the basic questions which should be answered in the narrative statement, which are whether the impacted area is environmentally significant, whether the facilities or their construction, intrude objectionably on the area, whether measures have been taken to minimize any adverse effects, and whether less objectionable alternatives have been given fair consideration.

#### THE ROLE OF LOCAL, STATE AND FEDERAL LAND USE AUTHORITIES

39. Traditionally, in authorizing the construction of communications facilities, the Commission's concern with the physical plant has been limited to its

<sup>32</sup> Radio facilities do, of course, emit non-ionizing electromagnetic radiation (radio waves), the medium for transmission of communications by radio. Exposure to sufficiently high concentrations of such radiation can cause biological damage. Power densities of a magnitude warranting concern occur within the major lobes of the radiation pattern of high powered radio facilities within limited distances from the antenna and, with lower probability, may also occur in an area immediately surrounding the antenna but outside the major lobes of the radiation pattern. Commission policy is to require licensees to observe applicable exposure safety standards. If, for any reason, it is not possible to limit exposure to prescribed levels, existing licensees should notify the Commission to this effect while new applicants should prepare and submit an environmental impact statement dealing with the matter. Applicable safety standards and a more extended discussion are contained in Appendix 3.

<sup>33</sup> Since we are dealing with the repeated construction of similar facilities, we think it may be useful to develop a series of environmentally oriented construction codes. Such codes could cover the routing, siting and construction of communications facilities and would state principles and techniques designed to minimize their environmental effect. AT&T has developed a code covering cable routes and microwave stations. Bureau of Land Management Regulations Relating to the construction of power transmission lines also provide some specific guidance. See 43 CFR 2851.2-1. Other communications and construction companies, trade or professional associations, etc. concerned with the construction of like facilities at various locations may have developed similar codes, may find it advantageous to do so, or may choose to adopt the telephone company code, a copy of which is being placed in the docket file for this proceeding. Such codes could be submitted to the Commission for consideration under NEPA procedures. The approval of environmentally satisfactory codes under those procedures, followed by a statement of compliance for individual projects, should reduce in detail the information to be submitted with applications for authority to construct particular facilities.

<sup>34</sup> Towers less than 500 feet in height constitute a much smaller hazard than taller towers. We would expect an applicant for authority to construct a tall tower to seek out, consider and report such information concerning local migratory patterns as is available. Maps of the flyways of some species, particularly waterfowl, cranes and other larger birds, can be obtained from the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Washington, D.C. However, the usefulness of such maps in siting an antenna structure is limited. For the most part, sufficiently detailed information concerning local migratory patterns particularly for small birds, can be obtained only from ornithologists located at State universities or at other institutions within the area, if at all. The hazard is principally to the smaller song birds, some species of which characteristically fly at night and at lower altitudes than other species. The detection of nocturnal flight patterns involves the use of techniques (notably specially equipped aircraft and/or radar systems) which are not available to the casual bird watcher. (See Bellrose, Frank C., "The Distribution of Nocturnal Migrants in the Air Space," *The Auk*, Vol. 88, p. 397, April 1971.) The availability of information concerning such patterns varies a great deal from one area to another, depending on the intensity of scientific investigation within the area.

We would also expect the applicant to avail himself of such techniques as may be devised to minimize the hazard of tall towers to migratory birds. Evidence exists, for example, that birds are attracted to, rather than warned by, the usual tower lighting; and we would expect the applicant to utilize a modified lighting system, should one be approved by the FAA which had been demonstrated to be a lesser hazard. It is possible, but by no means certain, that the increasing use of strobe lights will lessen this problem.

communications efficiency. Other considerations relating to the physical facilities or to their construction have been the concern of local building, zoning and planning agencies and State and Federal land use authorities. Where they have jurisdiction, their approval as well as the Commission's is required. If comprehensive land use legislation is enacted by the Congress, moreover, State and regional controls will be extended to areas not currently regulated at the local level. (See, e.g., S. 268, 93d Cong., 1st Sess., introduced by Senator Jackson on January 9, 1973.) Local, State and regional land use authorities and Federal agencies responsible for the management of Government land are obviously better situated than the Commission—by location, experience, and awareness of local values—to deal with land use questions. Commission interference with common land use determinations traditionally made at the local level would under most circumstances place a considerable strain on our concept of the Federal system. Where local land use authorities have authorized the use of a site for communications facilities, we think that the Commission's role under NEPA should be narrowly construed. In such circumstances, we will proceed with caution and with due respect for the role and the qualifications of local authorities. Deference will be accorded to their rulings and their views, particularly in matters of aesthetics and when the record demonstrates that environmental issues have been given full and fair consideration. This is not to say, however, that we can defer entirely to State and local determinations. Although State and local authorities often take environmental factors into consideration, they do not function under NEPA, and their rulings do sometimes go to matters in which the Federal Government has a legitimate interest. Thus, their approval of a project cannot be accepted as conclusive and does not absolve the Commission of its statutory responsibilities. Their prior consideration of the project and objections thereto, on the other hand, should materially facilitate Commission efforts to reach the correct decision.

40. In the light of these considerations, it seems to us reasonable and highly desirable to suggest that persons objecting to the construction of communications facilities on environmental grounds voice their objections first to responsible local, State or Federal land use officials (if any), so that the Commission may have the benefit of their views and of their insight into the matters at issue. If an objection is filed first with the Commission, it will not be dismissed, but the person filing it may be requested to present his objection to appropriate land use officials; in that event action on the application will be deferred for a period which is reasonable under prevailing circumstances, pending the outcome of his efforts in this respect and Commission consideration thereof. The well-meaning individual who is sincerely concerned about the environmental consequences of a

Commission action will presumably welcome this opportunity to present his case at the local level. However, the procedure is voluntary and, if a person declines to follow it, the Commission may itself refer the matter to the appropriate land use officials. This procedure will be followed only if a possibly significant environmental concern has been raised, if it appears that the views of land use officials would be helpful in resolving it, and if time permits.

41. Our relationship with other Federal agencies which have a role in the authorization of communications facilities differs from the relationship between the Commission and State and local authorities. First, the roles of other Federal agencies are not limited to land use controls; and, secondly, since they also function under NEPA, the question is presented as to whether the Commission or another agency should assume responsibility for compliance with the statute. A number of the comments urge that responsibility for preparation of the environmental impact statement be clearly established and that there be no repetitive NEPA processing. APCO urges that joint review of environmental concerns be ruled out. Section 1500.7(b) of the Guidelines states that a single statement should be prepared, either jointly or by designation of a "lead agency" to prepare the statement. It further provides that, where a lead agency prepares the statement, other agencies should provide assistance and the statement should reflect the views of all. Factors in selection of the lead agency include the time sequence of their involvement, the magnitude of their involvement, and their relative expertise with respect to environmental effects of the project. There are several situations in which other agencies routinely have a role in the authorization of communications facilities:

(a) The Department of Health, Education, and Welfare makes funds available for the construction and improvement of educational broadcast facilities. Normally an applicant would apply simultaneously to HEW for funding and to the FCC for a construction permit.<sup>35</sup> Since the applicant must demonstrate to the FCC that he is financially qualified, an HEW grant would normally precede action by the FCC. As between HEW and the FCC, however, it appears that the Commission is in a better position to deal with environmental considerations. The electromagnetic characteristics of the station are its concern, and it is better equipped to judge the feasibility of alternative locations and facilities. Thus, if an environmental statement for such a station is prepared, the FCC will prepare it.<sup>36</sup>

<sup>35</sup> The improvement of facilities may relate to matters beyond the Commission's jurisdiction, such as the purchase of stereo tape equipment, in which event, of course, no application is filed with the FCC.

<sup>36</sup> Similarly, telephone cooperatives are sometimes dependent on financing by the Rural Electrification Administration. The Commission would prepare any necessary impact statement for facilities to be constructed by such cooperatives.

(b) Where communications facilities are established on land under the jurisdiction of the Forest Service or the Bureau of Land Management, the issuance of a construction permit by the Commission is conditioned on the prior issuance of a land use permit by the appropriate agency. See 47 CFR 1.70. The land agency has infinitely greater knowledge concerning the land, its uses and prospective uses than does the Commission and, we assume, would simply deny the permit if the communications facilities would have a significant adverse effect on the land or its use. There may, however, be close cases in which import (or even vital) communications facilities significantly impact the land. In such cases, the land agency is better able to assess the environmental significance of the project, and the Commission should be better able to judge the importance of the communications facilities and the availability of feasible alternatives. In such circumstances, we would think that the land agency is better equipped to prepare an environmental statement; but, if the land agency prefers, we will decide, on the facts it presents, whether a statement should be prepared and, if so, prepare the statement. The land agency's grant of a use permit is persuasive evidence that the facilities to be constructed will not significantly affect the environment or, at least, that the land agency does not believe they will. However, the grant of a permit does not, as some of the comments maintain, excuse the Commission from considering the question of environmental effect under NEPA standards and procedures, if the land agency has not done so.

(c) In considering the authorization of antenna structures, the Commission seeks the views of the Federal Aviation Administration when there is a possibility that the structure may constitute a menace to air navigation. See 47 CFR 1.61 and Part 17. The existing procedures should suffice for air safety purposes. If the facilities have significant environmental effect for other reasons, the Commission will assume responsibility for preparation of an environmental statement.

#### OTHER MATTERS

42. Proposed § 1.1303 provided, among other things, that environmental considerations would be applied to applications involving the abandonment or razing of a structure. The deletion of that provision is based on the provisions of section 303(q) of the Communications Act, 47 U.S.C. 303(q), which imposes specific duties on the owner of an antenna tower which ceases to be licensed by the Commission. The owner is required (1) to maintain painting and illumination until the tower is dismantled, and (2) to dismantle and remove the tower, on order of the Commission, if the Administrator of the Federal Aviation Administration determines that it constitutes a menace to air navigation. It would thus appear that the Congress may have intended to limit the Commission's authority over abandoned towers to that prescribed by this provision. We are re-

luctant to burden these general rules with a provision for which the authority is doubtful. We will, however, address the question in a case involving particular facilities, should it appear that abandonment will have significant environmental effect.

43. Proposed § 1.1303 also covered applications for modification of existing facilities. (A minor exception was specified in proposed § 1.1315(a)(7).) Upon further consideration, we think that where communications facilities are in place, it is most unlikely that modification not involving a site change or a substantial increase in antenna tower height will have a significant effect on the environment. Section 1.1305(b)(2) of the final rules accordingly provides that actions authorizing the modification of facilities which do not involve a site change or a substantial increase in tower height are minor actions. As a general rule of thumb, height increases on the order of 20 feet or 10% (whichever is greater) are not considered substantial. Somewhat greater increases in height would be considered insubstantial if the increase saved construction of a new tower. Also, of course, the modification of existing facilities is not considered major if the facilities, as modified, are not major (if the height of a modified broadcast tower, for example, is less than 300 feet). The note following § 1.1305(a), and (b)(2), are designed to maximize use of existing structures. The other types of applications listed in proposed § 1.1315(a) which continue relevant have been carried forward into the final rules without major change. Section 1.1305(c) of the final rules provides protection in any circumstances in which construction listed as minor might prove to be major and significant.

44. Section 1.1311(c) of the final rules clarifies application of the rules to facilities licensed in the Safety and Special Radio Services. This provision requires the submission of environmental data and the completion of NEPA procedures before construction is commenced. It replaces precatory statements in paragraph 4 of the Notice of Proposed Rule Making, to the effect that it would be unwise for the applicant not to consider environmental consequences prior to commencing construction. The change reflects the Commission's acceptance of responsibility for making the environmental determination and our belief that it would be neither wise nor responsible to permit construction to go forward before that determination is made. This requirement of prior approval on environmental grounds should not, however, be looked upon as a requirement of prior approval under section 319 of the Communications Act or of prior approval of construction on other than environmental grounds.

45. Sections 1.1313 and 1.1315 of the final rules cover the consideration of environmental information submitted with major applications and carry the impact statement process up to the point of the final impact statement. These sections are roughly comparable to proposed Section 1.1323 but differ in important respects from the proposal. First, of course,

the final rules concern the consideration of information submitted by applicants rather than a conclusory report and reflect the Commission's assumption of responsibility for preparation of a draft statement. The second important difference is that environmental processing under the final rules is separated from the notice and petition to deny procedure prescribed by Section 309 of the Communications Act and similar procedures followed in the case of applications filed under Section 214 of the Act. The issuance of a notice of acceptance for filing (and parallel AM broadcast procedures), which triggers the petition to deny process, is a routine action involving no substantive consideration of the merits of the application. Consideration of environmental significance must wait to the point when the professional staff reaches the application for processing. Legal, financial, engineering and environmental matters will then be given consideration. If the staff determines that a grant would have significant environmental effect and informal measures fail to eliminate the environmental problem, the environmental impact statement process is initiated. Section 1.1313(b)(2) provides, *inter alia*, for early notice of the decision to prepare a statement, as suggested by Section 1500.6(e) of the Guidelines. The notice will offer a copy of the statement to any person who requests a copy before the statement is duplicated for distribution to agencies. Section 1.1313(c) provides for waiver of the construction permit requirement, and for temporary authorizations, where it appears that construction can proceed without significant environmental effect.

46. Some of the comments take the position that the Commission need not become involved in environmental regulation, that communications is a clean industry which does not present the country with significant environmental problems, or that existing procedures are entirely adequate to deal with any problems which may be presented. Such positions are, at best, difficult to understand. NEPA does, after all, apply to "all agencies of the Federal Government," and though we agree that the environmental effect of the communications industry is minor by comparison with many others, it seems to us clear, as has been indicated above, that there are major actions taken by the Commission which can have significant environmental effect. In the case of such actions, NEPA clearly requires consultation with expert agencies, the preparation of an impact statement, and consideration of that statement at all levels of the decision-making process, and these requirements clearly go beyond those of the Communications Act.

47. The Network Project takes the position that all persons who file applications should actively seek out public assistance in determining whether the construction they propose to undertake involves a significant environmental problem warranting submission of an environmental report, and that the public should have a role in the Commission's review of the applicant's determination. Since a determination by the applicant is not being required and will of course not be reviewed, this specific position is no longer pertinent. Nor will the Commission delegate its responsibility for making the determination to any private group submitting affidavits from two "expert witnesses" stating that the proposed facilities have "the potential of adversely affecting the human environment," as the Network Project suggests. We nevertheless understand the thrust of the Network Project's position, which is that the public should have a role in making the environmental judgment. The Commission gives public notice of the filing of applications considered major within the meaning of NEPA, and the public is thereby afforded an opportunity to comment on any aspect of those applications. When the Commission determines whether to prepare an environmental impact statement, environmentally oriented comments will be considered; and when the Commission decides to prepare such a statement, the procedures recommended by CEQ will be followed. In these circumstances, we think the role of all interested members of the public is assured.

48. Section 1500.2(b) of the Guidelines states that the draft environmental statement should be prepared and circulated for comment in time to accompany a proposed action through agency review processes for such action. Section 1500.7(a) states that the draft statement should be circulated prior to the first significant point of decision. The Guidelines do not precisely identify the point at which a final statement must be prepared, but NEPA provides that the final statement—i.e., one prepared following consultation with expert agencies—must be available during the decision-making process. It would appear that some preliminary procedures may be followed, and some actions which do not predispose the outcome may be taken, during the period in which comments on the draft statement are being submitted and a final statement is being prepared. In application proceedings, however, the first significant action taken is to grant the application or designate it for hearing; and as this action may terminate the proceeding, the final statement should be prepared before it is taken. In rule making proceedings, on the other hand, it would appear that the draft statement should be prepared and considered before issuing a notice of proposed rule making, that it should be circulated when the notice is issued, and that the final statement should be completed before rules are adopted.

49. Final § 1.1315(a) describes the content of the draft statement, noting in particular that the purpose of the statement is to assess *environmental* consequences and not to balance them against other considerations or to make a public interest determination, these matters being left to the decision-making process, during which the statement will be considered.

50. In response to a number of the comments and § 1500.3(a) of the Guidelines, providing that agency procedures should designate the officials who are responsible for the preparation of impact statements, § 1.1315(b) provides, for application proceedings, that the draft statement is prepared by the staff of the Bureau which is responsible for processing the application and submitting a recommendation to the commission. (The final statement is also prepared by the appropriate processing staff.) In rule making proceedings, the statements will be prepared by staff personnel responsible for the preparation of proposed and final rules. Section 1500.8(c) of the Guidelines states that agencies should attempt to have relevant disciplines represented on their staffs and that, where this is not feasible, should make appropriate use of relevant Federal, State and local agencies or the professional services of universities and outside consultants. Initially at least, the Commission will follow the second route, relying on existing staff personnel to make environmental judgments and to prepare impact statements. Where input is required from scientific and social disciplines not represented on the Commission's staff, it will be sought from outside the Commission. If it develops that input is repeatedly required from particular disciplines, consideration will be given to the employment of personnel with the appropriate training and background.

51. Section 1.1315(c) provides for publication of notice that the draft statement has been prepared and that a limited number of copies are available on request. This limited number is in addition to those distributed automatically to persons who requested a copy at the time early notice was given that a statement would be prepared. These procedures are in lieu of provisions for maintenance of copies at FCC field offices (Guidelines, § 1500.11(d) and new requirements for maintenance of papers by applicants for inspection locally (proposed § 1.1321(1))).

52. The remainder of Section 1.1315 provides for circulation of the statement to expert agencies, comment by any person or agency within 45 days (consistent with the Guidelines), reply comment within 21 days, a limitation of comments at this stage to environmental issues, and the availability of all relevant papers for inspection. Two copies of comments and reply comments are for use of the Commission. The remaining copies required will be furnished to CEQ in accordance with the Guidelines.

53. Sections 1.1317 and 1.1319 provide for preparation, distribution and consideration of the final environmental impact statement. It should be noted that § 1.1317(a) allows for the possibility that the comments may show that the effect of the facilities will not in fact be significant. Section 1.1317(c) provides that the Commission will either adopt or reject conclusions set out in the final statement concerning the environmental consequences of the action or their significance and, if all or part of the statement is rejected and the application is des-

igned for hearing on an issue relating to the rejected statement or part, that a supplementary final statement will be prepared and circulated to interested persons and agencies before the hearing is commenced.

54. Several of the comments urge that standing to participate as a party on environmental issues be limited or that participation by an intervenor on such an issue be circumscribed. Under section 309(e) of the Communications Act, intervention is governed by the "party in interest" standard—an intervenor must be able to show that he will be aggrieved or adversely affected. There is a considerable body of case law construing this standard. When the question of standing is raised in a particular case, it will be decided on the basis of the party in interest standard and cases construing it. No purpose would be served in the present context by further elaboration on the law of standing or by attempting to delineate the scope of participation by an intervenor in a particular case.

55. Authority for the rules set out as Appendix 4 hereto is set out in Sections 4(i) and (j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and (j) and 303(r), and in the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

56. Accordingly, IT IS ORDERED That Part 1 of the Rules and Regulations is amended by adding a new Subpart I, as set forth in Appendix 4 hereto, applicable to applications filed on or after January 20, 1975, and that this proceeding is hereby TERMINATED.

57. Reporting requirements in 47 CFR 1.1311 have been approved by U.S. General Accounting Office under approval number 180227-(ROO 86).

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

Adopted: September 26, 1974.

Released: December 16, 1974.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

#### APPENDIX 3

1. It is known that non-ionizing electromagnetic radiation (radio waves), at frequencies above 10 MHz, at sufficiently high power densities, can cause heating and damage to living tissue. This heating effect is used to man's advantage in diathermy equipment (where power is limited and exposure is controlled), in microwave ovens (where shielding is utilized to prevent exposure), and in diverse other ways. The scientific and medical communities are not satisfied that data developed in this area to date provide an adequate understanding of the biological effects of such radiation or, consequently, a sufficient basis for formulating definitive exposure safety standards. Further research is in progress under a multiagency Government program. However, based on present knowledge, various exposure safety guidelines have

\*Commissioners Wiley, Chairman; Reid, and Robinson concurring in the result.

been formulated, and the Occupational Safety and Health Administration (OSHA) has promulgated a standard under which employers are required to maintain working conditions in which employees will not be exposed to power densities greater than 10 milliwatts per square centimeter of body area averaged over a six minute period. 29 CFR 1910.97.

2. In the case of radio communications facilities, the area of protection under this standard can be calculated and expressed in distance from the antenna within the major lobes of the radiation pattern, with results varying as follows with effective radiated power above isotropic (EIRP):

Hazard area— distance in feet from antenna within radiation pattern	
EIRP:	
10 kw	20
100 kw	60
300 kw	100
1 Mw	180
5 Mw	420

See OCE Report No. 7104. Distance figures are approximate. With the exception of satellite earth stations, the Commission does not authorize power in excess of 5 Mw. The following formula is used in calculating hazardous radiation distances where the maximum permissible exposure level is 10 mW/cm<sup>2</sup>:

$$d = \frac{\sqrt{\text{EIRP}}}{5.4024}$$

Where

d = Distance in feet and EIRP is in watts.

To put these figures in perspective, it should be appreciated that high power is utilized to transmit usable signals over substantial distances. To aid in this purpose, the antenna is normally mounted on a tall structure and is oriented generally toward the horizon, not toward the base of the antenna tower. The point at which the signal reaches the ground depends on the above factors (i.e., antenna height and orientation) and on the shape of the major lobes of the radiation pattern. Thus, for example, the antenna for an omnidirectional television station produces a donut-shaped pattern, with a low signal area at ground level within varying distances from the tower; the antenna for a microwave relay station, on the other hand, produces a narrow beam aimed at a receiving antenna on the horizon, at a distance of about 25 miles, and touches ground at or beyond the receiving tower; and the satellite earth station antenna produces an even more highly concentrated beam which is aimed at the satellite. For radiation levels to exceed maximum permissible exposure levels under the OSHA standard at ground level, the distance from the antenna to the nearest ground point within the major lobes of the radiation pattern would have to be less than the distance set out in the table above (e.g., less than 100 feet when EIRP is 300 kw and less than 420 feet when EIRP is 5 Mw). While it is theoretically possible that a combination of circumstances could produce areas of exposure in excess of those permissible under the OSHA standard at ground level, it is most unlikely. Measurements at a sampling of Commission licensed stations indicate that power densities present at ground level immediately below the antenna are well below (e.g., by a factor of 10,000) the maximum permissible level under the OSHA standard (10mW/cm<sup>2</sup>). To the extent that a hazard may exist, we would expect it to be associated with circumstances such as the following: With tall buildings proximate to the antenna

(i.e., within the distances set out in the above table) and within the major lobes of the radiation pattern; with the rooftops of buildings on which antennas for high power stations are located if the antenna are not sufficiently elevated above roof level; and with maintenance personnel working on an antenna tower while the station is operating (not a usual practice).

3. The Commission's role in this area is to assist in current Government efforts to develop a dependable understanding of biological effects and realistic exposure levels, primarily by furnishing measurement data for existing Commission-licensed communications facilities, and to see that the OSHA standard and such other applicable official standards as may be established by the responsible Government agencies are met by Commission licensees. In the case of satellite earth stations, for example, a very powerful signal is generated (EIRP within the highly concentrated beam can be as high as 1000 Mw). If the antenna is not significantly elevated, exposure to hazardous power densities is possible at ground level at the antenna site, even though the beam is directed skyward. The Commission has accordingly required applicants for earth stations to identify any hazardous area and to take such measures as are necessary (e.g., warning signs, fencing and shielding) to protect against exposure, 38 FCC 2d 865, at paras. 94-95. Similar requirements will be imposed in any other situation which we discover, or is called to our attention, in which protective measures are needed. In this connection, we recommend that licensees of high power facilities operating on frequencies above 10 MHz review conditions at the antenna site for compliance with the OSHA standard, calculate to determine the possibility of exposure to power densities in excess of 10 mW/cm<sup>2</sup>, either on or off the site, measure actual power densities at any such location, and take such appropriate remedial measures as may be necessary in areas subject to their control. The Commission may wish to survey stations to obtain information useful in determining environmental radiation levels. However, that possibility is not within the scope of this proceeding. Radiation levels are a consideration under NEPA procedures only in situations where measures cannot practicably be taken to preclude exposure to power densities which exceed maximum permissible levels prescribed by applicable official safety standards.

#### APPENDIX 4

Part 1, Chapter I of Title 47 of the Code of Federal Regulations is amended by adding a new Subpart I to read as follows:

##### Subpart I—Procedures Implementing the National Environmental Policy Act of 1969

- Sec.
- 1.1301 Basis and purpose.
  - 1.1303 Scope.
  - 1.1305 Major actions.
  - 1.1311 Environmental information to be submitted with applications for authority to construct major communications facilities.
  - 1.1313 Commission consideration of environmental information.
  - 1.1315 The draft environmental impact statement; comments.
  - 1.1317 The final environmental impact statement.
  - 1.1319 Consideration of the final environmental impact statement during the hearing and decision-making process.

# Subpart I—Procedures Implementing the National Environmental Policy Act of 1969

## § 1.1301 Basis and purpose.

The provisions of this subpart implement the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

## § 1.1303 Scope.

The provisions of this subpart apply to all major Commission actions authorizing the construction of communications facilities (see §§ 1.1305 and 1.1311(c)). The Commission will, in addition, invoke and implement the environmental impact statement process before taking a position on legislative or rule making matters which would have a significant effect on the quality of the human environment.

## § 1.1305 Major actions.

(a) Except as provided in paragraph (b) of this section, Commission actions authorizing construction of the following classes of communications facilities are major actions within the meaning of the National Environmental Policy Act:

(1) Underground cable or wave guide routes, and aerial transmission lines, for long distance tele-communication.

(2) Private and common carrier microwave relay antenna towers or supporting structures exceeding 100 feet in height, excluding pole mounted microwave antennas.

(3) Standard (AM), FM television and international broadcast antenna towers or supporting structures which exceed 300 feet in height, and all AM directional arrays without regard to height.

(4) Other antenna towers or supporting structures, including pole mounted microwave antennas, which exceed 300 feet in height and are not located in areas devoted to heavy industry or to agriculture.

(5) Satellite earth stations having an antenna of 30 feet or more in diameter.

(6) Communications facilities to be located in the following areas:

(i) Facilities which are to be located in an officially designated wilderness area or in an area whose designation as a wilderness area is pending consideration;

(ii) Facilities which are to be located in an officially designated wildlife preserve or in an area whose designation as a wildlife preserve is pending consideration;

(iii) Facilities which will affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology or culture, which are listed in the National Register of Historic Places or are eligible for listing (see 36 CFR 800.2 (d) and (f) and 800.10); and

(iv) Facilities to be located in areas which are recognized either nationally or locally for their special scenic or recreational value.

(7) Facilities whose construction will involve extensive change in surface features (e.g., wetland fill, deforestation or water diversion).

NOTE: The provisions of this paragraph do not encompass the installation of additional cable over existing underground cable routes or the mounting of microwave, FM, television or other antennas comparable thereto in size on an existing building or antenna tower. The use of existing routes, buildings and towers is an environmentally desirable alternative to the construction of new routes or towers and is encouraged.

(b) In the circumstances recited in this paragraph, Commission actions authorizing construction of the classes of communications facilities listed in paragraph (a) of this section are minor actions within the meaning of the National Environmental Policy Act:

(1) The construction of an antenna tower or supporting structure in an established "antenna farm" (i.e., an area in which similar antenna towers are clustered, whether or not such area has been officially designated as an antenna farm).

(2) The modification of existing or authorized facilities, provided such modification does not involve a site change or a substantial increase in tower height.

(3) The construction of an antenna structure which is to remain in place for a temporary period (as for the conduct of experimental or developmental operations, for the duration of emergency conditions, or for maintenance of service pending repair of a permanent structure) and then be removed, providing there will be no lasting effects of environmental significance.

(4) The replacement of an existing structure with a structure of the same kind on the same site.

(c) Commission action authorizing the construction of communication facilities not listed in paragraph (a) of this section are minor actions within the meaning of the National Environmental Policy Act: *Provided, however*, That the Commission, on its own motion or on motion of any interested person, may determine that the environmental consequences of a particular action are such as to warrant preparation of an environmental impact statement.

## § 1.1311 Environmental information to be submitted with applications for authority to construct major communications facilities.

(a) Except as provided in paragraphs (d) and (e) of this section, a narrative statement containing the following information shall be submitted with each application for authorization of the construction of major communications facilities (as defined in § 1.1305):

(1) For underground cable facilities, a description of the route between at least two major terminals, and a discussion of environmental and other considerations which led to selection of that route.

(2) For antenna towers and satellite earth stations, a description of the facilities (including height and special design features, access roads and power lines), a description of the site, the surrounding area and its uses, and a discussion of environmental and other considerations which led to its selection.

(3) A statement as to the zoning classification of the site (if any) and concerning communication with or proceedings before zoning, planning environmental, or other local, State or Federal authorities on matters relating to environmental effect.

(4) A statement as to whether construction of the facilities has been a source of controversy on environmental grounds in the local community.

(5) A discussion of the nature and extent of any unavoidable adverse environmental effects perceived by the applicant and (where adverse effects are present) a discussion of any efforts made to minimize such effects and of any alternative routes, sites or facilities which have been or might reasonably be considered.

NOTE: To the extent that such information is submitted in another part of the application, it need not be duplicated in the statement, but adequate cross-reference to such information shall be supplied.

(b) The information submitted should be factual (not argumentative or conclusory) and should be sufficiently comprehensive and detailed to convey an understanding of the environmental consequences and to serve as a basis for a judgment concerning their significance. If the applicant perceives unavoidable environmental consequences, it may be appropriate to attach a statement by an expert in the relevant discipline(s) detailing the extent and precise nature of such consequences and measures which can be taken to minimize them. The statement should deal specifically with any feature of the site or route which has special environmental significance—e.g., wilderness areas, wildlife preserves, natural flyways for birds, and sites of scenic, cultural, historic, architectural, archeological, or recreational value. In the case of historically significant sites, the statement should specify the effect of the facilities on any district, site, building, structure or object listed in the National Register of Historic Places, 39 F.R. 6402, February 19, 1974. It should also detail any substantial change in the character of the land utilized—e.g., deforestation, water diversion, wetland fill, or other extensive change of surface features. In the case of wilderness areas, wildlife preserves, or other like areas, the statement should discuss the effect of any continuing pattern of human intrusion into the area (as for operation or maintenance of the facilities or site habitation). To the extent that the principles and techniques governing construction, siting and routing of the facilities are consistent with an environmental code filed with and approved by the Commission, a reference to that code will suffice in lieu of a detailed discussion.

NOTE: The National Register is updated and re-published in the FEDERAL REGISTER each year in February. Addenda are published on the first Tuesday of each month.

(c) In the case of facilities licensed in the Safety and Special Radio Services, the information required by paragraph

(a) of this section shall be submitted and ruled on by the Commission, and the environmental impact statement process (if invoked) shall be completed, before construction of the facilities is commenced. Except as regards environmental effect, however, a construction permit for such facilities is not required.

(d) A narrative statement need not be submitted to the Commission if another agency of the Federal Government has assumed responsibility for determining whether construction of the facilities in question will have a significant effect on the quality of the human environment and, if it will, for invoking the environmental impact statement process. The issuance of a permit for the use of Federal land is an important consideration favoring the conclusion that an authorization will not have significant environmental effect or that the effect is not of sufficient significance to warrant denial of a permit, but it is conclusive only if the agency issuing the land use permit followed procedures prescribed by the National Environmental Policy Act.

(e) A narrative statement need not be submitted to the Commission if the facilities are to be utilized exclusively in rendering services to the United States Government and the existence or purpose of such facilities is classified security information. (In such cases, it would appear that the environmental determination should be made by the Government agency for which the services are to be rendered under procedures compatible with the national security and on the basis of information which that agency alone may have.)

**§ 1.1313 Commission consideration of environmental information.**

(a) No major Commission action (as defined in § 1.1305) granting an application (or authorizing construction on the basis of a narrative statement, pursuant to § 1.1311(c)) will be taken by the Commission earlier than 30 days following the Commission's issuance of a public notice stating that the application, the narrative statement, or a substantial amendment thereof has been accepted for filing. In the case of an application to which Section 309(b) of the Communications Act applies, objections based on environmental considerations may be filed as petitions to deny (see Section 309(d) of the Communications Act and §§ 1.580, 1.962, and 21.27 of this chapter). Informal objections to any major Commission action (as defined in § 1.1305) which are based on environmental considerations may be filed at any time prior to the action. Any person who wishes to raise a question concerning the effect of a grant on the quality of the environment should file either a petition to deny or an informal objection within the period prescribed. A subsequent opportunity to comment on a draft environmental impact statement will be afforded only if the application processing staff determines, on the basis of available information, that a grant would have a significant effect on the quality of the environment.

(b) When the application is reached for processing, the processing staff will review the statement required by § 1.1311 and any other available information bearing on the question of environmental effect and will determine whether a grant of the application will have a significant effect on the quality of the human environment. In connection with this review, the staff may require the applicant to furnish additional information bearing on the effect of a grant.

(1) If it is determined that grant of an application will not have significant environmental effect, the application will thereafter be processed without further consideration of environmental effect.

(2) If it is determined that a grant will or may have significant environmental effect, the staff may, before deciding to prepare a draft environmental impact statement, discuss matters of environmental concern with the applicant, concerned individuals and experts, in an effort to identify measures which could be taken to minimize adverse effect and alternatives which are not, or are less, objectionable. (The Advisory Council on Historic Preservation has adopted formal procedures for such consultation. See 39 FR 3366, January 25, 1974, 36 CFR Pt. 800.) The staff may direct that technical studies be made or that expert opinion be obtained concerning the effect of a grant and the environmental, communications and cost effects of measures or alternatives which could reduce, minimize or eliminate an environmental problem. The staff may also request that a person objecting to grant of an application on environmental grounds raise his objections with appropriate local, State or Federal land use authorities (if their views have not previously been sought) and, if he declines, may itself request the views of such authorities. The applicant may amend his application to reduce, minimize or eliminate such a problem. If such measures as are taken fail to eliminate the environmental problem, the staff will prepare a draft environmental impact statement. When a decision to prepare a statement is made, a public notice to that effect will be published in the Federal Register. The public notice will indicate the nature and location of the facilities and will advise interested persons that they may obtain a copy of the statement by submitting a written request to the Commission prior to the date on which the statement is duplicated for circulation to agencies.

(c) If it appears that grant of an application will not have significant environmental effect or that construction can proceed in part without such effect, and if all statutory requirements pertaining to such action are met, the Commission may waive the requirement for a construction permit, or may grant a temporary authorization, prior to final action on the application.

**§ 1.1315 The draft environmental impact statement; comments.**

(a) The draft environmental impact statement will describe the facilities, the area affected and its uses. It will enumer-

ate the environmental consequences and, to the extent possible, will evaluate their magnitude and significance. It will relate views expressed by persons opposing grant of the application on environmental grounds. It will describe alternatives considered by the applicant, advocated by persons opposing grant of the application or developed by the Commission, explain the basis for rejection of any alternative not considered feasible, and discuss the relative advantages and disadvantages of feasible alternatives. It will discuss measures which will or could be taken to minimize adverse effects and will indicate whether the applicant proposes to take such measures. It will deal specifically with any feature of the impacted area which has special environmental significance. Except as may be appropriate in assessing the feasibility of alternatives, it will not discuss non-environmental considerations, or draw conclusions as to whether a grant will serve the public interest. Such matters will be considered by the Commission in acting on the application after the final environmental impact statement has been prepared. The summary sheet set out as Appendix I to the CEQ Guidelines will accompany each draft statement.

(b) The draft statement will be prepared by the application processing staff before any action is taken on the application and before any recommendation regarding action is made to the Commission. The statement will not be adopted by the Commission.

(c) When a draft statement is prepared, the Commission will publish in the Federal Register a public notice containing the following information:

(1) The nature and location of the facilities.

(2) A brief statement regarding the nature of any environmental problem dealt with in the draft environmental impact statement.

(3) A statement that the draft statement is available for inspection at the Commission and that a limited number of copies will be made available upon request.

(4) A statement that comments on the draft statement may be filed within 45 days after publication of the notice. (The date of publication will be specified in the notice.)

(d) Before notice of the draft statement is published in the Federal Register, copies will be mailed, with a request for comment, to Federal and Federal-State agencies having jurisdiction by law or special expertise with respect to the environmental effects of the facilities. (See Appendix II to the CEQ Guidelines.) Five copies of the statement will be mailed to the Council on Environmental Quality. Copies of the statement will be mailed to the applicant and to individuals, groups and State and local agencies known to have an interest in the environmental consequences of a grant.

(e) Any person or agency may comment on the environmental impact of the facilities described in the environmental impact statement within 45 days after public notice of the statement is

published in the Federal Register. Comments shall be served on the applicant by the person who files them. An original and 6 copies of comments shall be submitted to the Commission. Five (5) additional copies shall be forwarded by the person commenting to the Council on Environmental Quality. If a person submitting comments is specially qualified in any way to comment on the environmental impact of the facilities, a statement of his qualifications shall be set out in the comments. Comments submitted by an agency shall, in addition, specify the identity of the person(s) who prepared them.

(f) The applicant may file reply comments within 21 days after the time for filing comments has expired. Reply comments shall be served by the applicant on persons or agencies which filed comments. An original and six copies of reply comments shall be submitted to the Commission.

(g) Comments and reply comments shall be accompanied by a certificate of service. See § 1.47.

(h) The preparation of a draft environmental impact statement and request for comments shall not open the application to attack on other grounds.

(i) The application, the draft environmental impact statement, and all related papers, including agency comments, shall be routinely available for public inspection.

#### § 1.1317 The final environmental impact statement.

(a) Upon consideration of the comments and reply comments, the application processing staff will prepare a final environmental impact statement. The final statement will contain a discussion of matters discussed in the draft statement (see § 1.1315(a)), taking into consideration all matters of substance raised in the comments and reply comments. If the comments show that the effect of the facilities will in fact not be significant, the final statement will state that conclusion. The summary sheet set out as Appendix I of the CEQ Guidelines will accompany each final statement.

(b) Copies of the final statement will be distributed to the applicant and to persons and agencies which submitted substantive comment on the draft statement. If practicable, copies of the comments and reply comments will be attached to and distributed with the final statement. Persons who submitted comments may be requested to furnish additional copies for this purpose. Five copies of the final statement and all comments will be submitted to the Council on Environmental Quality.

(c) The Commission will consider the final environmental impact statement in determining whether to grant the application or to designate it for hearing on an environmental issue. It may adopt or reject conclusions set out in the final statement relating to environmental consequences of the action or their significance. If the Commission adopts the final statement, it will be made a part of the opinion issued by the Commission in

granting the application or designating it for hearing. If the Commission rejects all or part of the final statement and grants the application, the reasons for rejection of the statement will be stated in the opinion, and the statement will be associated with that opinion. If the Commission rejects all or part of the final statement and designates the application for hearing on an issue relating to the rejected statement or part, a supplementary final statement reflecting the Commission's determination will be prepared, circulated to interested persons and agencies and associated with the designation order before the hearing is commenced.

#### § 1.1319 Consideration of the final environmental impact statement during the hearing and decision-making process.

(a) If the application is designated for hearing on an environmental issue, the final (or supplementary final) environmental impact statement will be associated with the designation order and will be considered in delineating the scope of the environmental issue.

(b) Copies of comments from Federal, State and local agencies will be associated with the record of the hearing proceeding, shall be admissible in evidence for the limited purpose of showing the views of those agencies, and may be used in cross-examining witnesses on the environmental issue.

(c) Agencies and individuals who comment on environmental effect may be invited to participate as parties to the proceeding and, if not named as parties, may petition to intervene. Agencies which comment may be asked by Commission counsel or others to furnish expert witnesses to testify on matters of environmental impact. Subpoenas for the appearance of such agency experts will be issued, if necessary, when their testimony is required to lay a foundation for the admission of agency comments in evidence to show the truth of facts and the validity of conclusions contained therein.

(d) The burden of proceeding with the introduction of evidence on the environmental issue, as well as the burden of proof on that issue, shall be upon the applicant, except as otherwise provided in the designation order.

[FR Doc.74-29510 Filed 12-18-74; 8:45 am]

#### Title 50—Wildlife and Fisheries

#### CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

#### PART 33—SPORT FISHING

#### Arapaho National Wildlife Refuge, Colorado

The following special regulation is issued and is effective on December 19, 1974.

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

##### COLORADO

##### ARAPAHO NATIONAL WILDLIFE REFUGE

Sport fishing on the Arapaho National Wildlife Refuge, Colorado, is permitted from January 1 through May 31 and

August 1 through December 31, 1975, inclusive, on the area designated by signs as open to fishing. This open area is delineated on maps available at refuge headquarters, Walden, Colorado 80480, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 2215, Salt Lake City, Utah 84111. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1975.

V. CARROL DONNER,  
Refuge Manager, Arapaho National Wildlife Refuge, Walden, Colorado.

DECEMBER 12, 1974.

[FR Doc.74-29536 Filed 12-18-74; 8:45 am]

#### PART 33—SPORT FISHING

#### De Soto National Wildlife Refuge, Iowa and Nebraska

The following special regulation is effective on December 19, 1974.

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

##### IOWA AND NEBRASKA

##### DE SOTO NATIONAL WILDLIFE REFUGE

Sport fishing on the De Soto National Wildlife Refuge, Iowa and Nebraska, is permitted on the lake area within the refuge. This open area, comprising 850 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Sport fishing is subject to the following conditions:

(1) All fishermen shall conform with the regulations of the State in which they are properly licensed, either Iowa or Nebraska, subject to more restrictive regulations that may be included herein.

(2) Open Season: Daylight hours January 4, 1975 through February 28, 1975, providing ice conditions are safe enough to permit this activity, and 6 a.m. to 9 p.m., April 15, 1975, through September 30, 1975.

(3) Trot lines and float lines are not permitted.

(4) Archery fishing is permitted during the period May 1, 1975, through June 15, 1975. Only the following fishes can be taken with bow and arrow: Bigmouth Buffalo (Ictalurus cyprinellus), Smallmouth Buffalo (Ictalurus bubalus), Carp (Cyprinus carpio), Longnose Gar (Lepisosteus osseus) and Shortnose Gar (Lepisosteus platostomus).

(5) Digging or seining for bait is not permitted.

(6) No more than two lines with two hooks on each line may be used for fishing.

(7) Motor or wind driven conveyances are not permitted on the lake

during the period January 4, to February 28.

(8) The use of boats, with or without motors, is permitted during the period April 15 to September 15.

(9) During the period September 15 to September 30, only boats without motors or motors up to 20 H.P. are permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1975.

JAMES E. FRATES,  
Refuge Manager, DeSoto National Wildlife Refuge, Missouri Valley, Iowa.

DECEMBER 2, 1974.

[FR Doc.74-29535 Filed 12-18-74;8:45 am]

### PART 33—SPORT FISHING

#### Swan Lake National Wildlife Refuge, Missouri

The following special regulation is issued and is effective on December 19, 1974.

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

#### MISSOURI

##### SWAN LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Swan Lake National Wildlife Refuge, Sumner, Missouri, is permitted on the areas designated by signs as open to fishing. The open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Denver Federal Center, P.O. Box 25486, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from March 1 through September 30, 1975 inclusive, during daylight hours only.

(2) Boats without motors may be used on Swan Lake, Silver Lake, and that portion of South Lake immediately adjacent to No. 5 Levee.

(3) Travel is permitted on all roads except those posted with "Road Closed" signs.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1975.

DECEMBER 2, 1974.

ALFRED O. MANKE,  
Refuge Manager, Swan Lake National Wildlife Refuge, Sumner, Missouri 64681.

[FR Doc.74-29594 Filed 12-18-74;8:45 am]

### PART 33—SPORT FISHING

#### Valentine National Wildlife Refuge, Nebraska

The following special regulation is issued and is effective on December 19, 1974.

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

#### NEBRASKA

##### VALENTINE NATIONAL WILDLIFE REFUGE

Sport fishing on the Valentine National Wildlife Refuge, Nebraska, is permitted only on the areas designated by signs as open to fishing. These open areas comprising 3,107 acres of water on the refuge, are delineated on maps available at the refuge headquarters and from the Office of the Area Manager, U.S. Fish & Wildlife Service, P.O. Box 250, Pierre, South Dakota 57501.

Sport fishing shall be in accordance with all applicable State regulations subject to the following special regulations:

(1) The open season for sport fishing on the refuge during daylight hours only, will be from January 1, 1975 through December 31, 1975.

(2) Hook and line, bow and arrow, and hand spear fishing only are permitted.

(3) Boats with or without electric-type outboard motors are permitted on lakes open to sport fishing in accordance with State boating regulations. Internal combustion type motors are prohibited.

(4) The use or possession of live minnows or fish for bait or the possession of any seine or net for capturing live minnows is prohibited. Dead minnows or parts thereof may be used as bait.

The provisions of this special regulation supplement the regulations which govern sport fishing and wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1975.

ROBERT M. ELLIS,  
Refuge Manager, Fort Niobrara—Valentine Complex, Valentine, Nebraska.

DECEMBER 9, 1974.

[FR Doc.74-29534 Filed 12-19-74;8:45 am]

### PART 33—SPORT FISHING

#### Pathfinder National Wildlife Refuge, Wyoming

The following special regulation is issued and is effective on December 19, 1974.

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

#### WYOMING

##### PATHFINDER NATIONAL WILDLIFE REFUGE

Sport fishing on all areas of the Pathfinder National Wildlife Refuge, Wyoming, is permitted from January 1 through December 31, 1975, inclusive. These areas, comprising 16,807 acres, are delineated on maps available at refuge headquarters, Walden, Colorado 80480, and from the Area Manager, U.S. Fish and Wildlife Service, Federal Building, Room 2215, Salt Lake City, Utah 84111. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1975.

V. CARROL DONNER,  
Refuge Manager, Pathfinder National Wildlife Refuge, Walden, Colorado.

DECEMBER 12, 1974.

[FR Doc.74-29537 Filed 12-18-74;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 rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[7 CFR Part 959]

#### ONIONS GROWN IN SOUTH TEXAS

##### Expenses and Rate of Assessment

Consideration is being given to authorizing the South Texas Onion Committee to spend not more than \$94,311 for its operations during the fiscal period ending July 31, 1975, and to collect two cents (\$0.02) per 50-pound container of onions, or equivalent quantity, handled by first handlers under the program.

The committee is the administrative agency established under Marketing Agreement No. 143 and Order No. 959, both as amended, regulating the handling of onions grown in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same, in duplicate, with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than January 6, 1975. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposals are as follows:

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

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending July 31, 1975, by the South Texas Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to \$94,311.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be two cents (\$0.02) per 50-pound container of onions, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1975, may be carried over as a reserve.

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

Dated: December 16, 1974.

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

[FR Doc.74-29595 Filed 12-18-74; 8:45 am]

[7 CFR Part 981]

## ALMONDS GROWN IN CALIFORNIA

### Proposed Termination of a Certain Provision

Notice is hereby given of a proposal to terminate § 981.482 of Subpart—Administrative Rules and Regulations (7 CFR 981.441-981.482; 39 FR 23239; 39258) of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California (hereinafter referred to collectively as the "order"). The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Almond Control Board.

Section 981.482 of the administrative rules and regulations requires each handler desiring credit for paid media advertising to submit a statement of assessments due with his redetermination report of December 31, March 31 and June 30. Recapitulation of his claims already approved by the Control Board must accompany this statement. With his June 30 report (due by July 15 of the following crop year), the handler must submit the balance of any assessments due.

However, since § 981.441 permits each handler to file claims for advertising credit until July 15—the same date which is the deadline for submission of the June 30 report—there is not enough time for the handler to determine his assessments due because the Control Board staff must first: (a) Consider the claims; (b) approve or disapprove them; and (c) notify the handler of the status of his claims.

Moreover, no useful purpose is served by requiring the handler to recapitulate and submit information already in the possession of the Control Board.

Therefore, the proposal is to terminate § 981.482 of the administrative rules and regulations (Subpart—Administrative Rules and Regulations).

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, to be received not later than January 3, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the

Hearing Clerk during official hours of business (7 CFR 1.27(b)).

Dated: December 13, 1974.

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

[FR Doc.74-29498 Filed 12-18-74; 8:45 am]

## Food and Nutrition Service

[7 CFR Part 271]

[Amdt. 46]

### FOOD STAMP PROGRAM

#### Notice of Proposed Rulemaking

Pursuant to the authority contained in the Food Stamp Act of 1964, as amended (78 Stat. 703, as amended; 7 U.S.C. 2011-2026) notice is hereby given that the Food and Nutrition Service, Department of Agriculture, proposes to amend the regulations governing the Food Stamp Program to provide generally that State agencies may not designate any concerns that have been authorized to redeem coupons as coupon issuance agents. The considerations behind this regulation are that such a dual designation would give a competitive advantage to those firms performing both issuance and redemption functions, and that there is no guarantee against diversion of food coupons for private gain when both functions are handled by the same concern.

Interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to P. Royal Shipp, Director, Food Stamp Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, not later than January 20, 1975. All comments, suggestions, or objections received by this date will be considered before the final regulations are issued.

All written comments, suggestions, or objections will be open to public inspection pursuant to 7 CFR 1.27(b) at the Office of the Director, Food Stamp Division, during regular business hours (8:30 a.m. to 5 p.m.) at 500 12th Street SW., Washington, D.C., Room 650.

The proposed amendment is as follows: Section 271.6(d) of Part 271 of Chapter II, Title 7 of the Code of Federal Regulations is revised to read:

§ 271.6 Methods of distributing, issuing, and accounting for coupons and receipts.

(d) The State agency or the State issuing agency shall arrange for the issuance of coupons to eligible households and for the collection of sums required

from eligible households for the purchase requirement. The State agency or State issuing agency shall not contract the issuance of coupons to any firm, or agent thereof, authorized to redeem coupons, unless the State agency, in concurrence with FNS, determines that such an arrangement would best achieve the purposes of the program. The coupon allotment to be issued to any household shall be in the amount determined in accordance with § 271.5.

(78 Stat. 703, as amended; 7 U.S.C. 2011-2026)

(Catalog of Federal Domestic Assistance Programs No. 10.551, National Archives Reference Services)

Dated: December 16, 1974.

RICHARD L. FELTNER,  
Assistant Secretary.

[FR Doc.74-29596 Filed 12-18-74;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[21 CFR Parts 121, 146, 146a, 146b, 146c, 146e]

#### INFECTION IN CHICKENS

#### Nomenclature Change; Withdrawal of Proposal and Termination of Rule Making Proceedings

A proposal was published in the FEDERAL REGISTER of January 1, 1964 (29 FR 15) proposing that the regulations be amended with respect to nomenclature regarding *Mycoplasma gallisepticum* infections in chickens. It was proposed that the term "chronic respiratory disease" should refer to infection caused by the primary infective agent *Mycoplasma gallisepticum* and respiratory infections commonly associated with this disease should be called "complicated chronic respiratory disease." This proposal was based upon conclusions reached by qualified university and governmental personnel meeting under the auspices of the Animal Disease and Parasite Research Division of the Agricultural Research Service, United States Department of Agriculture.

Following publication of the proposal, the Commissioner of Food and Drugs received comments, including comments from participants in the above-cited meeting, objecting to the proposed changes. Because of the differences of opinion expressed regarding the proposed revised nomenclature, the Commissioner has concluded that the changes contemplated in the proposal should not be made.

Accordingly, the subject proposal is withdrawn and the rule making proceedings in this matter are terminated.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 507, 59 Stat. 463 as amended, 72 Stat. 1785 as amended; 21 U.S.C. 360b) and under authority dele-

gated to the Commissioner (21 CFR 2.120).

Dated: December 12, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-29492 Filed 12-18-74;8:45 am]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 74-NW-25-AD]

#### AIRWORTHINESS DIRECTIVES

#### Boeing Model 747-100 and -200 Series Airplanes

There have been eight reported cases of operation with either partial extension or no extension of the leading edge flaps on the 747 airplane, six of which were during the takeoff phase of flight. The latest case resulted in a low altitude stall of the airplane and impact.

In the first reported instance, it was found that a circuit breaker had been de-activated causing half the leading edge flaps to remain retracted. This condition was not noticed nor corrected by the flight crew during the entire pre-flight procedure, including the challenge and response exercise of the pre-flight check list. Investigation revealed that the flight engineer had indications of only half the leading edge flaps extended, and the pilot and copilot had an indication of improper leading edge flap extension on their panel.

In the second instance, the crew reported a disagreement between the pilots' and the flight engineer's annunciator panels. The pilot reported he had a green light and the flight engineer reported he had no leading edge flap light indication. It was found that both A and B section circuit breakers had been de-activated prior to flight. Subsequent engineering investigation could find no system malfunction.

In the third instance, the crew detected a pre-stall buffeting on takeoff, but gained additional airspeed and made a successful takeoff. In flight, both A and B section circuit breakers were found de-activated. In this case it was determined that the crew overlooked the absence of the green flap extended lights.

In the fourth instance, the crew detected absence of green leading edge flap annunciator lights prior to takeoff. The alternate electrical drive system was therefore used to extend the leading edge flaps. After takeoff, the four engine pylon bleed air valves were found in a closed position. The effect of closed engine bleed valves is discussed below.

In three instances, involving the same airline, takeoffs were made with no leading edge flaps extended because the alternate flap drive system switches had been set to the up position and the arming switch had been set to the arm position. This condition results in a lock of the pneumatic motors such that no leading edge flap extension is possible

by means of the pneumatic system. However, successful takeoffs were executed.

Preliminary investigation conducted following the latest reported instance indicates that the four engine pylon bleed air valve switches were found in the closed position. This condition is displayed to the flight engineer by means of four amber caution lights on his panel. When these valves are closed, no bleed air is available to the pneumatic leading edge flap drive motors and consequently, no leading edge flap extension is possible except by the use of the alternate electrical system, or by use of the APU.

In spite of existing visual warning means available to the flight crew, at least six takeoffs have been made involving failure to extend all leading edge flaps. The FAA has already taken regulatory action by means of an amendment to the operations specifications of U.S. certificated carriers. This amendment requires that flight crew members assure that the leading edge flap control circuit breakers are closed, that alternate flap drive and arming switches are in the off position, that the green light is illuminated on the pilot's panel and eight green lights are illuminated on the flight engineer's panel, and that prior to take-off, all engine bleed air valve switches are double checked to be in the open position.

Additionally, an Operations Information Alert has been issued which recommends that prior to leaving ramp, the takeoff flaps be extended and that confirmation of full extension of all wing leading edge devices be received from a qualified ground observer.

Herein, an AD is being proposed to require the installation of an additional warning system or systems to warn the flight crew if the leading edge flaps are not fully extended during takeoff.

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, Northwest Region, Attention: Regional Counsel, Airworthiness: Rules Docket, FAA Building, King County International Airport, Seattle, Washington 98108. All communication received on or before February 11, 1975 will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), it is proposed that § 39.13 of the Federal Aviation regulations be amended by adding the following new airworthiness directive:

BOEING: Applies to all Model 747 Series Airplanes, certificated in all categories

Compliance required as indicated unless already accomplished. To assure the flight crew positive warning when the leading edge flaps are not fully extended for takeoff, accomplish the following:

Within three (3) months calendar time after the effective date of this AD, install, in accordance with data approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region, an additional warning system or systems, including a leading edge flap logic input to the takeoff aural warning system and a logic which will cause warning lights to flash on the pilots' and flight engineer's panels, which will give the flight crew positive warning when any of the leading edge flap drive motors have not driven to the fully extended position when the trailing edge flaps are extended to a takeoff setting.

This amendment is proposed under the authority of section 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)).

Issued in Seattle, Washington on December 11, 1974.

C. B. WALK, Jr.,  
Director, Northwest Region.

[FR Doc.74-29482 Filed 12-18-74; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 20272; FCC 74-1310]

### CABLE TELEVISION

#### Notice of Proposed Rulemaking and Inquiry

In the matter of amendment of Part 76 of the Commission's Rules and Regulations Relative to an Inquiry on the Need for Additional Rules in the Area of Duplicative and Excessive Over-Regulation of Cable Television.

1. On February 2, 1972, the Commission adopted the Cable Television Report and Order (FCC 72-108, 36 FCC 2d 143 (1972)), reconsidered in part in FCC 72-530, 36 FCC 2d 326 (1972). In that report, we adopted a comprehensive set of new rules for most aspects of cable television operation.

2. One segment of that report dealt with the appropriate division of regulatory jurisdiction between the Federal and State-Local levels of government. Three alternative approaches were considered:

(a) Federal licensing of all cable television systems.

(b) Maintenance of the current Federal regulatory program enforced by Section 312(b) proceedings.

(c) Federal regulation of some aspects of cable operations, with local regulation of others under Federal prescription of standards for local jurisdictions.

3. The alternatives were put forward because, as the Commission observed:

"... actions have been taken in the cable field without any overall plan as to the Federal-Local relationship." This has resulted in a patchwork of disparate approaches affecting the development of cable television. While the Commission was pursuing a program to promote national cable policy, State and Local governments were formulating policies to reflect local needs and desires. In

many respects, this dual approach worked well. To a growing extent, however, the rapid expansion of the cable television industry has led to overlapping and sometimes incompatible regulations. This resulted in confusion, and we faced an obvious need to clarify the respective Federal, State, and Local regulatory roles.

4. After a thorough examination of the alternatives, the Commission decided to attempt a unique experiment in creative federalism, combining aspects of both federal and non-federal jurisdiction. We stated:

"... local governments are inescapably involved in the process because cable makes use of the streets and ways and because local authorities are able to bring a special expertise to such matters, for example, as how best to parcel large urban areas into cable districts. Local authorities are also in better position to follow up on service complaints. Under the circumstances, a deliberately structured dualism is indicated; the industry seems uniquely suited to this kind of creative federalism.

5. Federal rules of general applicability were adopted regarding the franchising process, access, etc., but the basic decision as to the franchisee was left in the hands of local officials. Considerable latitude was given to those officials to formulate processes for granting the franchise, criteria for judging applicants, parameters for determining qualifications, etc.

6. At the same time, recognizing that we were embarking on an as yet uncharted course of regulatory dualism, we formally established an advisory committee composed of representatives of Federal, State, and local governments, the cable industry, and public interest groups. This Federal/State-Local Advisory Committee, or FSLAC as it came to be called, was formed to aid the Commission as it attempted to define an appropriate allocation of responsibilities in cable regulation.

7. The Committee spent over 16 months studying the various problems inherent in our experiment with regulatory dualism. The result of that study, the FSLAC Final Report, was submitted to the Commission in September 1973.<sup>1</sup> That report has been thoroughly reviewed by this Commission, including a special meeting held between the FSLAC Steering Committee and the full Commission in public session on December 11, 1973. The report was separated into two principal parts—the first dealing with specific regulatory issues and the second with the overall problem of duplicative regulation.

8. In April 1974, we responded to Part I of the FSLAC report with the issuance of the Clarification of Rules and Notice of Proposed Rule Making, FCC 74-384, 46 FCC 2d 175 (1974). In that document, we attempted to deal with the individual

issues highlighted by the FSLAC report. In many instances, a simple clarification or reiteration of the existing rules was sufficient. In other areas, the suggestions of the Committee resulted in the initiation of new rulemaking proceedings. These proceedings are now in various stages of resolution.

9. Part II of the FSLAC report, dealing with the desirability of non-duplicative regulation of cable television, is the subject of this document. As we explained in the Clarification:

"... Our rules attempted to blend diverse needs into a cohesive, cooperative program between federal and local authorities. This effort appears to have been basically successful.

One significant new development, however, has become a complicating factor. State governments have begun asserting a regulatory role in cable television, thus adding a third tier to the regulatory scheme. When we adopted our rules, we envisioned a system whereby federal rules and guidelines would be complemented by one other regulatory authority—the so-called "local" level of government. We did not specify cities or municipalities because we recognized that in some states the state government would serve as the "local" authority rather than some smaller political subdivision. Indeed, this was the case in 1972, since several states had already asserted state jurisdiction over cable franchising (e.g., Connecticut, Nevada, Rhode Island, and Vermont). However, at that time there were no states asserting an additional regulatory function while leaving other regulatory and franchising matters to localities. It is this latter development that concerns us. A major portion of the FSLAC report deals with this "three-tier" problem (see Part II, FSLAC Final Report). In our December meeting with the FSLAC Steering Committee, this was also a prime topic of discussion. We intend, in the near future, to deal with this question specifically. (Para. 41, 42).

The time has now come for us to deal directly with this troublesome issue.

10. The preface to Part II of the FSLAC Report succinctly states the problem we face:

Part II "... deals with the legal and political considerations involved in regulatory allocation. The Steering Committee reached unanimous agreement that nonduplicative regulation is a desirable objective. There was considerable disagreement on how or whether that could be accomplished. This disagreement resulted in a majority and minority position being drafted.

11. The main thrust of the two positions is best stated in their own summaries. The majority position states:

A substantial majority of the Committee believes that under the Communications Act of 1934 the Federal Communications Commission has the overriding responsibility and authority to regulate such aspects of cable television as are appropriate to realization of national communications goals.

In discharging this responsibility the FCC has already established exclusive jurisdiction over many aspects of cable. In a number of other areas, in recognition of legitimate local interests in cable, the Commission has not asserted exclusive jurisdiction. Instead while enunciating a general policy of "federal-local

<sup>1</sup> The Final Report of the Steering Committee of the FCC Cable Television Advisory Committee on Federal/State-Local Regulatory Relationships is available for \$8.75 from the National Technical Information Service at 5285 Port Royal Road, Springfield, Virginia 22151, Order No. PB 223-147.

dualism," it has evidenced considerable respect for local option and has created a non-directive and admittedly experimental environment in which it hoped an appropriate local partner would emerge.

The majority believes that the FCC must now reconsider this approach. After 18 months of experience, it appears that the FCC's non-directive posture is promoting a regulatory free-for-all rather than the natural and unstructured dualism which the Commission sought. The majority is concerned that the multi-level scramble for control of cable is producing policies and regulations which duplicate, and thereby burden, or directly conflict with the federal objectives. At the very least contending with and attempting to reconcile these problems is dissipating resources which could and should be dedicated to achieving national communications objectives. It is the majority's opinion that what might otherwise be procedural and administrative matters of primarily local concern become appropriate matters for federal direction when they threaten to undermine or detract from accomplishment of such national objectives.

The majority believes its recommendations proceed directly and logically from the Committee's unanimously adopted position "that non-duplicative regulation of cable television is a desirable objective." While many member of the majority initially felt that only total federal preemption with delegation of limited functions to specific local government units could relieve the jurisdictional problems, this approach was questioned by some on Constitutional grounds. Without conceding the merits of these objections, the majority found it could reach a consensus on a less assertive and more easily implemented approach to avoiding regulatory duplication and conflict.

We believe that such duplication can be eliminated if the Commission will forcefully assert its totally pervasive jurisdiction and simultaneously indicate its willingness to defer to lesser jurisdictions the regulation of various local matters provided such local regulation does not imperil its overall objectives. It should clearly enunciate that one such objective is the avoidance of duplication, and that as a result it is committed to a policy of regulatory "dualism."

Exercising appropriate constitutional constraint, the Commission would not direct the action of State or local governments, but would simply make the public interest judgment that federal objectives are best served if in effect only one non-federal jurisdiction is party to the overall regulatory scheme.<sup>12</sup> The

Commission would defer definition of its "local partner" for determination by appropriate legislative bodies in each State. So that no momentum is lost, it is recommended that the Commission continue to license cable systems in all States, giving those States which presently maintain two non-federal regulatory tiers a reasonable time to revise their regulatory schemes.

It is the belief of the majority that this experiment in dynamic federalism will make a major contribution to realization of national communications goals by providing a clear and stable regulatory environment for cable's long-term development.

There are eight points to the Committee's arguments in support of its conclusions and recommendations. We present here a brief outline of how this argument is organized. We believe that:

1. The FCC has a responsibility to regulate cable in such a way as to promote realization of national communications objectives and that commensurate with this responsibility, the FCC has clear, overriding, preemptive authority to regulate all aspects of cable as may be appropriate to integrating cable into the national communications scheme;

2. Previous failure to exercise the breath of such legal authority does not imply its absence, but probably reflects:

(a) an inability to anticipate that the Commission's flexible approach would induce duplicative multiple-level local regulation;

(b) a concern for the administrative and regulatory burden that might be created at the FCC by a totally preemptive regulatory plan; and

(c) a recognition of legitimate local interests in many elements of cable's development.

3. The Committee's review of developments since February 1972, suggests to the majority that the Commission must now reconsider its flexible jurisdictional plan, since an increasing incidence of regulatory overlap and conflict in matters left for local determination now threatens to impair and undermine accomplishment of national communications objectives;

4. In developing more structured allocations, the Committee produced, under an "ideal world" assumption, a strong consensus for a "federal-most local level of government dualism," with the States playing a legislative and judicial, rather than regulatory, role;

5. The most logical and direct way of implementing this consensus, i.e., pre-

emption and redelegation of specific functions to the most local levels of government," was questioned by some members on constitutional grounds;

6. In deference to these strongly held political and constitutional precepts, the majority endorses and recommends an alternative and less constitutionally questionable way of establishing regulatory stability. Specifically, the majority recommends that the FCC should declare that:

(a) it is totally preempting regulation of cable and simultaneously announcing its intention not to occupy certain defined areas of jurisdiction subject to the condition that local regulation is consistent with (b) below;

(b) it is in the national communications interest that duplicative or conflicting regulation of cable be avoided and that its overall regulation will embrace only programs which involve one non-federal regulatory jurisdiction or its equivalent; (Subject to modification consistent with footnote, supra.);

(c) the allocation of non-federal authority will be subject to determination under appropriate laws on a State-by-State basis, subject only to compliance with the policy established in (b) above;

(d) in any cases where, after a reasonable period, such local determinations are not made or are made in such a way as to conflict with national policy enunciated in (b) above, the FCC will exercise exclusive jurisdiction;

7. Constitutional and policy arguments raised by a minority of the Committee against the foregoing position lack merit, in that:

(a) There is an overriding federal interest in non-federal procedures when duplications and conflicts in those procedures threaten to frustrate the attainment of national objectives;

(b) The majority's compromise recommendation involves no impingement of any constitutionally protected rights, but merely conditions certification of cable systems' authority to operate in interstate commerce on the absence of burdensome non-federal conflicting or duplicative regulation;

(c) There is precedent for the FCC involving itself in the local aspects of CATV (e.g., franchising standards);

(d) There is precedent for granting CATV Certificates subject to conditions which require changes in local authorizations by local governments (e.g., Sapulpa, Oklahoma);

8. Acceptance of views contrary to the majority's leaves the FCC with only two alternatives, both of which the majority adjudged unacceptable:

(a) total federal preemption which would foreclose legitimate local interests; and,

(b) a "do-nothing" maintenance of the status quo, which is unacceptable in light of what the majority feels is a potential threat to attainment of national communications goals posed by developing regulatory duplication and conflict.

<sup>12</sup> It should be noted that there is a presumption throughout this report that divided (multilevel) local jurisdiction is inherently duplicative. The record of such divided jurisdiction available to the Committee to date supports this presumption. However, some of the signatories to this position believe that in certain carefully designed cases, two non-federal jurisdictions could operate without duplication or conflict.

The remaining signatories, while somewhat skeptical about such hypotheses, are prepared to withhold judgment until specific future plans are proposed. Accordingly, the program recommended here makes allowance for approval of individual programs for split local jurisdiction on showings to the FCC that a specific plan for split local jurisdiction is non-duplicative, i.e., has achieved the equivalent of two-tiered federal/local regulation. This qualification on means of achieving regulatory dualism should be borne in mind throughout this report.

12. The minority position was summarized as follows:

A clear preponderance of opinion on the Steering Committee favors local regulation of those incidents of cable communications that are not regulated exclusively at the federal level. State regulation of such incidents is also considered acceptable by a majority; but some on the Committee would condition their acceptance on the proviso that such State regulation totally supplant local regulation. The sole question at issue in Part II, therefore, is whether those States that do interest themselves in cable regulation may or should be required by the FCC to act in an either-or manner: either staying out entirely, or entirely displacing local governments. The proper answer, on both legal and policy grounds, should be: No. Cities and States may differ on allocations of authority as between themselves, but they are competent to resolve those differences by themselves and they unite in resisting inappropriate federal dictation.

First, the problem itself is scarcely worthy of federal concern. "Three-tier" or cooperative regulation has been enacted into law in only four States, and only two of these (New York and Massachusetts) have commissions in operation.<sup>2</sup> There is simply no hard evidence on which to base a claim of impairment of national communications objectives; and the industry-recommended bill (S. 2015)—which calls for three-tier regulation—is impressive evidence the other way.<sup>3</sup>

Furthermore, the "national communications objectives" at issue are themselves not well-defined or -established. Are they simply to wire all economically viable areas as rapidly as possible? Or may they leave room for thought, such as Massachusetts is giving, to the development of policies that will promote extension of service to all interested residents? No justification has been offered for setting aside the creative resources of our federal system to benefit any one school of thought regarding supposed efficiencies. At the least, the Commission should defer any extension of its own jurisdiction for this purpose pending development of Congressional policy and of concrete facts documenting the supposed "impairment." Cf. CATV and TV Repeater Services, 26 FCC 403 (1959).

Second, the proposed federal remedies would introduce more problems than they would resolve. They would create an artificial inducement for States to involve themselves in cable regulation, and (quite possibly) to do so on a straight public-utility basis. Specifically, one of the proposals would establish a date certain (suggested as March 31,

1977) as a political "High Noon" for States and localities to eliminate one or the other from all regulatory responsibilities, thereby severely politicizing the jurisdictional debate. The alternative proposal—that the Commission claim authority to approve or disapprove cooperative State-local regulatory plans—is more sophisticated but remains insensitive to the creative diversity of our federal system. The rich variety of existing State laws regarding allocations of authority for regulatory and police-power purposes (distinguishing between classes of cities, qualifying certain counties as "home rule" entities and withholding all regulatory power from others, dealing differently with townships and villages, etc. etc.) strongly suggests the futility of seeking any one "right" or federally approved jurisdictional framework. Both proposals would in fact depend upon the legislative (and sometimes constitutional) alignment of regulatory jurisdiction within each of the 50 States in a manner judged acceptable to the Commission—in default of which, in any State, the whole burden of franchising, with competitive hearings and all the rest, would have to be picked up and borne by the Commission. And both proposals would, because of their legal infirmities, invite extensive litigation with resultant serious setbacks to cable development.

Those legal infirmities can be briefly summarized. Both proposals are built on the premise that the Commission has legal authority under the Communications Act as presently written to exercise plenary regulatory jurisdiction—a premise which at the least is not solidly founded. See *T.V. Pix, Inc. v. Taylor*, 396 U.S. 556 (1970), affirming 304 F. Supp. 459 (D. Nev. 1968); *United States v. Midwest Video Corp.*, 405 U.S. 1015 (1972). More seriously still, even if the substantive law to be applied were entirely federal in origin, there simply is no federal power, arising from the Commerce Clause or otherwise, to limit or control the intra-State allocation of regulatory jurisdiction. See *Reynolds v. Sims*, 377 U.S. 533, 575 (1964); *Hunter v. City of Pittsburgh*, 207 U.S. 161 (1907); *Testa v. Katt*, 330 U.S. 386, 394 (1947); *Advisory Commission on Intergovernmental Relations, Urban America and the Federal System*, Ch. 5 (1969). Finally, the certificate of compliance does not provide a procedural means of avoiding these difficulties, because "unconstitutional conditions" are no less unconstitutional for being conditions. *Sherbert v. Verner*, 347 U.S. 398, 404-06 & n. 6 (1963); *Note, Unconstitutional Conditions*, 73 Harv. L. Rev. 1595 (1960).

The absence of federal power in the premises does not mean that such problems as may arise from State-local cooperative regulation are going to be left unattended. Undue delays and duplications of effort do not commend themselves to State or local governments any more than they do to the industry. But the public welfare is not necessarily or everywhere synonymous with industry welfare. Effective protection of consumer

interests is the spur beneath the development, at levels closest to the consumer, of effective schemes of State-local regulation—as it should be the chief concern of this Committee and of the FCC. Efforts in any event have been and are under way to perfect workable allocations of authority for incorporation in State-local regulatory schemes; illustrations are outlined in Section IV of this paper. The Commission may properly encourage such developments, and it should certainly be cognizant of them. But it should be wary of invitations to extend its own reach beyond its grasp, which would only complicate and retard development of cable communications in this country.

13. Both positions are fully explored in the FSLAC Report and the Commission is appreciative of the effort that went into the preparation of the respective briefs. What is of most significance to us, however, is their similarities, not their differences. It cannot be overemphasized that the Committee reached unanimous agreement that non-duplicative regulation is a desirable objective. It is interesting to note that a wholly separate expert committee, the President's Cabinet Committee on Cable Communications, submitted a report to the President in January 1974 that reached essentially the same conclusion. The Cabinet Committee report stated:

... the Committee has concluded—as has virtually every other body that has grappled with this issue—that there must be a carefully structured dualism of government oversight.

14. The Office of Telecommunications Policy, in proposing draft legislation to implement the cabinet committee report, stated in a widely distributed public draft submitted to this Commission (among many others) for comment that:

This bill would provide that wherever non-Federal cable regulation must be consistent with Federally imposed standards, such regulation may be imposed, executed, and enforced by only one non-Federal level of government in order to avoid duplication and inconsistency of regulation. Since the local levels of government, which have traditionally exercised the licensing function, have the greatest interest in cable system construction and operations, it would be logical for them to continue to exercise this important function. However, because such a determination is most appropriately left to the States, the bill does not address the allocation of non-Federal regulatory authority, and this decision remains within the States' discretion.

15. It would appear that the Office of Telecommunications Policy proposal is very similar to the majority position of the FSLAC Report, the major distinction being that their draft proposes a strict "two-tier" approach where the FSLAC majority allows more flexibility for State-Local interaction stressing any appropriate non-duplicative regulatory scheme. We think that particular attention should be paid to the footnote in the majority position summary. It seems to

<sup>2</sup> The Commission notes that subsequent to the submission of this report, two more states adopted "three-tier" approaches and several others are considering same.

<sup>3</sup> The Commission notes that the industry representatives on the Committee specifically denied that S. 2015 was an "industry bill" or that they considered it in any way an ideal solution to the problem.

offer a potential for "cooperative" regulation (as espoused by the minority position) that would still accomplish non-duplicative regulation.

16. Efforts at cooperative regulation between Federal agencies and State and local officials are being developed in several areas. We note, for instance, the provisions of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C., Secs. 1673, 1674) and the Federal Railroad Safety Act of 1970 (45 U.S.C. Secs. 434, 436) which define the Federal-State relationship in these areas of public concern. In both instances, the Federal government reimburses a percentage of the regulatory costs incurred by the State. Such a cost sharing proposal has not been advanced in the area of cable television and federal budgetary constraints appear to preclude such an approach at this time. This, of course, highlights the economic realities of regulation. That is, in order to do an adequate job, the assumption of regulatory responsibility, particularly the establishment of new regulatory agencies, is expensive. As an example, the current annual budget of the New York State Commission on Cable Television is approximately one million dollars. Some other states have contemplated adopting, in essence the same regulatory program that New York State has but with only one-third the budget. It is questionable whether efficient regulation could result. Even the simple addition of a new department to an existing State agency requires significant expenditures. We urge all parties to investigate the true costs of proposed additional regulatory entities and the expected benefits in relation to those costs before going forward.

17. With the exception of the signatories to the FSLAC minority position on Part II, most studies of this subject have concluded that a problem regarding duplicative regulation does exist and is growing. While there were only two operating "third-tier" bodies when the FSLAC Report was submitted, that number has now doubled. New state legislation is being proposed in several other states that would also create a duplicative tier of regulation. Contrary to the minority view, we do think this is cause for concern.

18. The problems we have encountered since adopting our regulatory dualism approach, however, are not limited only to duplicative regulations and delay. The opposite is also a problem, that is, absence of regulation. In many cases coming before us we are presented with a situation in which there is apparently no non-federal authority capable of issuing and enforcing a franchise. This is particularly true in unincorporated county areas. This problem arises either because of the absence of any clear state law on the subject or because of confusion regarding the applicability of existing law. We cannot stress enough the imperative need for clarifying State legislation in this area. We are very reluctant to grant certificates of compliance in the absence of local authorizations. We have been

forced to do so, however, because no local authority was apparently legally empowered to act, yet the public sought service. In each such case, our certificate grant is subject to any subsequent local assumption of authority. We have further made all certificates of this nature temporary, that is, they all expire on March 31, 1977. Hopefully, every state in which uncertainty still exists as to franchising authority will, by that date, have adopted clarifying legislation. We urge the states involved to do this regardless of any potential rulings resulting from this rule-making proceeding. At the moment, the lack of any local authority appears to be a more pressing problem from our view than the opposite pole of excessive regulation.

19. Some local authorities seem to have construed our rules, such as the franchise fee limitation in Section 76.31(b), as granting them authority to impose such fees or grant franchises in the first instance. This is not the case. Our rules only apply to those governmental entities that already have legal authority to grant a franchise or impose fees, etc.; they do not in any way vest franchising authority in a political jurisdiction not already possessing same under applicable State or local laws. This is yet another reason why clarifying state legislation in the area of cable television is important.

20. The purpose of the rulemaking we are announcing today is to determine what, if any, federal regulations might be necessary to assure that there is both clear and non-duplicative regulation at the local or state level. We have already determined that duplicative regulation is, by definition, not in the public interest and further that a strict requirement of "two-tier" regulation may not offer enough flexibility for creative regulatory programs that could conceivably encompass more than two-tiers while still being non-duplicative. Our experience to date indicates that many non-federal authorities are also now gaining an appreciation of this problem. The question presented, therefore, is how to assure, by rule, legislation, or any other means, that duplicative and excessive regulation is avoided. In the first instance, of course, this is accomplished by a thorough understanding of the problem. Hopefully, this rulemaking will aid in that educational effort.

21. It is clear to us that cable television is in danger of becoming smothered in regulatory paper work. For this reason, we have already embarked on a program of investigating all of our own requirements to see where we could ease this burden. To add yet another layer of

regulation would appear to be counter-productive—particularly if that layer simply duplicates what is already being done. As an example, this Commission requires that franchises be awarded only following a public proceeding. We also have a certification procedure to assure that our rules have been complied with. Most states have specific public proceeding requirements before franchises can be granted—these are enforceable in state courts. For the State then to add a certification procedure regarding the franchise grant would appear to be duplicative. It would seem to be far simpler and less costly, both for the State and for the cable operator, to adopt state regulations that would be enforced in court upon an allegation of violation instead of via a non-selective, time consuming, and expensive certification process. We make the presumption, in our certification procedures, that local franchising authorities operate within our rules and within the confines of state laws. To date, this presumption appears to have been valid and we would suggest that state governments might adopt it.

22. The problem of multiple tiers of regulation is exacerbated even further when the laws adopted by the States creating the third-tier lack clarity as to the specific jurisdiction of the two state levels of regulation. Serious delays have been encountered, for example, where a State reviewing body is established without clear statements or guidelines as to exactly what it is reviewing. In one State the review function now includes a thorough study of the economic viability of the individual applicants but the reviewing body has not issued any guidelines as to what the criteria for review consist of. This has resulted in protracted discussions and delays between the local and State officials. Questions have now been raised as to whether local officials can appeal State decisions to this Commission. A more precise structuring of regulatory roles eliminating overlapping or unclear regulatory authority could probably have avoided this problem.

23. While there are now only four states that have adopted so-called "three-tier" approaches to regulating cable, we are aware that other states are contemplating some form of State regulation. We strongly recommend, regardless of the outcome of this rulemaking, that any new state legislation adopted be tested against the concept of non-duplicative regulation and inflationary impact. This is not to say, however, that the States have no role in cable regulation. Indeed there are many areas where it would appear that the states could provide very valuable input. Interconnection agreements, joint powers agreements, educational resource allocations, technical planning and enforcement, pole and duct agreements, and advisory assistance are but a few. There is much yet to be done not only in establishing appropriate regulation of cable television, but also cohesive statewide communications plans that encompass cable

\*Some might argue that the mere announcement that we are considering action to prevent excessive regulation will prompt hasty action by some jurisdictions. We do not think this is the case. However, it should be made clear that should we adopt regulations on this subject, we contemplate that they would deal with any pre-existing duplicative formats.

television, state educational broadcasting, if any, telephony, etc.

24. One obvious way States have attempted to deal with the duplication problem in cable regulation is to preempt local officials and place cable regulation solely at the State level—generally in the same agency that regulates public utilities. Examples of this form of regulation may be found in Vermont, Connecticut, Nevada, Alaska, Hawaii, and Rhode Island. New Jersey has a separate cable television arm of its Board of Public Utilities but localities still make the initial franchise grant. Delaware leaves franchising to incorporated cities but the Public Utilities Commission grants the franchise in all unincorporated areas. This Commission has continually stated that we do not consider cable to be a classic public utility at this juncture. Some fear that placing cable under the jurisdiction of a State utility regulator would inevitably lead in this direction.<sup>5</sup>

New York and Minnesota, apparently responding to this fear, have opted for a complete three-tier approach much like New Jersey in that a complete certification procedure is required at the State level; however, a separate agency has been established outside the Public Utilities Commission. In Massachusetts, a separate agency has also been created but there is no certification procedure. The agency has the power to promulgate rules and step in on appeal or on its own motion in instances where conflicts arise, but no directly duplicative procedures have been established.

25. This Commission has attempted to work with each of these State agencies to foster to the degree possible harmonious regulatory approaches. We have also maintained continuing contacts with the Informal Conference of State Cable Agencies (CSCA) representing all of these states. We intend to continue working with these various groups to find ways to best regulate cable television while at the same time seeking to eliminate any perceived excessive regulation. A key question posed by this inquiry is how this can best be accomplished.

26. The problems we have encountered to date, however, do not lie solely in the area of duplication of certification procedures. Lengthy additional reporting forms, non-uniform systems of accounting, technical standards, and in some instances rules inconsistent with our own are also of serious concern. The obvious difficulties, particularly for multiple system operators, of maintaining, for instance, separate books with different accounting standards for different states has prompted us to work with both the industry and the state agencies to see

whether some agreement can be reached on a uniform system of accounts to be voluntarily adopted by the individual states. Any state contemplating statewide regulations for cable television should become aware of these efforts before going forward. We will offer any assistance we can in this process.

27. Our interest here is in determining to what extent possible and via what mechanisms the Commission can insure that additional regulation of cable television is non-duplicative. We have determined that excessively duplicative regulation does endanger the accomplishment of federal objectives and presents the possibility of obstruction of interstate commerce. We are considering the adoption of any appropriate action or regulation that would prevent such an obstruction while at the same time maintain the rightful prerogatives of the States (and localities as entities of the State) to adopt necessary regulations. Such regulations could, for instance, take the form of rules limiting specific duplication of tasks such as certification, non-conforming reporting forms, systems of accounts, etc. Alternatively, a program of cooperative review and approval of diverse non-federal regulatory structures could suffice similar to the ones already in place under the Natural Gas Pipeline Safety Act of 1968 and the Federal Railroad Safety Act of 1970. "Joint Board" proposals such as we already have with the State Regulatory Commissions in the area of common carrier matters will also be considered.

28. If it is determined that our existing jurisdiction limits our ability to deal with this problem, we will immediately proceed to draft and propose to Congress appropriate additional legislation or amendments to the Communications Act to allow us to adequately resolve the inherent difficulties in duplicative regulation of cable television. All parties are invited to specifically address the issue of proposed legislation as well as the basic questions outlined below. We can foresee that due to the complexities of the issues raised in this document, it may be necessary to issue further notices of proposed rulemaking attacking the problem on a segmented basis. However, if it is determined that, following this rulemaking proceeding, we can take immediate steps to cure the problem of excessive and burdensome over regulation of cable television, we will not hesitate to do so. It is already abundantly clear to us that some action, be it voluntary or mandatory, is necessary.

29. In view of the foregoing, the Commission invites all interested parties to submit comments on or related to the following questions:

1. Is it necessary for this Commission to take any formal action now regarding duplicative and burdensome regulatory schemes being developed in some non-federal jurisdictions? Are there specific areas of regulatory overlap that could be dealt with individually to ease the problem?

2. Under what authority could the Commission regulate the type or nature of non-federal regulatory programs? If legislation is needed to clarify that authority, what should the legislation contain?

3. Should the Commission adopt rules that would permit, at most, two levels of regulatory authority over cable television in any given area? If so, what should those rules be?

4. Should the Commission adopt rules that would require non-duplicative regulation of cable television? If so, what should those rules be?

5. If the Commission does not adopt specific rules in this area, what can or should the Commission do to prevent duplicative and burdensome regulatory requirements being imposed on cable television operations?

30. Authority for the rule making and inquiry proposed herein is contained in sections 4(i), 303, and 403 of the Communications Act of 1934, as amended. All interested parties are invited to file written comments on or before February 17, 1975, and reply comments on or before March 17, 1975. In reaching a decision on this matter, the Commission may take into account any other relevant information before it, in addition to the comments invited by this Notice.

31. In accordance with provisions of Section 1.419 of the Commission's Rules and Regulations, an original and 14 copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished to the Commission. Responses will be available for public inspection during regular business hours in the Commission Public Reference Room at its Headquarters in Washington, D.C.

Adopted: December 3, 1974.

Released: December 18, 1974.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>6</sup>

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc. 74-29512 Filed 12-18-74; 8:45 am]

## INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1204, 1260, 1261]

[Ex Parte No. 308; Valuation Docket No. 1423  
(1971 Report) and (1972 Report)]

WILLIAMS BROTHERS PIPELINE CO.

Valuation of Common Carrier Pipelines

At a general session of the Interstate Commerce Commission, held at its Office in Washington, D.C., on the 9th day of December, 1974.

It appearing, that by order of August 28, 1974, the Commission instituted a rulemaking proceeding under part I of the Interstate Commerce Act (49 U.S.C.

<sup>5</sup> It should be noted that the OTP Legislative draft proposal would prohibit, by definition, a State public utility Commission from regulating cable television. Further, while designating cable as a public utility for the legal purpose of including it in easement agreements, etc. might be beneficial, this does not mean that it should automatically be regulated as such.

<sup>6</sup> Statement of Chairman Wiley, in which Commissioners Reid and Robinson join, is filed as part of the original document. Commissioners Hooks and Ovello absent.

sec. 1), including section 19a thereof, relating to valuation of common-carrier property, and pursuant to sections 553 and 554 of the Administrative Procedure Act (5 U.S.C. secs. 553 and 554), for the purpose of determining whether any modification is required in the rules and regulations contained in part 1204 of Title 49 of the Code of Federal Regulations, entitled "Pipeline Companies, List of Instructions and Accounts," in part 1260 of said Title 49, entitled "Reporting of Data for Initial Pipeline Valuations," and in part 1261 of said Title 49, entitled "Regulations Governing the Reporting of Property Changes; Pipeline Carriers," or any modification in the methodology of valuation stated in *Ajax Pipe Line Corporation*, 50 Val. Rep. 1.

It further appearing, that Valuation Docket No. 1423 (1971 Report) and (1972 Report) were consolidated with the rulemaking proceeding Ex Parte No. 308 and that motions filed by Williams Brothers Pipe Line Company to reject protests in Valuation Docket No. 1423 were denied by order of August 28, 1974;

It further appearing, that American Petrofina Company of Texas, et al. has

filed a petition for leave to intervene in Valuation Docket No. 1423 (1973 Report) in order, among other things, to review the methodology employed by the Commission in the valuation process;

It further appearing, that consideration of pipeline valuation methodologies is the proper subject of, and will be considered in, Ex Parte No. 308, and further good cause existing therefor:

*It is ordered*, That the Interstate Commerce Commission's Notice of Proposed Rulemaking in Ex Parte No. 308 be modified insofar as it consolidated the rulemaking and valuation proceedings. Valuation Docket No. 1423 is hereby severed from Ex Parte No. 308;

*It is further ordered*, That American Petrofina's petition for leave to intervene in Valuation Docket 1423 (1973 Report) be, and it is hereby granted.

*It is further ordered*, That Reports 1971, 1972, 1973, of Valuation Docket No. 1423 be, and they are, hereby consolidated among themselves for hearing separate from Ex Parte No. 308, with exceptions, if any, going to Division 2;

*It is further ordered*, That Valuation Docket No. 1423 (Reports 1971, 72, 73)

be governed by the rules and regulations published by the Commission in 49 CFR part 1204 entitled "Pipeline Companies, List of Instructions and Accounts"; in part 1260 entitled "Reporting of Data for Initial Pipeline Valuations"; part 1261 entitled "Regulations Governing the Reporting of Property Changes; Pipeline Carriers", or any statement of the methodology of valuation described in *Ajax Pipe Line Corporation*, 50 Val. Rep. 1.

*It is further ordered*, That notice of this supplement to the notice of proposed rulemaking and order be given to the general public, including interested persons, by mailing a copy of this order to the Governor and the regulatory agency of every State, by depositing a copy with the Secretary of the Interstate Commerce Commission, and by delivering a copy to the FEDERAL REGISTER for publication therein; and a copy will be mailed to each respondent.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[FR Doc.74-29605 Filed 12-18-74;8:45 am]



public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest  $\frac{1}{8}$  of one percent necessary to make the average accepted price 100.00 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept more or less than the \$2,000,000,000 offered to the public, and his action in any such respect shall be final. Subject to these reservations, non-competitive tenders for \$500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue at a specific rate or price, until after 1:30 p.m., Eastern Standard time, Monday, December 23, 1974.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own accounts.

#### IV. PAYMENT FOR AND DELIVERY OF NOTES

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before December 31, 1974, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. Payment must be in cash, 5% percent Treasury Notes of Series F-1974 (interest coupons dated December 31, 1974, should be detached), in other funds immediately available to the Treasury by December 31, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Friday, December 27, 1974, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in the case of the Treasury, or (2) Tuesday, December 24, 1974, if the check is drawn on a bank

in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. When payment is made with notes, a cash adjustment will be made to or required of the bidder for any difference between the face amount of notes submitted and the amount payable on the notes allotted.

2. Delivery of notes in bearer form will be made on or about January 6, 1975. Purchasers of bearer notes may elect to receive interim certificates on December 31, 1974, which will be exchangeable for the notes when available at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must be returned at the risk and expense of the holder.

#### V. ASSIGNMENT OF REGISTERED NOTES

1. Registered notes tendered as deposits and in payment for notes allotted hereunder are not required to be assigned if the notes are to be registered in the same names and forms as appear in the registrations or assignments of the notes surrendered. Specific instructions for the issuance and delivery of the notes, signed by the owner or his authorized representative, must accompany the notes presented. Otherwise, the notes should be assigned by the registered payees or assignees thereof in accordance with the general regulations governing United States securities, as hereinafter set forth. Notes to be registered in names and forms different from those in the inscriptions or assignments of the notes presented should be assigned to "The Secretary of the Treasury for Treasury Notes of Series K-1976 in the name of (name and taxpayer identifying number)." If notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon Treasury Notes of Series K-1976 to be delivered to \_\_\_\_\_." Notes tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The notes must be delivered at the expense and risk of the holder.

#### VI. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and

they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

STEPHEN S. GARDNER,  
Acting Secretary of the Treasury.

[FR Doc.74-29609 Filed 12-18-74; 8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ALASKA OUTER CONTINENTAL SHELF OFFICE

##### Change of Address

DECEMBER 12, 1974.

Notice is hereby given that the Bureau of Land Management's Alaska Outer Continental Shelf Office has moved to a new location.

Effective November 18, 1974, the new street address is:

800 "A" Street  
Anchorage, Alaska 99501

The mailing address will remain:

P.O. Box 1159  
Anchorage, Alaska 99510

The telephone number will remain:

907-279-4578

GEORGE L. TURCOTT,  
Associate Director,  
Bureau of Land Management.

[FR Doc.74-29593 Filed 12-18-74; 8:45 am]

[No. A 8800]

#### ARIZONA

#### Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture has filed an application, Serial Number A 8800, for the withdrawal of lands under the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1).

Subject to valid existing rights the following described lands, acquired in an exchange made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, would be added to and made a part of the Sitgreaves National Forest and would be subject to all laws and regulations applicable to national forest lands:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 13 N., R. 13 E.,

Sec. 7, lots 2 to 8, incl., and lots 11 and 12.

The area described aggregates approximately 341.13 acres in Coconino County.

On or before January 20, 1975, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, Arizona 85025.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

Dated: December 13, 1974.

JOE T. FALLINI,  
State Director.

[FR Doc. 74-29533 Filed 12-18-74; 8:45 am]

## GEOTHERMAL LEASE SALE

### Competitive Bid

**Bid Submission Procedures.** Notice is hereby given that pursuant to section 4 of the Geothermal Steam Act of 1970 (84 Stat. 1566, 30 U.S.C. 1001-1025) and the regulations issued thereunder (43 CFR Part 3200) sealed bids will be received for the leasing of geothermal resources in lands described below situated in the vicinity of Clifton, Graham County, Arizona. Sealed bids must be mailed to the Arizona State Office, Bureau of Land Management, 3022 Federal Building, 230 North First Avenue, Phoenix, Arizona 85025, or delivered in person to Room 3204, Federal Building, at the same address, prior to 10 a.m., m.s.t. January 28, 1975. Bids received after 10 a.m. on January 28, 1975, will be returned unopened. Bids may not be modified or withdrawn unless written modification or withdrawal is received prior to the time set for opening of bids. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR Part 3220.

### FORM OF BID

Any bid submitted shall be in a sealed envelope endorsed "Sealed Bid for Geothermal Lease Sale—Clifton, Arizona, Area, not to be opened until 10 a.m. January 28, 1975". Bids are to be submitted on Form 3200-4 "Competitive Geothermal Resources Lease Bid." Bid forms are available through the Arizona State Office, Bureau of Land Management at the address above. Bidders must submit with each bid one-half of the bonus amount bid in cash, or by cashier's check, bank draft, certified check, or money order, payable to the Bureau of Land Management. Proof of qualifications as required by 43 CFR Part 3202 must also be filed with the bid. All bidders are warned against violation of the provision of Title 18 U.S.C. section 1860 prohibiting unlawful combination or intimidation of bidders.

### BID OPENING

Bids will be opened on January 28, 1975, at 10 a.m., m.s.t., in Room 3204, Federal Building, at the above address. The opening of bids is for the sole purpose of publicly announcing and recording bids received. No bid will be accepted or rejected at that time. Any cash, checks, drafts, or money orders submitted with the bids may be deposited in an unearned escrow account in the Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

### ACCEPTANCE OR REJECTION OF BIDS

No bid will be accepted and no lease will be awarded to any bidder unless the bidder has complied with all requirements of this notice, his bid is the highest valid cash bonus bid for the tract, and the amount of the bonus bid has been determined to be adequate by the United States. The Government reserves the right to reject any and all bids. If the highest responsible qualified bidder fails to execute the lease or otherwise comply with the applicable regulations as set forth herein, his deposit will be forfeited (43 CFR 3220.6(e)). Before any lease will be issued to a successful bidder, the balance of the bonus bid, plus the first year rental, shall be remitted and a proposed plan of operation as required by 43 CFR 3210.2-1(d) shall be furnished. Where the lessee has not previously furnished a \$150,000 full nationwide bond covering geothermal leases, the lessee must furnish either a \$50,000 statewide bond applicable to the State of Arizona, or a \$10,000 lease compliance bond conditioned upon compliance with the terms of the lease. Lessee shall also complete and file Forms 1140-7, Equal Opportunity Affirmative Action Program Representation, and 1140-8 Equal Opportunity Compliance Report Certification.

### RENTAL RATE

Royalties payable to the United States will be at the rate of: (a) 10 percent of the amount or value of steam or any other form of heat or energy derived from production; (b) 5 percent of the value of any by-product derived from production under the lease, except that as to any by-product which is a mineral named in section 1 of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181), the rate of royalty for such mineral shall be the same as that provided in that Act and (c) 5 percent of the value of commercially demineralized water sold or utilized by the lessee, except that no payment of royalty will be required on such water used in plant operation for cooling or in the generation of electric energy or otherwise. Annual rental for the first through the fifth lease year will be at the rate of \$2.00 per acre or fraction thereof, for the sixth lease year and for each lease year thereafter prior to production, the rental will be the amount of the rental for the preceding year, plus an additional \$1.00 per acre.

### LEASE TERMS

Any lease issued as a result of this sale will be on Form 3200-21 (May 1974) as modified by the stipulations as set forth below. Copies of the lease form are available from the Arizona State Office, Bureau of Land Management at the above address. The stipulations to be contained in each lease are:

### SPECIAL STIPULATIONS AND CONDITIONS

In addition to lease terms and requirements contained in the lease form, the lessee shall comply with the following special conditions and stipulations unless they are modified by mutual agreement of the lessee, the Supervisor and the authorized officer.

1. Any occupancy or disturbance to the land surface on the SW $\frac{1}{4}$ SE $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$  of Sec. 19, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ , the

SE $\frac{1}{4}$ NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 30 which are within the City limits of Clifton, Arizona will not be initiated without prior approval of the authorized officer.

2. The lessee shall provide a complete inventory and evaluation of archaeological and historical values on lands to be disturbed or occupied. This will be prepared by a competent archaeologist, acceptable to the authorized officer, in advance of any surface disturbance.

3. Any public land survey markers accidentally damaged or obliterated by the lessee or his operator must be re-established in accordance with instructions of the responsible agency at the expense of the lessee.

4. Natural drainage systems shall not be blocked. No cuts or fills shall be made in or near drainages which will result in siltation or the accumulation of debris.

5. The lessee shall make every possible effort to prevent, control or suppress any fire on national resource lands within the lease area. Reports of uncontrolled fire must be immediately sent to the BLM District Office, Safford, Arizona. Fire suppression costs relating fires caused by the lessee's operations will be borne by lessee.

6. If considered necessary by either the Supervisor or the Authorized Officer, the Supervisor may require temporary fencing of areas to alleviate hazards to humans, livestock or wildlife or to allow seedlings on rehabilitated areas to become established.

7. Existing surface waters in pipelines, storage tanks, ponds, reservoirs or streams are not available for use in any activities under this lease except as may be specifically permitted by the authorized officer.

8. If considered necessary by either the Supervisor or the Authorized Officer, the Supervisor may, in his discretion, apply standards from local, county, and state zoning ordinances, building codes and environmental protection regulations to lessee's operations under this lease.

### TRACT DESCRIPTION

The lands offered for bid comprise a single leasing tract and are described as follows:

TOWNSHIP 4 SOUTH, RANGE 30 EAST, GSR  
MERIDIAN, ARIZONA

Sec. 19: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 20: SW $\frac{1}{4}$

Sec. 29: W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 30: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$

Total 780 acres.

GLENDON E. COLLINS,  
Acting State Director.

[FR Doc. 74-29532 Filed 12-18-74; 8:45 am]

[NM 22750]

## NEW MEXICO

### Application

DECEMBER 11, 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 4½-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPLE MERIDIAN,  
NEW MEXICO

T. 27 N., R. 7 W.,

Sec. 8, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

This pipeline will convey natural gas across .203 miles of national resource lands in Rio Arriba 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, 3550 Pan American Freeway, Albuquerque, NM 87107.

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

[FR Doc.74-29530 Filed 12-18-74;8:45 am]

[NM 23653]

#### NEW MEXICO Application

DECEMBER 10, 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), Natural Gas Pipeline Company of America has applied for one 8-inch and one 10-inch natural gas pipeline and a dehydration site and two meter sites rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO  
T. 18 S., R. 27 E.,  
Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 21, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$   
and W $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 19 S., R. 27 E.,  
Sec. 3, Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 21 S., R. 27 E.,  
Sec. 1, Lots 4, 5, 11, 12, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$   
SE $\frac{1}{4}$ ;  
Sec. 2, Lot 1;  
Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 19 S., R. 28 E.,  
Sec. 31, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 20 S., R. 28 E.,  
Sec. 5, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$   
SE $\frac{1}{4}$ ;  
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$   
SW $\frac{1}{4}$ .  
T. 21 S., R. 28 E.,  
Sec. 7, Lots 2, 3, 4;  
Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 25, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 27, N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 28, S $\frac{1}{2}$ N $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 21 S., R. 29 E.,  
Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 29, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ .

These pipelines will convey natural gas across 22,321 miles of national resource lands 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.74-29528 Filed 12-18-74;8:45 am]

[NM 24001]

#### NEW MEXICO Application

DECEMBER 10, 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 two 4 $\frac{1}{2}$ -inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 20 S., R. 28 E.,  
Sec. 11, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

These pipelines will convey natural gas across .077 miles of national resource lands 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.74-29529 Filed 12-18-74;8:45 am]

[NM 24004]

#### NEW MEXICO Notice of Application

DECEMBER 12, 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 $\frac{1}{2}$ -inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 10 W.,  
Sec. 8, Lot 5.

This pipeline will convey natural gas across .073 miles of national resource lands in San Juan 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, 3550 Pan American Freeway, Albuquerque, NM 87107.

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

[FR Doc.74-29591 Filed 12-18-74;8:45 am]

[No. 48648]

#### WYOMING Application

DECEMBER 10, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Kansas-Nebraska Natural Gas Company, Inc. has applied for a right-of-way for a natural gas compressor station on the following land:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 35 N., R. 85 W.,  
Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 2834, Casper, Wyoming 82601.

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

[FR Doc.74-29531 Filed 12-18-74;8:45 am]

[Wyoming 48655]

#### WYOMING Notice of Application

DECEMBER 13, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Chandler & Associates, Inc. has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 56 N., R. 74 W.,  
Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 3, lots 1 and 2.

The pipeline will convey natural gas across 1.17 miles of national resource lands in Campbell County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 2834, Casper, WY 82601.

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

[FR Doc.74-29592 Filed 12-18-74;8:45 am]

# Geological Survey GULF OF MEXICO AREA

## Notice of Amended Effective Date for Revised OCS Order No. 2

Notice is hereby given that the effective date of Revised OCS Order No. 2 for the Gulf of Mexico Area has been amended from December 1, 1974 to January 1, 1975. The purpose of this action is to provide time for operators to meet the Order's revised requirements and to allow the Geological Survey's Gulf of Mexico Area offices to update inspection forms and procedures.

HENRY W. COULTER,  
Acting Director.

[FR Doc.74-29538 Filed 12-18-74; 8:45 am]

## Office of the Secretary

[INT FES 74-65]

## PROPOSED CHASE LAKE WILDERNESS AREA

### Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a Final Environmental Statement for the Proposed Chase Lake Wilderness Area, Stutsman County, North Dakota.

The proposal recommends that approximately 4,155 acres of the Chase Lake National Wildlife Refuge in Stutsman County, North Dakota be designated as wilderness within the National Wilderness Preservation System.

Copies of the Final Statement are available for inspection at the following locations:

Regional Director  
10597 West Sixth Avenue  
Lakewood, Colorado 80215

Refuge Manager  
Rural Route 1  
Edmunds, North Dakota 58434  
U.S. Fish and Wildlife Service  
Office of Environmental Coordination  
Department of the Interior  
Room 2252  
18th and C Streets, N.W.  
Washington, D.C. 20240

Single copies may be obtained by writing the Chief, Office of Environmental Coordination, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Dated: December 13, 1974.

STANLEY D. DOREMUS,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.74-29539 Filed 12-18-74; 8:45 am]

## DEPARTMENT OF AGRICULTURE

### Farmers Home Administration

[Notice of Designation Number A107]

## INDIANA

### Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in 20 counties in Indiana. The Secretary has found that this

need exists as a result of natural disasters shown on the attached chart which also lists the 20 counties.

Therefore, the Secretary has designated these areas as eligible for Emergency Loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Otis R. Bowen that such designation be made.

Applications for Emergency loans must be received by this Department no later than February 6, 1975, for physical losses

and September 9, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D. C., this 13th day of December 1974.

FRANK W. NAYLOR, Jr.,  
Acting Administrator,  
Farmers Home Administration.

Indiana—20 counties—1974

County	Excessive rainfall	Drought	Freeze	Hailstorms
Blackford	May 15 to June 15	July 4 to July 30	Sept. 23	
Daviess	May 1 to June 20	July 1 to Aug. 15	Sept. 25	
DeKalb	Apr. 1 to May 31	July 1 to Aug. 15	Oct. 4	
Elkhart	May 1 to May 30	July 1 to Sept. 15	Sept. 22	
Fulton	June 1 to June 15	July 1 to Aug. 31	Sept. 30	
Kosciusko	May 1 to June 10	June 15 to Aug. 30	Oct. 3	
LaGrange	May 1 to May 30	July 1 to Sept. 15	Sept. 20	
Marion	May 10 to June 12	June 12 to July 28	Sept. 15	July 20
Montgomery	May 7 to June 15	June 16 to Aug. 15	Sept. 22	
Noble	June 1 to June 15	June 25 to Sept. 3	Oct. 3	
Pike	May 1 to June 20	July 1 to Aug. 15	Sept. 25	
Putnam	May 7 to June 23	June 16 to Aug. 16	Sept. 22	
St. Joseph	May 1 to May 31	July 1 to Aug. 31	Oct. 1	
Steuern	Apr. 1 to May 31	July 1 to Aug. 31	May 6, 9	June 14
Sullivan	May 7 to June 29	June 22 to Aug. 8	Sept. 22	
Switzerland	Apr. 3 to May 25	June 20 to Aug. 20	Oct. 1	Aug. 8
Vanderburgh	Aug. 20 to Oct. 1	June 24 to Aug. 1	Sept. 22, 29	
Vigo	Apr. 1 to June 21	June 24 to Aug. 1	Oct. 2	
Wabash	May 7 to June 22	June 1 to Aug. 2	Mar. 24	Aug. 12
Whitley	May 7 to June 6	June 21 to Aug. 16	Oct. 3	
	Apr. 1 to May 31	June 25 to Aug. 9	Apr. 24, 25	Aug. 13

<sup>1</sup> Flooding.

<sup>2</sup> This county near joining of Ohio and Wabash Rivers. Some flooding preceded the April 1 date.

<sup>3</sup> Windstorms.

[FR Doc.74-29462 Filed 12-18-74; 8:45 am]

## [Notice of Designation Number A109]

## SOUTH DAKOTA

### Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in eight counties in South Dakota. The Secretary has found that this need exists as a result of natural disasters shown on the attached chart which also lists the eight counties.

Therefore, the Secretary has designated these areas as eligible for Emergency Loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Richard F. Kneip that such designation be made.

Applications for Emergency loans must be received by this Department no later than February 6, 1975, for physical losses and September 9, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of

proposed rule making and invite public participation.

Done at Washington, D.C., this 12th day of December 1974.

FRANK W. NAYLOR, Jr.,  
Acting Administrator,  
Farmers Home Administration.

South Dakota—8 counties—1974

County	Drought	Frost
Beadle	June 1 to Oct. 15	
Custer	June 1 to Oct. 23	
Davison	June 1 to Oct. 29	
Fall River	Apr. 10 to July 5	
Jones	Dec. 1, 1973 to Aug. 6	
McPherson	June 1 to Oct. 11	
Meade	May 1 to Aug. 14	
Perkins	June 1 to Oct. 23	

[FR Doc.74-29461 Filed 12-18-74; 8:45 am]

## Federal Crop Insurance Corporation

[Notice No. 92]

## GRAPES—NEW YORK AND PENNSYLVANIA

### Extension of the Closing Date for Filing of Applications for the 1975 Crop Year

The time for filing applications for grape crop insurance for the 1975 crop

year in all counties in New York and Pennsylvania where such insurance is otherwise authorized, which was extended to the close of business on December 14, 1974, pursuant to Notice No. 86 published in the FEDERAL REGISTER on September 23, 1974, (39 FR 34085) is hereby further extended to the close of business on December 31, 1974. All other conditions remain the same as set forth in said Notice No. 86.

[SEAL] M. R. PETERSON,  
Manager,  
Federal Crop Insurance Corporation.  
[FR Doc.74-29497 Filed 12-18-74;8:45 am]

#### Forest Service

#### CULLASAJA RIVER & WHITEWATER RIVER UNIT PLANS

##### 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 Cullasaja River and Whitewater River Unit Plans, Nantahala National Forest, USDA-FS-R8-FES (ADM.)—75-2.

This environmental statement concerns the proposed 10-year plan for the Cullasaja River and Whitewater River Units of the Highland and Wayah Ranger Districts, Nantahala National Forest, located in Transylvania, Jackson and Macon Counties, North Carolina. These units contain 30,600 acres of National Forest land.

Management decisions will affect major forest resources as wildlife, water quality, soils, vegetative cover, aesthetics, roads, trails and recreation.

This final environmental statement was filed with CEQ December 10, 1974. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Rm. 3230  
12th St. & Independence Ave., SW  
Washington, DC 20250

USDA, Forest Service  
District Ranger  
Highland Ranger District  
Highlands, NC 28741

USDA, Forest Service  
1720 Peachtree Rd., NW, Rm. 804  
Atlanta, GA 30309

USDA, Forest Service  
District Ranger  
Wayah Ranger District  
Franklin, NC 28734

A limited number of single copies are available upon request to Forest Supervisor Robert Cermak, National Forests in North Carolina, 50 S. French Broad Ave., Asheville, NC 28802.

Dated: December 10, 1974.

DAVID F. JOLLY,  
Regional Environmental  
Coordinator.

[FR Doc.74-29515 Filed 12-18-74;8:45 am]

#### GRAND MESA-UNCOMPAHGRE NATIONAL FOREST

##### Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Timber Management Plan Revisions for the Grand Mesa-Uncompahgre National Forest. The Forest Service report number is USDA-FS-R2-DES(Adm) FY-75-03.

The environmental statement concerns a proposal to revise the 1961 (Rev.) Timber Management Plan for the Grand Mesa-Uncompahgre National Forest in west central Colorado. Such Plans are required to regulate the flow of timber products from National Forest lands.

This draft environmental statement was transmitted to CEQ on December 13, 1974.

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

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

USDA, Forest Service  
11177 West 8th Avenue  
P.O. Box 25127  
Denver, Colorado 80225

USDA, Forest Service  
Grand Mesa-Uncompahgre National Forest  
11th and Main Street  
P.O. Box 138  
Delta, Colorado 81416

A limited number of single copies are available upon request to W. J. Lucas, Regional Forester, USDA Forest Service, 11177 West 8th Avenue, P.O. Box 25127, Denver, Colorado 80225.

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 W. J. Lucas, Regional Forester, USDA Forest Service, 11177 West 8th Avenue, P.O. Box 25127, Denver, Colorado 80225. Comments must be received by February 11, 1975, in order to be considered in the preparation of the final environmental statement.

Dated: December 13, 1974.

CLAYTON B. PIERCE,  
Director, Multiple Use and  
Environmental Quality Coordination.

[FR Doc.74-29517 Filed 12-18-74;8:45 am]

#### HORSESHOE MEADOWS, INYO 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 Horseshoe Meadows Land Use Plan, Inyo National Forest, California, USDA-FS-FES (Adm)—74-66.

The environmental statement concerns a proposed land use plan which will provide year-round recreational facilities of moderate scale near Horseshoe Meadows, within Cottonwood Basin, Inyo National Forest, Inyo County, California. The plan calls for a 100-unit overnight campground, 25 back-country camp units, an interpretive program, Pacific Crest trailhead facilities, a pack station with overnight facilities, limited development for cross-country skiing, and a road extension of about one mile. Parking will be provided for and limited to 150 cars.

This final environmental statement was transmitted to the Council on Environmental Quality (CEQ) on December 13, 1974.

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

USDA, Forest Service  
South Agriculture Bldg., Room 3230  
12th Street and Independence Ave., SW  
Washington, D.C.

Regional Forester's Office  
630 Sansome Street, Room 529  
San Francisco, California

Forest Supervisor's Office  
Inyo National Forest  
2957 Birch Street  
Bishop, California

Forest Service  
District Ranger  
Lone Pine, California

A limited number of single copies are available, upon request, from Forest Supervisor Everett Towle, Inyo National Forest, 2957 Birch Street, Bishop, California 93514.

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

Dated: December 13, 1974.

T. W. KOSKELLA,  
Deputy Regional Forester.

[FR Doc.74-29518 Filed 12-19-74;8:45 am]

#### NORTH & WEST FORKS FRENCH BROAD AND DAVIDSON RIVER UNIT PLANS

##### 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 North and West Forks French Broad and Davidson

River Unit Plans, Pisgah National Forest, USDA-FS-R8-FES (ADM.)—74-7.

This environmental statement concerns the proposed 10-year plan for the North and West Forks French Broad and Davidson River Units on the Pisgah Ranger District, Pisgah National Forest. The units contain 61,363 acres of National Forest land, located in Transylvania County, North Carolina.

Management decisions will affect major forest resources such as wildlife, water quality, soils, vegetative cover, aesthetics, roads, trails and recreation.

This final environmental statement was filed with CEQ December 10, 1974. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
South Agriculture Bldg., Rm. 3230  
12th St. & Independence Ave., SW  
Washington, DC 20250

USDA, Forest Service  
1720 Peachtree Rd., NW, Rm. 804  
Atlanta, GA 30309

USDA, Forest Service  
District Ranger  
Pisgah Ranger District  
Pisgah Forest, NC

A limited number of single copies are available upon request to Forest Supervisor Robert Cernak, National Forests in North Carolina, 50 S. French Broad Ave., Asheville, NC 28802.

Dated: December 10, 1974.

DAVID F. JOLLY,  
Regional Environmental  
Coordinator.

[FR Doc.74-29516 Filed 12-18-74;8:45 am]

#### ROLLING PRAIRIE PLANNING UNIT 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 Rolling Prairie Planning Unit, Forest Service Report Number USDA-FS-DES (Adm) R1-75-5.

The environmental statement concerns a proposed action for the implementation of a Multiple Use Plan for the Rolling Prairie Planning Unit, Little Missouri River National Grasslands, Custer National Forest. The Planning Unit is located in McKenzie, Golden Valley, Billings, and Slope Counties of North Dakota and contains 882,680 acres of which 377,954 acres are administered by the U.S. Forest Service.

This draft environmental statement was filed with CEQ on December 12, 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, DC 20250

USDA Forest Service, Northern Region  
Federal Building  
Missoula, MT 59801

USDA Forest Service, Custer National Forest  
2602 1st Ave. North  
Billings, MT 59103

USDA Forest Service  
Medora Ranger District  
1409 W. Villard  
Dickinson, ND 58601

USDA Forest Service  
McKenzie Ranger District  
Highway 85 South  
Watford City, ND 58854

A limited number of single copies are available upon request to Forest Supervisor D. C. MacIntyre, Custer National Forest, P.O. Box 2556, Billings, MT 59103.

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 D. C. MacIntyre, Custer National Forest, P.O. Box 2556, Billings, MT 59103. Comments must be received by February 12, 1975 in order to be considered in the preparation of the final environmental statement.

Dated: December 12, 1974.

KEITH M. THOMPSON,  
Acting Regional Forester,  
Northern Region, Forest Service.

[FR Doc.74-29514 Filed 12-18-74;8:45 am]

#### Packers and Stockyards Administration

[P. & S. Docket No. 5049]

#### DIXIE STOCK YARD, INC.

#### Order Extending Period of Suspension of Modifications of Rates and Charges

On November 15, 1974, an order was issued instituting the following proceeding under Title III of the Packers and Stockyards Act, 1921, as amended, 42 Stat. 159, as amended (7 U.S.C. 181 et seq.):

Dixie Stock Yard, Inc.  
Meridian, Mississippi  
(39 FR 40965, 40966)

Such order, among other things, suspended and deferred the operation and use by the respondent of modifications of its current schedule of rates and charges to become effective November 18, 1974, for a period of thirty days beyond the time such modifications would otherwise go into effect.

Notice is hereby given that, since the hearing in this proceeding could not be concluded within such period of suspension, an order has been issued in the above proceeding suspending and deferring the operation and use of such modifications of the current schedule of rates

and charges for a further period of thirty days beyond the date when such modifications would have otherwise become effective.

Done at Washington, D.C. on December 16, 1974.

MARVIN L. McLAIN,  
Administrator, Packers and  
Stockyards Administration.

[FR Doc.74-29597 Filed 12-18-74;8:45 am]

#### DEPARTMENT OF COMMERCE

#### Domestic and International Business Administration

#### FERROUS SCRAP SHIPMENTS

#### Fourth Quarter 1974 Foreign Policy Allocations

On November 4, 1974, the Department of Commerce announced that 100,000 short tons of ferrous scrap had been assigned, following consultations with the Department of State and the National Security Council, to certain countries to fill special needs that are in consonance with U.S. foreign policy objectives. The deadline for receiving applications for licenses to export this scrap was December 6, 1974. Tonnages for which valid applications were not received prior to the deadline are reassigned as follows:

[In short tons]

Country	Allocation	Exporter Limit	Type "A"
Brasil	5,000	5,000	5,000
Chile	3,600	3,600	3,600
Dominican Republic	3,000	3,000	300
Egypt	6,000	6,000	2,000
Israel	6,000	6,000	2,000
Korea	6,400	6,400	3,600
Pakistan	5,000	5,000	3,150
Philippines	2,000	2,000	1,200

<sup>1</sup> The column designated Type "A" indicates the maximum tonnage of ferrous scrap, out of the total foreign policy allocation for a particular country, that may be licensed from the Type "A" scrap grades, which include No. 1 and No. 2 heavy melting steel scrap, No. 1 bundles, and iron scrap.

Any exporter who obtains an order dated after December 12, 1974 and before January 1, 1975 for export of ferrous scrap to a country that has received an additional allocation hereunder, may submit an application for an export license whether or not he has a past history of exporting scrap to the country involved. The application must be clearly marked "Foreign Policy Allocation." No exporter may apply for licenses for any one country for more than the amount shown in the column designated "Exporter Limit". If applications are received from an exporter for export to a country of a quantity that exceeds that country's "Exporter Limit" or Type "A" maximum tonnage, the applicant will be contacted to determine which of his applications should be reduced in quantity or returned without action. Applications received by the Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230 after 12 noon e.s.t. Tuesday, December 31, 1974, will not be considered.

Licenses will be issued after December 31, 1974. In the event that applications for licenses are received for quantities in excess of the total quantity allocated to a particular country or its Type "A" maximum, the Department of Commerce will request advice and guidance from such country as to the consignee(s) that should receive preference. Such advice will be considered along with other factors, such as the type and location of the scrap involved, etc., in deciding which applications to license.

In addition to the requirements set forth above, the applications must conform to the requirements for submission set forth in § 377.4 of the Export Administration Regulations. Applications must be submitted on Forms DIB-622P or FC-419 and DIB-623P or FC-420.<sup>1</sup> Such applications must be accompanied by: (1) a photocopy or certified copy of the order (if the order is not from the ultimate consignee, a copy of the contract between the purchaser or other parties involved and the ultimate consignee must also be submitted in support of the application), and (2) where import permits are required by the country of destination, a statement from the ultimate consignee (or other foreign party to the transaction), or other documentation, which indicates to the satisfaction of the Office of Export Administration that the permit has been obtained.

Applications for which the required accompanying documentation is not received by the Office of Export Administration by 12 noon e.s.t. December 31, 1974 will not be considered. In order for an application to be acceptable, the ferrous scrap must be described in sufficient detail so that the "Type" it belongs in may be ascertained and verified.

Licenses will expire 90 days from the date of issuance. The shipping tolerance for exports shall be 5 percent of the unshipped quantity. Any cancellation of an order automatically revokes the license that was issued against it.

Effective date of action: December 31, 1974.

RAUER H. MEYER,  
Director,

Office of Export Administration.

[FR Doc.74-29422 Filed 12-18-74; 8:45 am]

**National Oceanic and Atmospheric Administration  
METEOROLOGICAL SATELLITE IMAGERY SIGNAL**

**Availability**

Notice is hereby given that, pursuant to the authority contained in 15 U.S.C. 1152 and 31 U.S.C. 483a, the National Oceanic and Atmospheric Administration, United States Department of Com-

merce, is making available to the public the Synchronous Meteorological Satellite (SMS) imagery signal at the Satellite Field Services Stations (SFSS) of the National Oceanic and Atmospheric Administration's National Environmental Satellite Service. These SFSS stations, located at Miami, Florida; Washington, D.C.; Kansas City, Missouri; and San Francisco, California, are now capable of providing meteorological satellite imagery signals of their geographical regional areas to interested private and Government users.

Upon installation of appropriate telephone communications and terminal recording devices by the interested user, a connection at one of the SFSSs indicated above can now be obtained for a one-time charge and a minimal annual recurring service charge.

For additional detailed information, parties interested in obtaining a license for subscription to this service should forward a written request to:

NOAA, National Environmental Satellite Service  
Field Services Division, S122, WWB  
Washington, D.C. 20233  
Attn: GOES-Tap

Licenses will be granted in order of receipt of applications.

M. P. SNIDERO,  
Acting Assistant Administrator  
for Administration, National  
Oceanic and Atmospheric Administration.

[FR Doc.74-29519 Filed 12-18-74; 8:45 am]

**Office of the Secretary  
ADVISORY COMMITTEES  
Notice of Review and Renewal**

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I, the provisions of Office of Management and Budget Circular No. A-63 as amended by Transmittal Memoranda Nos. 1 and 2, and the provisions of OMB Bulletin 75-2, a review was conducted as to the essentiality of all Department of Commerce advisory committees which were in existence when the Act went into effect on January 5, 1973. Of 34 committees subject to this review, and after consultation with OMB, it has been determined that continuation and rechartering of 30 of the committees is in the public interest in accordance with duties imposed on the Department by law. The remaining 4 will be terminated.

Each of the 30 committees, the names of which are listed below, will be rechartered for two years effective January 5, 1975, without change in basic purpose. Copies of the present charters of these committees have been on file with appropriate committees of the Congress, and have been available for public inspection at the Library of Congress, since January 1973.

Copies of the new charters will be similarly filed in early January 1975. In addition, and at the same time, copies will be available for public inspection and

copying in the Department's Central Reference and Records Inspection Facility, Room 7043, Main Commerce Building, 14th Street and Constitution Avenue NW, Washington, D.C.

Any inquiries or comments regarding this notice may be directed to Mr. Robert T. Jordan, Management Services Head, Room 5026, Main Commerce Building.

GUY W. CHAMBERLIN, Jr.,  
Acting Assistant Secretary  
for Administration.

DECEMBER 12, 1974.

**COMMITTEES TO BE RENEWED**

Advisory Board to the U.S. Merchant Marine Academy  
Advisory Council for Minority Enterprise  
Census Advisory Committee on Agriculture Statistics  
Census Advisory Committee of the American Economic Association  
Census Advisory Committee of the American Marketing Association  
Census Advisory Committee of the American Statistical Association  
Census Advisory Committee on Population Statistics  
Census Advisory Committee on Privacy and Confidentiality  
Census Advisory Committee on Small Areas  
Census Advisory Committee on State and Local Government Statistics  
Center for Building Technology Advisory Committee  
Commerce Technical Advisory Board  
Computer Peripherals, Components, and Related Test Equipment Technical Advisory Committee  
Computer Systems Technical Advisory Committee  
Economic Advisory Board  
Exporters' Textile Advisory Committee  
Federal Information Processing Standards (FIPS) Coordinating and Advisory Committee  
FIPS Task Group 13—Workload Definition and Benchmarks  
Importers' Textile Advisory Committee  
Industry Advisory Committee on Metal Scrap Problems  
Management-Labor Textile Advisory Committee  
Marine Fisheries Advisory Committee  
National Bureau of Standards Visiting Committee  
National Public Advisory Committee on Regional Economic Development  
Numerically Controlled Machine Tool Technical Advisory Committee  
Public Advisory Committee for Trademark Affairs  
Sea Grant Advisory Panel  
Semiconductor Manufacturing and Test Equipment Technical Advisory Committee  
Semiconductor Technical Advisory Committee  
Travel Advisory Board

[FR Doc.74-29543 Filed 12-18-74; 8:45 am]

**Social and Economic Statistics Administration**

**ANNUAL SURVEYS IN MANUFACTURING AREA**

**Determination**

In conformity with Title 13, United States Code, sections 181, 224, and 225 and due notice having been published on November 8, 1974 (39 FR 39589), I have determined that annual data to be derived from the surveys listed below are

<sup>1</sup> Forms are available from any of the Commerce Department's Domestic and International Business Administration District Offices or from the Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230.

needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry. The data derived from these surveys, most of which have been conducted for many years, are not publicly available from nongovernmental or other government sources.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required for all or a sample of establishments engaged in the production of the items covered by the following list of surveys:

The surveys have been arranged under major group headings shown in the Standard Industrial Classification Manual (1972 edition) promulgated by the Office of Management and Budget for the use of Federal statistical agencies.

#### MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Broadwoven goods finished.  
Narrow fabrics.  
Yarn production.

#### MAJOR GROUP 23—APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS

Gloves and mittens.  
Apparel.  
Brassieres, corsets, and allied garments.  
Sheets, pillowcases, and towels.

#### MAJOR GROUP 24—LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE

Hardwood plywood.  
Softwood plywood.  
Lumber.

#### MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Pulp, and detailed grades of paper and board.

#### MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Sulfuric acid.  
Industrial gases.  
Inorganic chemicals.  
Pharmaceutical preparations, except biologicals.

#### MAJOR GROUP 29—PETROLEUM REFINING AND RELATED INDUSTRIES

Asphalt and tar roofing and siding products.

#### MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Rubber.  
Plastics products.

#### MAJOR GROUP 31—LEATHER AND LEATHER PRODUCTS

Shoes and slippers (by method of construction).

#### MAJOR GROUP 32—STONE, CLAY, AND GLASS

Consumer, scientific, technical, and industrial glassware.  
Fibrous glass.

#### MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Steel mill products.  
Insulated wire and cable.  
Magnesium mill products.

#### MAJOR GROUP 34—FABRICATED METAL PRODUCTS EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Commercial steel forgings.  
Steel power boilers.  
Heating and cooking equipment.

#### MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Internal combustion engines.  
Tractors.  
Farm machines and equipment.  
Mining machinery and equipment.  
Air-conditioning and refrigeration equipment.  
Office, computing, and accounting machines.  
Pumps and compressors.  
Selected air pollution control equipment.  
Construction machinery.

#### MAJOR GROUP 36—ELECTRICAL MACHINERY, EQUIPMENT, AND SUPPLIES

Radios, television, and phonographs.  
Motors and generators.  
Wiring devices and supplies.  
Switchgear, switchboard apparatus, relays, and industrial controls.  
Selected electronic and associated products.  
Electric housewares and fans.  
Electric lighting fixtures.  
Major household appliances.

#### MAJOR GROUP 37—TRANSPORTATION EQUIPMENT

Aircraft propellers.

#### MAJOR GROUP 38—PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS: PHOTOGRAPHIC AND OPTICAL GOODS: WATCHES AND CLOCKS

Selected instruments and related products.  
Atomic energy products and services.

The following list of surveys represents annual supplements of monthly and quarterly surveys and will cover the same establishments canvassed in the monthly or quarterly survey. There will be no duplication of reporting, however, since the type of data collected on the annual supplement will be different from that collected on the more frequent survey.

#### MAJOR GROUP 32—STONE, CLAY, AND GLASS

Glass containers.  
Refractories.

#### MAJOR GROUP 34—FABRICATED METAL PRODUCTS EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Closures for containers.  
Steel shipping barrels, drums and pails.

The following list of surveys represents annual counterparts of monthly and quarterly surveys and will cover only those establishments which are not canvassed or do not report in the more frequent survey. Accordingly, there will be no duplication in reporting. The content of these annual reports will be identical with that of the monthly and quarterly reports.

#### MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Flour milling products.  
Margarine Manufacturers' packaging operations.

#### MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Man-made fiber, silk, woolen, and worsted fabrics.  
Finishing plant report—broadwoven fabrics.  
Piece goods inventories and orders.  
Broadwoven goods (cotton, wool, silk, and synthetic).  
Consumption of wool and other fibers, and production of tops and noils.  
Rugs, carpets and carpeting.  
Knit cloth.

#### MAJOR GROUP 25—FURNITURE AND FIXTURES

Mattresses and bedsprings.

#### MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Converted flexible packaging products.

#### MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Phosphatic fertilizer materials.  
Paint, varnish, and lacquer.

#### MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Thermoplastics pipe, tube, and fittings.

#### MAJOR GROUP 32—STONE, CLAY, AND GLASS

Flat Glass.  
Glass containers.  
Refractories.  
Clay construction products.

#### MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Nonferrous castings.  
Iron and steel foundries.  
Steel mill shapes and forms (Consumers and Producers Report).  
Copper-base mill products.

#### MAJOR GROUP 34—FABRICATED METAL PRODUCTS, EXCEPT ORDNANCE, MACHINERY AND TRANSPORTATION EQUIPMENT

Plumbing fixtures.  
Metal cans.

#### MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Construction machinery.

#### MAJOR GROUP 36—ELECTRICAL MACHINERY, EQUIPMENT, AND SUPPLIES

Electric lamps.  
Fluorescent lamp ballasts.

#### MAJOR GROUP 37—TRANSPORTATION EQUIPMENT

Aircraft engines.  
Complete aircraft.  
Backlog of orders for aircraft, space vehicles, missiles, engines and selected parts.  
Truck trailers.

The Annual Survey of Manufactures will be conducted and will call for general statistical data such as employment, payroll, man-hours, capital expenditures, cost of materials consumed, gross book value of fixed assets, rental payments, supplemental labor costs, etc., in addition to information on value of products shipped and quantity data for selected classes of products and quantity and cost of selected fuels used. This survey, while conducted on a sample basis, will cover all manufacturing industries including data on plants under construction but not in operation.

A survey of research and development costs will be conducted also. The data to be obtained will be limited to total research and development costs of work performed by the company, total cost of research and development work performed for the Federal Government, and, for comparative purposes, total net sales and receipts, and total employment of the company.

In addition, a survey on shipments to, or receipts for work done for, Federal Government agencies and their contractors and suppliers is planned. It is designed to provide information on the impact of Federal procurement on selected industries and on the economy of States, standard metropolitan statistical areas, and geographic regions.

The Annual Survey of Oil and Gas will canvass the industry which provides most of the fuel consumed in the United States, as well as a substantial portion

of the raw material requirement of many industries. The survey will collect information on exploration, development, production costs, revenues, expenditures and assets in the crude petroleum and natural gas industry.

The Annual Survey on Pollution Abatement Expenditures is designed to collect from the manufacturing area total expenditures made by industry to abate pollutant emissions. The survey covers current and capital expenditures made by industry to reduce pollution in its air, water, or solid forms.

The report forms will be furnished to firms included in these surveys and additional copies are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed the annual surveys be conducted for the purpose of collecting the data hereinabove described.

Dated: December 16, 1974.

VINCENT P. BARABBA,  
Director,  
Bureau of the Census.

[FR Doc.74-29588 Filed 12-18-74; 8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration ADVISORY COMMITTEES Filing of Annual Reports

Notice is hereby given that pursuant to section 13 of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the annual reports required by section 10(d) of the act for Food and Drug Administration advisory committees have been filed with the Library of Congress.

Copies are available for public inspection at: (1) the Library of Congress; (2) on weekdays between 9 a.m. and 4:30 p.m., at the Department of Health, Education, and Welfare Library, Rm. 1436, 300 Independence Ave. SW., Washington, DC; and (3) the Public Records and Document Center, Rm. 4-62, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852 during working hours, Monday through Friday.

Dated: December 13, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-29487 Filed 12-18-74; 8:45 am]

## SAFETY OF CERTAIN FOOD INGREDIENTS Opportunity for Public Hearing

In the FEDERAL REGISTER of July 26, 1973 (38 FR 20053), the Commissioner of Food and Drugs issued a notice advising the public that an opportunity would be provided for oral presentation of data, information, and views at public hearings to be conducted by the Select Committee on GRAS Substances of the Life Sciences

Research Office, Federation of American Societies for Experimental Biology (hereinafter referred to as the Select Committee), with respect to the safety of ingredients used in food on a determination that they are generally recognized as safe (GRAS) or subject to a prior sanction.

The first of such opportunities for public hearings was announced in the FEDERAL REGISTER of September 23, 1974 (39 FR 34218). The Commissioner now gives notice that the Select Committee is prepared to conduct a public hearing with respect to the following additional categories of food ingredients:

Mustard  
Sorbos  
Licorice-related products  
Caprylic acid

This public hearing will provide an opportunity, before the Select Committee reaches its final conclusions, for any interested person to present scientific data, information, and views relevant to the safety of these substances in addition to those previously submitted in writing pursuant to the notices previously published in the FEDERAL REGISTER of July 26, 1973 (38 FR 20051 and 20053), and April 17, 1974 (39 FR 13796 and 13798).

The Select Committee has reviewed all of the available data and information on the above categories of food ingredients and has reached one of the four following tentative conclusions on the status of each:

Substance	Select committee tentative conclusion	Scientific literature review		Animal study report		Other information
		Order No.	Cost	Order No.	Cost	
Mustard:						
Brown mustard	1					Correspondence with R.T. French Co.
Yellow mustard	1					
Allyl isothiocyanate (oil of mustard)	1	PB-221-215	\$4.15	PB-223-812/AS	\$3.12	
p-Hydroxybenzyl isothiocyanate (oil of mustard)	1	PB-228-545/AS	3.00			
Sorbos	1	PB-223-852/AS	2.75			None.
Licorice-related products:						
Licorice	2					Thesis of Ms. Gordon.
Glycyrrhiza	2					
Ammoniated glycyrrhizin	2	PB-221-230	3.75	PB-221-743	4.50	
Caprylic acid	1	PB-221-229	4.50			None.

Reports given in the table may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, VA 22151. The above titles may also be purchased in microfiche form. Microfiche document prices are \$1.45 each for those with order numbers having an FDABF prefix or AS suffix, and \$0.95 each for all others.

In addition to the information contained in the Scientific Literature Review, the Select Committee supplemented, where appropriate, the scientific information developed in the reviews with additional materials, as discussed in the previous hearing opportunity notice published in the FEDERAL REGISTER of September 23, 1974 (39 FR 34218).

The Select Committee's tentative reports on mustard, sorbos, licorice-related substances and caprylic acid, along

1. There is no evidence in the available information that demonstrates or suggests reasonable grounds to suspect a hazard to the public when it is used at levels that are now current or that might reasonably be expected in the future.

2. There is no evidence in the available information that demonstrates or suggests reasonable grounds to suspect a hazard to the public when it is used at levels that are now current and in the manner now practiced. However, it is not possible to determine, without additional data, whether a significant increase in consumption would constitute a dietary hazard.

3. While no evidence in the available information demonstrates a hazard to the public when it is used at levels that are now current and in the manner now practiced, uncertainties exist requiring that additional studies be conducted.

4. The evidence is insufficient to determine that the adverse effects reported are not deleterious to the public health when it is used at levels that are now current and in the manner now practiced.

The following table lists each ingredient, the Select Committee's tentative conclusion (keyed to the four types of conclusions listed above), and the available information on which the Select Committee reached its conclusion.

with any referenced information not in the Scientific Literature Reviews, are available for review in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852 and also at the Public Information Office, Food and Drug Administration, Rm. 3807, 200 C Street SW., Washington, DC 20204.

In order to schedule the public hearing, it is necessary that the Select Committee be informed of the number of persons who wish to take advantage of this opportunity for hearing, and the length of time requested for presentation of their views. Accordingly, any interested person who wishes to appear at the public hearing to make an oral presentation shall so inform the Select Committee in writing, addressed to: The Select Committee on GRAS Substances, Life Sciences Research Office, Federation of

American Societies for Experimental Biology, 9650 Rockville Pike, Bethesda, MD 20014. A copy of each such request shall be sent to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, and all such requests shall be placed on public display in that office. Any such request shall be postmarked on or before January 20, 1975, shall state the substance(s) on which an opportunity to present oral views is requested, and shall state a length of time requested for the presentation. As soon as possible thereafter, a notice will be published in the FEDERAL REGISTER announcing the date, time, place, and scheduled presentations for any public hearing that may be requested.

The purpose of the public hearing is to receive data, information, and views not previously available to the Select Committee with respect to the substances listed above. Information already contained in the Scientific Literature Reviews and in the tentative Select Committee report shall not be duplicated, although views on the interpretation of this material may be presented.

Depending upon the number of requests for opportunity to make oral presentations, the Select Committee may reduce the time requested for any presentation. Individuals and organizations with common interests are urged to consolidate their presentations in view of the limitations of time. Any interested person may, in lieu of an oral presentation, submit written views, which shall be considered by the Select Committee. Three copies of such written views shall be addressed to the Select Committee at the above address, and shall be postmarked not later than 10 days prior to the scheduled date of the hearing. A copy of any written views shall be sent to the Hearing Clerk, Food and Drug Administration, and shall be placed on public display in that office.

A public hearing will be presided over by a member of the Select Committee. A hearing will be transcribed by a reporting service, and a transcript of each hearing may be purchased directly from the reporting service and will also be placed on public display in the office of the Hearing Clerk, Food and Drug Administration.

Dated: December 12, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 74-29493 Filed 12-18-74; 8:45 am]

#### Office of Education

#### THE NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

##### Notice of Closed Meeting

Notice is hereby given, pursuant to section 10 of the Federal Advisory Committee Act Pub. L. 92-463 and section 8.d. of Office of Management and Budget

Circular A-63 that a closed meeting of the Executive Committee of the National Advisory Council on Extension and Continuing Education will be held on January 9, 1975, in the Council's office, Suite 710, 1325 G St., NW, Washington, D.C.

The National Advisory Council on Extension and Continuing Education is authorized under section 109(a) of the Higher Education Act, under Pub. L. 89-329, as amended (20 USC 1009). The Council is directed to advise the Commissioner of Education in the preparation of general regulations and with respect to policy matters arising in the administration of Title I of the Higher Education Act, and to report annually to the President and to the Secretary of Health, Education, and Welfare on the administration and effectiveness of all federally supported extension and continuing education programs, including community service programs.

This meeting of the Executive Committee of the Council will not be open to the public. The purpose of the meeting will be to interview applicants for the position of Executive Director to the Council. At this meeting matters will be discussed and documents will be produced (for example recommendations and references) which if released to the public would amount to a clearly unwarranted invasion of personal privacy. Such documents need not be released to the public under exemption 6 of the exemptions from mandatory disclosure under the Freedom of Information Act, section 552(b) (6) of Title 5 USC. This meeting may, therefore, be closed to the public under section 10(d) of the Federal Advisory Committee Act. Records of Council proceedings are available for public inspection at the Council's office located at the address given above.

RICHARD F. MCCARTHY,  
Association Director.

DECEMBER 12, 1974.

[FR Doc. 74-29577 Filed 12-18-74; 8:45 am]

#### Office of the Secretary OFFICE FOR CIVIL RIGHTS

##### Statement of Organization, Functions, and Delegation of Authority

The Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare has been amended to reflect certain changes in the Statement of the Office for Civil Rights (39 FR 34088) 9/23/74, as follows:

Section 1D.10, the Statement of Organization is amended to include an Office of New Programs.

Section 1D.20, the Statement of Functions is amended to include the functional statement for the new Office of New Programs.

The revised sections read as follows:

**Sec. 1D.10 Organization.** The Office for Civil Rights is under the supervision of the Director, Office for Civil Rights, who reports directly to the Secretary. He also

serves as Special Assistant to the Secretary for Civil Rights. The Office for Civil Rights consists of:

#### Office of the Director:

Director  
Deputy Director  
Office of Policy Communications  
Office of Public Affairs  
Office of Governmental Relations  
Office of New Programs  
Assistant Director (Planning and Program Development)  
Assistant Director (Administration and Management)  
Contract Compliance Division  
Elementary and Secondary Education Division  
Higher Education Division  
Health and Social Services Division  
Director, Office for Civil Rights (Regions I-X)

The statement for the Office of New Programs in Sec. 1D.20 Functions will be inserted after the statement for the Office of Governmental Relations.

The added statement reads as follows:

(6) The Office of New Programs (1D2004) is responsible for the development of policies and formulation of compliance or other programs, including regulations, guidelines or rules or orders of general applicability, for newly-enacted statutes, newly-issued executive orders, redelegations of Departmental program authorities or orders for which the Office for Civil Rights has responsibility, such as Section 504 of the Rehabilitation Act of 1973. In furtherance of these responsibilities, the Office: (1) prepares designs of enforcement strategies for the new programs including development of remedies and sanctions; (2) analyzes needed data items and design of formats or surveys; (3) develops and operates pilot tests for the new programs; (4) handles complaints on an interim basis for new programs; (5) formulates recommendations for the Director as to the manner in which the Office for Civil Rights should implement the new programs; and (6) coordinates with the Assistant Director (Planning and Program Coordination) in accomplishing a smooth transition of program responsibilities to the operating divisions.

Whenever the Department of Health, Education, and Welfare is designated as lead agency for a new program and the Office for Civil Rights is assigned the responsibility for carrying out lead agency responsibilities, this Office is responsible for coordinating the approach of the other federal agencies and departments to the new program, including providing technical assistance to these agencies and participating in the formulation of and evaluation of their new program.

The Office is also responsible for (1) commenting on legislative proposals and proposed regulations of federal departments and agencies which affect statutes and executive orders which the Office for Civil Rights administers or which create new enforcement responsibilities, and (2) preparing proposals for new

legislation or amendments to existing legislation for the Office for Civil Rights.

Dated: December 12, 1974.

THOMAS S. MCFEE,  
Acting Assistant Secretary for  
Administration and Management.

[FR Doc. 74-29581 Filed 12-18-74; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

Coast Guard  
[CGD 74-293]

### NATIONAL BOATING SAFETY ADVISORY COUNCIL

#### Open Meeting

This is to give notice in accordance with section 10(a) of the Federal Advisory Committee Act (P.L. 92-463; 5 U.S.C. App. 1) of October 6, 1972, that the National Boating Safety Advisory Council (the Council) will conduct an open meeting on Wednesday and Thursday, 8-9 January 1975 at the Americana Hotel, 52nd Street and 7th Avenue, New York City, New York. The meeting is scheduled to begin at 9 a.m. each day.

The agenda for this Tenth meeting of the National Boating Safety Advisory Council is as follows:

1. Review of action taken at the Ninth meeting of the Council.
2. Status report by the Visual Distress Signal Subcommittee.
3. Report on the status of the previously contemplated regulations governing a means for secondary propulsion and dewatering devices for recreational boats.
4. Presentation on the effects of hypothermia.
5. Progress report by the Level Flotation Subcommittee.
6. Presentation on the problems related to white water rafting in the western United States.
7. Discussion on the possibility of requiring a persons capacity (in terms of number of persons) to be displayed on mono-hull boats less than 20 feet in length.
8. Progress report on previously suggested changes to the navigational light requirements.
9. Status of changing label wording requirements for certain Personal Flotation devices.
10. Vote on need for technical regulations for race boats.
11. Observation and discussion of a Half-Model boat at the preview of the New York Boat Show.
12. Chairman's session.
13. Suggestions for date, place and thrust of next meeting.

The National Boating Safety Advisory Council was established in 1971 pursuant to section 33 of the Federal Boat Safety Act of 1971 (P.L. 92-75, 46 U.S.C. 1451 et seq.). The Coast Guard is required to consult with the Council in determining the need for, and in prescribing, regulations and standards for boats and associated equipment. In addition, the Coast Guard is required to consult with the Council on any other major boating safety matters related to the Act.

Any member of the public who wishes to do so may file a written statement with the Council before or after the meeting,

or may present an oral statement with advance notice to the Chairman.

Interested persons may seek additional information or the summary minutes of the meeting by writing to:

Captain David E. Metz, USCG  
U.S. Coast Guard (G-BR/TRPT)  
Washington, D.C. 20590

or by calling (202) 426-4176.

Dated: December 13, 1974.

A. F. FUGARO,  
Acting Chief,  
Office of Boating Safety.

[FR Doc. 74-29579 Filed 12-18-74; 8:45 am]

[CGD 74-294]

### NATIONAL BOATING SAFETY ADVISORY COUNCIL FLOTATION SUB-COMMITTEE

#### Open Meeting

This is to give notice in accordance with section 10(a) of the Federal Advisory Committee Act (P.L. 92-463; 5 U.S.C. App. 1) of October 6, 1972, that the Flotation Sub-committee of the National Boating Safety Advisory Council will conduct an open meeting on Wednesday, 8 January 1975 at the Americana Hotel, 52nd Street and 7th Avenue, New York City, New York. The meeting is scheduled to begin at 8:30 a.m.

The purpose of the meeting is to review the need for regulations that would require level flotation on recreational boats.

The sub-committee, authorized by the Federal Boat Safety Act of 1971 (P.L. 92-75; 46 U.S.C. 1451 et seq.), was established to review proposed standards for level flotation on recreational boats and to make technical recommendations to the Council.

Interested persons may seek additional information by writing: Executive Director, National Boating Safety Advisory Council, United States Coast Guard (GBR/TRPT) Washington, D.C. 20590 or by calling: (202) 426-4176.

Dated: December 6, 1974.

JOHN F. THOMPSON,  
Chief, Office of Boating Safety.

[FR Doc. 74-29578 Filed 12-18-74; 8:45 am]

### ATOMIC ENERGY COMMISSION BARNWELL NUCLEAR PLANT

#### Interim Amount of Financial Protection and Interim Indemnity Fee

In December 1970 pursuant to its authority under section 104b of the Atomic Energy Act of 1954 (the Act), as amended, the Atomic Energy Commission issued a construction permit to Allied-General Nuclear Services (AGNS) for the construction of a production facility for the reprocessing of irradiated fuel elements. AGNS is constructing and proposes to operate the Barnwell Nuclear Fuel Plant (BNFP) in Barnwell, South Carolina.

Section 170 of the Act requires (1) each license issued under section 104 to have as a condition of the license a requirement that the licensee have and maintain

financial protection of such type and in such amounts as the Commission shall require to cover public liability claims, (2) the licensee to execute and maintain an indemnification agreement with the Commission and (3) the Commission to collect a fee from each licensee with whom an indemnification agreement is executed.

Subsection 170b of the Act provides that the amount of financial protection required of such licensees shall be equal to the maximum amount of nuclear liability insurance available from private sources except that the Commission may establish a lesser amount on the basis of written criteria, taking into consideration such factors as (1) the cost and terms of private insurance; (2) the type, size, and location of the licensed activity and other factors pertaining to the hazard; and (3) the nature and purpose of the licensed activity.

The indemnity fee is set by subsection 170f of the Act at \$30 per thousand kilowatts of thermal energy capacity for facilities licensed under section 103. However, for facilities licensed under section 104, and for construction permits issued under section 185, the Commission is authorized to reduce this fee. The Commission is directed to establish written criteria for determination of the fee, taking into consideration such factors as (1) the type, size, and location of the facility involved, and other factors pertaining to the hazard, and (2) the nature and purpose of the facility. The Commission's regulations in 10 CFR Part 140 prescribe criteria for determining the amounts of financial protection and indemnity fees with specific reference to reactors. No similar criteria have been adopted for other types of facilities, such as reprocessing plants. The Commission has previously established financial protection requirements for two fuel reprocessing facilities, the Nuclear Fuel Services, Inc., Reprocessing Plant and the General Electric Company's Midwest Fuel Recovery Plant. Financial protection requirements for both facilities were set by the Commission at \$5 million for the preoperational storage of fuel and \$20 million for Plant operations, with an annual indemnity fee of \$500 for storage only of fuel and \$4,000 for plant operations.

These financial protection requirements were established on an interim basis since there was not sufficient experience or data available to prescribe financial protection requirements for reprocessing plants as a class. In arriving at the interim amounts, the Commission took into account, in addition to the specific statutory criteria, the following considerations: (a) amount of liability insurance carried by fabricators of cold fuel; (b) liability insurance limits carried by firms engaged in hazardous operations in nonnuclear industries, i.e., chemicals and petroleum, and (c) the maximum amount of nuclear liability insurance available (at that time, \$60 million).

The Commission recognizes that there is an ongoing licensing proceeding with respect to the Barnwell Nuclear Fuel

Plant pending before an Atomic Safety and Licensing Board. No license will be issued except in accordance with the applicable Commission regulations. The proposed rule that follows would merely provide the basis for financial protection requirements in the event that a license should be issued.

As a production facility, the Barnwell plant cannot be licensed to receive fuel assemblies unless Allied-General Nuclear Services provides financial protection to protect against public liability claims arising out of or resulting from a nuclear incident. Pending establishment in a general rule making proceeding of financial protection and indemnity fee requirements for reprocessing facilities as a class, notice is hereby given that the Commission is considering establishing interim financial protection requirements of \$5 million for fuel storage with an indemnity fee of \$500 at the Barnwell plant. Rule making regulations on permanent levels of financial protection to be required for all reprocessing plants should be accomplished by the time the construction of the plant is completed. All interested persons who desire to submit written comments and suggestions for consideration in connection with the proposed interim amount of financial protection and indemnity fee for fuel storage for the Barnwell plant should send them to the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Docketing and Service Section by January 20, 1975. Copies of comments on the proposed rule may be examined at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C.

(Sec. 161, Pub. Law 83-703, 68 Stat. 948 (42 USC 2201); Sec. 4, Pub. Law 85-256, 71 Stat. 576 (42 USC 2210))

Dated at Washington, D.C. this 13th day of December 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,  
Secretary of the Commission.

[FR Doc.74-29484 Filed 12-18-74; 8:45 am]

[Dockets Nos. STN 50-454, STN 50-455]

#### COMMONWEALTH EDISON CO.

##### Limited Work Authorization

Pursuant to the provisions of 10 CFR 50.10(e) of the Atomic Energy Commission's (Commission) regulations, the Commission has authorized the Commonwealth Edison Company to conduct certain site activities in connection with the Byron Station, Units 1 and 2 prior to a decision regarding the issuance of a construction permit.

The activities that are authorized are within the scope of those authorized by 10 CFR 50.10(e)(1), and specifically include the following:

1. Excavations and associated activities such as de-watering for structures and equipment, and placement of mud mats for: (a) two containment buildings; (b) turbine room; (c) service building; (d) auxiliary building; (e) fuel building; (f) solid rad-

waste storage building; (g) installation of portions of condenser circulating water piping, not including any class I piping; and (h) switchyard and on-site transmission lines.

2. Construction of the following service requirements: (a) rail spur from adjacent Chicago and Northwestern line into site; (b) temporary construction track; (c) fencing; (d) perimeter lighting system; (e) road construction, permanent and temporary; (f) temporary construction power and lighting system; (g) sanitary system in conjunction with sewage treatment plant; (h) wells for potable and construction water requirements; (i) fire protection system; and (j) temporary parking lots.

3. Construction of support facilities with necessary utilities: (a) three metal warehouses (50' x 200' each); (b) metal construction office (50' x 200'); (c) metal contractor's office; (d) metal contractor's shop facilities; (e) main gate guardhouse; (f) temporary construction toilet; (g) temporary fire pump house; and (h) concrete batch plant.

This authorization is subject to the following conditions for the protection of the environment:

1. During the construction, CECO shall take the necessary mitigating actions, including those commitments summarized in section 4.5 of the AEC staff's Final Environmental Statement, to avoid unnecessary adverse environmental impacts from construction activities.

2. CECO shall follow the pre-operational monitoring program, including modifications recommended by the staff, described in Section 6.1 of the Final Environmental Statement.

3. Before engaging in a construction activity which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement, CECO shall provide written notification to the Director of Licensing.

4. A control program shall be established by CECO to provide for a periodic review of all construction activities to assure that those activities conform to the environmental conditions set forth herein.

5. If unexpected harmful effects or evidence of irreversible damage are detected during facility construction, CECO shall provide to the staff an acceptable analysis of the problem and a plan of action to eliminate or significantly reduce the harmful effects or damage.

6. CECO shall comply with the applicable portions of the standards published by the United States Environmental Protection Agency on October 8, 1974 (39 FR 36176 et seq.).

7. CECO shall comply with the applicable portions of the Illinois Environmental Protection Act and the Water Pollution Regulations of the Illinois Pollution Control Board.

This authorization is subject to the additional condition that it will terminate upon a denial by the Director of Regulation of a Construction Permit for the Byron Station, Units 1 and 2.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Commonwealth Edison Company and the grant of the authorization has no bearing on the issuance of a construction permit with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

A Partial Initial Decision on matters relating to the National Environmental Policy Act and site suitability was issued by the Atomic Safety and Licensing

Board in the above captioned proceeding on December 6, 1974. A copy of (1) the Partial Initial Decision; (2) the applicant's Preliminary Safety Analysis Report and amendments thereto; (3) the applicant's Environmental Report, and amendments thereto; (4) the staff's Final Environmental Statement dated July 1974; and (5) the Commission's letter of authorization dated December 13, 1974, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. and in the Byron Public Library, Third and Washington Streets, Byron, Illinois.

Dated at Bethesda, Maryland, this 13th day of DECEMBER 1974.

For the Atomic Energy Commission.

F. J. MIRAGLIA,  
Acting Chief, Environmental  
Projects Branch 3, Director-  
ate of Licensing.

[FR Doc.74-29485 Filed 12-18-74; 8:45 am]

[Docket No. 50-512]

#### GENERAL ELECTRIC CO.

##### Issuance of Facility Export License

Please take notice that no request for a hearing or a petition for leave to intervene having been filed following publication of notice of proposed action in the FEDERAL REGISTER on August 29, 1974 (39 FR 31544) and the Atomic Energy Commission having found that:

(a) The application filed by General Electric Company, DOCKET NO. 50-512, complies with the requirements of the ACT, and the Commission's regulations set forth in Title 10, Chapter I, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations,

the Commission has issued License No. XR-102 to General Electric Company, authorizing the export of a boiling water reactor with a thermal power level of 1931 megawatts to the Commission Federal De Electricidad, Rodano 14, Mexico.

The export of this reactor to Mexico is within the purview of the present Agreement for Cooperation Between the Government of the United States of America, the Government of Mexico and the International Atomic Energy Agency.

Dated at Bethesda, Maryland this fifth day of DECEMBER 1974.

For the Atomic Energy Commission.

HOWARD J. LARSON,  
Acting Deputy Director for  
Fuels and Materials, Direc-  
torate of Licensing.

[FR Doc.74-29486 Filed 12-18-74; 8:45 am]

#### CIVIL AERONAUTICS BOARD

[Docket No. 24311; Order 74-11-146]

FLYING TIGER LINE INC., AND TRANS-  
MERIDIAN AIR CARGO LIMITED, ET AL

Order Denying Petition for Reconsideration and Deferring Action; Correction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 27th day of November, 1974.

Footnote 7 of errata on Order 74-11-146 (39 FR 41894, December 3, 1974) should read as follows: "See Order 74-3-48 and Order 74-7-97."

Dated: December 11, 1974.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 74-29582 Filed 12-18-74; 8:45 am]

[Docket No. 25280, etc.; Order 74-12-51]

# INTERNATIONAL AIR TRANSPORT ASSOCIATION

## Order Denying Motion To Stay

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 13th day of December 1974.

In the matter of Dockets 25280; 25513; 26494; Agreement C.A.B. 24008 R-15; Agreement C.A.B. 24024 R-5, Agreement C.A.B. 24233 R-6, Agreement C.A.B. 24265 R-5, Agreement C.A.B. 24713.

By a motion filed December 11, 1974, Japan Air Lines Company, Ltd., (JAL) requests the Board to stay the effectiveness of Order 74-11-153 (November 29, 1974). That order, *inter alia*, revoked Board approval of various resolutions of the International Air Transport Association (IATA) establishing a three percent currency-related surcharge on U.S.-originating North/Central Pacific fares and rates on the grounds that the U.S. dollar has closely approached its pre-devaluation parity vis-a-vis the yen, and there is therefore no justification for continuing the surcharge. The carriers were directed to revise their tariffs to comply with the Board's action for effect not later than December 16, 1974.

JAL, in support of its motion, contends that the Board's order does not comply with section 1002(j)(2) of the Federal Aviation Act of 1958 (the Act) which provides that with respect to any existing tariff of an air carrier or foreign air carrier stating rates, fares, or charges for foreign air transportation, the Board may enter into a hearing concerning the lawfulness of such rate, fare, or charge, provided that the Board gives reasonable notice of said hearing and provides further that the Board may suspend such tariff upon reasonable notice delivered to the carrier setting forth in writing the reasons for said suspension. It is further contended that, not only has the Board failed to comply with section 1002(j)(2), the contested order was not submitted to the President as required by section 801(b) of the Act; that the order denies JAL and the other affected carriers due process of law in that it affords the carriers less than the 20-day period for petitions for reconsideration allowed by § 302.37 of the Board's rules of practice in economic proceedings; and that the order lacks the specificity necessary to place all carriers on equal competitive grounds because it does not state clearly whether tariffs are to be filed on the normal 30

days' notice or whether permission is granted for filings to be effective in less than 30 days.

Upon due consideration of the motion, the order in question, and all other relevant factors, the Board has concluded deny JAL's motion for stay. Order 74-11-153 is not, as JAL apparently contends, an order of suspension pursuant to section 1002(j)(2). The IATA agreements establishing the North/Central Pacific surcharge on U.S.-originating transportation were filed and approved by the Board under section 412(b) of the Act, which provides that the Board "shall by order disapprove any such contract or agreement, whether or not previously approved by it (emphasis added), that it finds to be adverse to the public interest, or in violation of this Act \* \* \*". It is clear that the Board's statutory authority enables it to review on its own motion, without notice, any previously approved carrier agreement and, if the agreement is found to be adverse to the public interest or in violation of the Act, to disapprove it.

The Board concluded that the three percent surcharge on U.S. dollar fares was no longer warranted and that, accordingly, the relevant IATA resolutions should not continue to have the sanction of Board approval. It was not our intention to invoke section 1002(j)(2) of the Act with respect to tariffs on file with the Board, but merely to withdraw approval of an agreement which provides for fares now found unlawful. Accordingly, we are herein amending order 74-11-153 to delete ordering paragraph 3.

Finally, we are unable to agree that JAL has been denied due process. The carriers are free to submit petitions for reconsideration of any Board order within the stipulated 20-day period; pending analysis of the petitions, however, the Board believes the carriers should not continue charging fares which the Board, in accord with its regulatory responsibilities, has found to be adverse to the public interest and in violation of the Act.<sup>1</sup>

Accordingly, it is ordered, That:

1. Order 74-11-153 (pg. 4 mimeo) be and hereby is amended by deletion of ordering paragraph 3; and
2. The motion of Japan Air Lines Company, Ltd. to stay the effectiveness of Order 74-11-153 be and hereby is denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 74-29583 Filed 12-18-74; 8:45 am]

<sup>1</sup> We will expect the carriers to file appropriate revised tariffs promptly and will grant Special Tariff Permissions for filings on less than 30 days' notice.

# COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

## CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

### Entry or Withdrawal From Warehouse for Consumption

DECEMBER 18, 1974.

On October 4, 1974, there was published in the FEDERAL REGISTER (39 FR 35840) a letter of September 26, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, implementing those provisions of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Governments of the United States and the Republic of Korea, which establish export limitations, among other categories, on man-made fiber textile Category 200 for the agreement year which began on October 1, 1974.

There is published below a letter of December 18, 1974, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs directing that, effective on December 20, 1974, the level of charges made against Category 200 be reduced by 1,099,943 pounds for the twelve-month period which began on October 1, 1974. This figure represents amounts shipped during the previous agreement year but improperly charged to the current-year level.

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and Acting  
Deputy Assistant Secretary  
for Resources and Trade  
Assistance, U.S. Department  
of Commerce.

### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229

DECEMBER 18, 1974.

DEAR MR. COMMISSIONER: To facilitate implementation of the Bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Governments of the United States and the Republic of Korea, it would be appreciated if, effective on December 20, 1974, you would reduce the charges made against the level of restraint established for Category 200 by 1,099,943 pounds for the year which began on October 1, 1974.

Thank you for your assistance with the textile program.

This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of Textile  
Agreements, and Acting Deputy  
Assistant Secretary for Resources  
and Trade Assistance, U.S. Department  
of Commerce.

[FR Doc. 74-29759 Filed 12-18-74; 10:21 am]

# ENVIRONMENTAL PROTECTION AGENCY

[FRL 307-3; OPP-3200/156]

## 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-31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before February 18, 1975, 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 after February 18, 1975. If no claims are received on or before February 18, 1975, the 2(c) application will be processed according to normal procedure. However, if claims are received on or before February 18, 1975, 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 February 18, 1975.

#### APPLICATIONS RECEIVED

EPA File Symbol 1706-ET. Ampion Corp. 4-88 47th Ave., Long Island City NY 11101. AMPICIDE-9. Active Ingredients: Disodium cyanodithiolimidocarbonate 3.68%; Potassium N - methylthiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 106-20. Brulin & Co., Inc., 2920 Martindale Ave., PO Box 270-B, Indianapolis IN 46206. BRULIN 2,4-D LIQUID WEED KILLER-20%. Active Ingredients: Dimethylamine Salt of 2,4-D Dichlorophenoxyacetic acid (2,4-D Acid Equivalent 20%) 24.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 352-247. E. I. DuPont de Nemours & Co., 7056 Dupont Bldg., Wilmington DE 19898. "KARMEX" PLUS "SINBAR" TANK MIXTURE-APPLES & PEACHES. Active Ingredients: Diuron [3-(3,4-dichlorophenyl) - 1,1 - dimethylurea] 80%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1706-RUR. Nalco Chemical Co., 6216 W. 66th Place, Chicago IL 60638. NALCO 4WC317 MICROORGANISM CONTROL CHEMICAL. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 2.0%; n-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 2.0%; N-(2-cyanoethyl)N'-alkyl (C6 to C18) amino-1,3-diamine propane 15.0%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 2192-U. Red Spot Paint & Varnish Co., Inc., 110 Main St., Evansville IN 47701. RED SPOT CREOSOTE OIL. Active Ingredients: Creosote Oil 97%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 148-211. Thompson-Hayward Chemical Co., 5200 Speaker Rd., PO Box 2383, Kansas City KS 66110. DED-WEED LV-33 BRUSH KIL LOW VOLATILE ESTERS. Active Ingredients: 2,4-dichlorophenoxyacetic acid isooctyl ester 33.5%; 2,4,5-trichlorophenoxyacetic acid isooctyl ester 31.9%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 876-203. Velsicol Chemical Corp., 341 E. Ohio St., Chicago IL 60611. VELSCOL WEEDMASTER HERBICIDE. Active Ingredients: Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid) 12.37%; Dimethylamine salts of related acids 1.53%; Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 37.17%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 52-EUE. West Chemical Products, Inc., 42-16 West St., Long Island City NY 11101. TERAMINE NR DISINFECTANT-SANTIZER-DEODORIZER. Active Ingredients: n-Alkyl (40% C12, 50% C14, 10% C16) dimethyl benzyl ammonium chlorides 10.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 52-EUR. West Chemical Products, Inc., 42-16 West St., Long Island City NY 11101. NORINQUA CLEANER-DEODORANT- DISINFECTANT- SANTIZER - FUNGICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.6%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.6%; Sodium Carbonate 3.0%; Tetrasodium ethylenediamine tetracetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11656-GA. Western Farm Service, Inc., 2401 Crow Canyon, San Ramon CA 94583. CHLORDANE TERRACLOL ZIN-EB 10-10-10 GRANULAR. Active Ingredients: Chlordane Tech 10.0%; Pentachloronitrobenzene 10.0%; Zinc ethylene bisdithiocarbamate 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

#### REPUBLISHED ITEMS

The following items represent corrections in the list of Applications Received published in the FEDERAL REGISTER of November 29, 1974 (39 FR 41576).

EPA Reg. No. 2935-363. Wilbur-Ellis Co., PO Box 1286, Fresno CA 93715. RED-TOP METHYL PARATHION 5 SPRAY. Active Ingredients: O,O-Dimethyl O-p-nitrophenol thiophosphate 54.5%; Xylene 40.5% Originally published as O,O-Dimethyl O-p-nitrophenol thiophosphate 4.5%.

EPA Reg. No. 2935-38. Wilbur-Ellis Co. RED-TOP PARATHION 25 SPRAY POWDER. Originally published as EPA Reg. No. 2935-138.

Dated: December 6, 1974.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

[FR Doc. 74-29098 Filed 12-18-74; 8:45 am]

[FRL 309-1]

## ROCKAWAY TOWNSQUARE SHOPPING CENTER

### Approval and Promulgation of Implementation Plan; Opportunity for Public Comment on Indirect Source Application

On October 29, 1974, the EPA, Region II office received from the firm of Copaken, White and Blitt an application for a permit to construct the proposed Rockaway Townsquare Shopping Center in Rockaway Township, Morris County, New Jersey. Shopping Centers are defined in the July 9, 1974 FEDERAL REGISTER (39 FR 25292) as indirect sources of air pollution since they attract mobile source activity and, as such, must obtain a permit from EPA before construction can begin.

The Rockaway Townsquare Shopping Center is proposed as a regional center which would occupy a 208 acre site. The shopping center would serve approximately 30,000 people per day and provide parking for 6,950 cars. Construction is expected to begin in January 1975, and be completed by the summer of 1976. The tract on which the center is to be constructed is bordered by Interstate 80 on the north, Mt. Hope Avenue on the east and Mt. Pleasant Avenue on the south. New Jersey State Route 15 lies approximately one-half mile to the west of the project's western property line.

A preliminary review of the air quality impact of the proposed project was performed by the Region II office of EPA using the EPA document entitled: "Guidelines for the Review of the Impact of Indirect Sources on Ambient Air Quality." This document presents a conservative screening technique to identify situations in which a potential carbon monoxide problem may exist. The review performed indicated that the 8-hour national standard for carbon monoxide of 9 ppm would be marginally violated at one intersection. The maximum 8-hour carbon monoxide concentration is predicted to be 10 ppm in 1976 at the

intersection of the northeast corner of the shopping center and Mt. Hope Avenue. No violations of the maximum 1-hour standard for carbon monoxide of 35 ppm are predicted to result in 1976.

Since the EPA guideline document presents a conservative method for predicting carbon monoxide concentrations and the identified problem was marginal, the Regional Administrator, Region II has made a preliminary determination to approve the application for construction of the shopping center pending the outcome of a more intensive, sophisticated review. This review will consist of a dispersion model analysis of all intersections and areas within the parking lot to predict the maximum 8 and 1-hour carbon monoxide concentrations in 1976. If this review shows that there would continue to be violation of the national standards for CO, by construction as proposed, reasonable conditions on approval related to the air quality aspects of the proposed shopping center may be imposed to prevent the predicted violations from occurring.

Although regulations ordinarily require notice of receipt of an application and of the opportunity for public comment to be given within 30 days, the Regional Administrator has extended such preliminary time period by an additional 30 days. This notice is issued to advise the public that comments may be submitted on whether the application should be approved, approved with conditions, or disapproved. An advertisement as to this opportunity for public comment is being prepared for publication in the Daily Advance, a local newspaper in Dover, New Jersey simultaneously with this FEDERAL REGISTER notice. Only comments received on or before the end of the 30-day comment period will be considered. The Regional Administrator's final decision to approve, approve with conditions or disapprove the application for construction of the shopping center will be based on whether the requirements of the EPA regulations in 40 CFR Part 52 are met.

Copies of the indirect source application, the "Guidelines" referred to above, Region II's preliminary air quality impact review and a document entitled: "Traffic Impact Assessment-Rockaway Townsquare", are available for public inspection during normal business hours at the Environmental Programs Division, Air Branch, EPA Region II, 26 Federal Plaza, New York, N.Y. 10007, Room 907 and Rockaway Township Planning Board, 19 Mount Hope Road, Rockaway, New Jersey 07866. Additional copies are available for public inspection at the Freedom of Information Center, EPA, 401 M Street, SW., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, N.Y. 10007. Such comments, and the subsequent EPA review, will also be made available for public inspection at the same locations.

(Sec. 110(c), 301(a), Clean Air Act (42 U.S.C. 1857 et seq.))

Dated: December 10, 1974.

GERALD M. HANSLER, P. E.,  
Regional Administrator,  
Environmental Protection Agency.

[FR Doc. 74-29479 Filed 12-18-74; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. CP74-239]

### ALASKAN ARCTIC GAS PIPELINE CO.

#### Supplement to Application

DECEMBER 11, 1974.

Take notice that on November 15, 1974, Alaskan Arctic Gas Pipeline Company (Applicant), Suite 230, 1730 Pennsylvania Avenue, NW., Washington, D.C. 20006, filed in Docket No. CP74-239 a supplement to its application filed in said docket pursuant to section 7(c) of the Natural Gas Act by submitting Exhibit P, its proposed tariff, in compliance with § 157.14(a) (18) (i) of the Commission's Regulations under the Natural Gas Act (18 CFR 157.14(a) (18) (i)), all as more fully set forth in the supplement which is on file with the Commission and open to public inspection.

By its application in the subject docket filed March 21, 1974,<sup>1</sup> Applicant seeks a certificate of public convenience and necessity authorizing the construction and operation of facilities to transport as a contract carrier natural gas in interstate commerce from the Prudhoe Bay area on the North Slope of Alaska, eastward for approximately 195 miles to a point of interconnection at the Canadian border with the proposed facilities of the Canadian Arctic Gas Pipeline Limited for the account of various contract shippers. Applicant did not accompany said application with certain required exhibits, including Exhibit P. Applicant now submits as Exhibit P its proposed tariff which contains a cost-of-service form of rate schedule for firm transportation service.

Applicant states that it shall transport gas only pursuant to written service agreements acceptable to it in light of its commitments and other factors deemed pertinent and shall, to the extent possible, provide the same contract for each shipper. Applicant further states that its tariff generally contemplates that Applicant will transport gas owned by shippers, rather than purchase and sell the gas. According to the provisions of the proposed tariff:

Each shipper may tender any amount up to its contractual maximum daily quantity (MDQ), and Applicant is obligated to accept all of such tendered gas within the separate contractual quantities for each delivery point. Deliveries by a shipper in excess of its MDQ, which excess Applicant may refuse to receive, are subject to an overrun transportation

charge pursuant to Applicant's proposed Rate Schedule OT-1. Applicant will re-deliver thermally equivalent volumes to each shipper or to other persons designated to receive deliveries on behalf of each shipper reduced by each shipper's share of gas necessary to run Applicant's compressors, for Applicant's line pack and for other uses and losses associated with gas transportation. In return for the transportation of its gas, each shipper must pay its allocable share of Applicant's cost-of-service.<sup>2</sup> Pursuant to Applicant's proposed Rate Schedule T-1, each shipper will pay the proportion that its contract Mcf-miles bears to the total contract Mcf-miles of all shippers (so that all shippers together must pay 100 percent of Applicant's cost-of-service). The return component (rate of return x rate base) of Applicant's cost-of-service will be computed monthly. Working capital, a component of the rate base, will include 150 per cent of monthly gas operating and maintenance expenses, plus prepayments, materials and supplies, uncollected service costs and required deposits. Amounts actually billed each month to the shippers will be based on advanced estimates, with adjustments to later charges for the difference between estimates and actual cost to each shipper. If Applicant takes less than 80 per cent of gas tendered (within the MDQ) by a shipper, that shipper shall be entitled to a reduction equal to the proportion that the volume tendered-but-not-received bears to that shipper's MDQ multiplied by the rate of return on common equity, plus applicable taxes.

Applicant states that the proposed tariff, based on the concept of a cost-of-service charge, is designed to furnish security for prospective investors. Applicant also states that it will not build or contribute to the cost of building any lateral delivery line, but Applicant may construct or contribute to the construction of lateral supply lines.

Any person desiring to be heard or to make any protest with reference to said supplement should on or before January 6, 1975, 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. Any person who

<sup>2</sup> Applicant states that it has not yet determined the rate of return on common equity that it will propose, but that it will do so at a later time.

<sup>1</sup> The application was noticed in the FEDERAL REGISTER on April 15, 1974 (39 FR 13590).

has heretofore filed a protest or petition to intervene need not file again.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-29544 Filed 12-18-74; 8:45 am]

[Docket No. RP74-92]

**ALGONQUIN GAS TRANSMISSION CO.**  
**Rate Change Pursuant to Purchased Gas**  
**Cost Adjustment Provision**

DECEMBER 11, 1974.

Take notice that Algonquin Gas Transmission Company (Algonquin Gas), on November 21, 1974, tendered for filing First Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1.

This sheet is being filed pursuant to Algonquin Gas' Purchased Gas Cost Adjustment Provision set forth in section 22 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 1. The rate change is being filed to reflect higher purchased gas costs to be paid by Algonquin Gas to its supplier, Texas Eastern Transmission Corporation (Texas Eastern), on December 1, 1974. Algonquin Gas requests that the Commission waive the requisite notice and grant special permission to permit such First Revised Sheet No. 10 to become effective on December 1, 1974, which will synchronize Algonquin Gas' rates with those of Texas Eastern.

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 Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 30, 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. 74-29545 Filed 12-18-74; 8:45 am]

[Docket No. E-9146]

**BLACK HILLS POWER & LIGHT CO.**  
**Application**

DECEMBER 12, 1974.

Take notice that on November 25, 1974, Black Hills Power and Light Company (Applicant), filed an application with the Federal Power Commission, pursuant to section 204 of the Federal Power Act seeking authorization to negotiate with at least three underwriters regarding the proposed issuance and sale of \$5 million principal amount of cumulative preferred stock, by negotiated underwriting.

Applicant seeks permission to negotiate with underwriters regarding the

terms upon which the securities might be issued, in order to determine whether application for exemption from the competitive bidding requirements of § 34.1a (a) (b) and (c) of the Commission's Regulations under the Federal Power Act should be made. Applicant represents that it has not engaged in any negotiations for the sale or underwriting of securities.

Applicant is incorporated under the laws of the State of South Dakota, with its principal business office at Rapid City, South Dakota. Applicant is engaged in the generation, transmission, distribution and sale of electric energy in the States of South Dakota, Wyoming and Montana.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with 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 there-in 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. 74-29546 Filed 12-18-74; 8:45 am]

[Docket No. E-8884]

**CAROLINA POWER & LIGHT CO.**

**Extension of Procedural Dates; Correction**

NOVEMBER 27, 1974.

In the Notice of Extension of Procedural Dates issued November 22, 1974 and Published in the FEDERAL REGISTER on December 3, 1974 39 FR 41904, the extensions granted were applicable to Phase I of the above designated matter. The Phase II procedural dates remain as fixed in the order of August 26, 1974.

MARY B. KIDD,  
Acting Secretary.

[FR Doc. 74-29547 Filed 12-18-74; 8:45 am]

[Docket Nos. E-7824, E-8038]

**CENTRAL MAINE POWER CO.**

**Acceptance of Answer to Brief Opposing**  
**Exception**

DECEMBER 11, 1974.

On November 15, 1974, New England Power Company filed a motion requesting the Commission to allow the filing of their answer to the brief opposing exception of Central Maine Power Company, dated October 24, 1974.

Notice is hereby given that the above answer has been accepted for consideration.

By direction of the Commission.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-29548 Filed 12-18-74; 8:45 am]

[Docket No. E-9153]

**CONNECTICUT LIGHT & POWER CO.**  
**Exchange Agreement**

DECEMBER 11, 1974.

Take notice that on December 5, 1974 The Connecticut Light and Power Company (CL&P) tendered for filing a proposed rate schedule pertaining to an exchange between CL&P, The Hartford Electric Light Company (HELCO) and Western Massachusetts Electric Company (WMECO) (the NU Companies) and Boston Edison Company (Edison) dated as of November 1, 1974.

CL&P states that the Exchange Agreement provides for an exchange between the NU Companies and Edison of a specified amount of pumped storage capacity from the NU Companies' Pumped Storage Hydroelectric Project (Project) at Northfield Mountain in Northfield and Erving, Massachusetts, for an equal amount of gas turbine capacity in Edison's gas turbine generating units situated at West Medway, Massachusetts (Units), during the Term of the Exchange Agreement.

CL&P further states that the parties to the Exchange Agreement reached agreement on the principles to be applied to this exchange prior to November 4, 1974. However, the development of the detailed language of the rate schedule prevented the filing of such rate schedule until this date. In order to permit the NU Companies and Edison to achieve mutual benefits of this Exchange Agreement, it is hereby requested that the Commission, pursuant to § 35.11 of its regulations, waive the thirty-day notice period and permit the rate schedule filed herewith to become effective on November 4, 1974.

CL&P also states that the charges provided for in the rate schedule were arrived at through negotiations. Certificates of Concurrence were filed with the rate schedule.

CL&P states that a copy of this rate schedule has been mailed or delivered to HELCO, Hartford, Connecticut, WMECO, West Springfield, Massachusetts and Edison, Boston, Massachusetts.

CL&P further states that the filing is in accordance with Part 35 of the Commission's regulations.

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 sections 1.8 and 1.10 of the Commission's rules of practice and procedures (18 CFR 1.8, 1.10). All such petitions or protests

should be filed on or before December 27, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-29550 Filed 12-18-74; 8:45 am]

[Docket No. E-9154]

**CONNECTICUT LIGHT AND POWER CO.  
Transmission Agreement**

DECEMBER 11, 1974.

Take notice that on December 5, 1974 the Connecticut Light and Power Company (CL&P) tendered for filing a proposed initial rate schedule pertaining to a Transmission Agreement between The Connecticut Light and Power Company and The United Illuminating Company (UI) dated as of June 15, 1974.

CL&P states that the filing is in accordance with Part 35 of the Commission's Regulations.

CL&P also states that the Transmission Agreement provides for the joint use of specified CL&P transmission facilities.

CL&P states that although the parties had agreed in principle to the joint use of the specified transmission facilities and the support thereof starting December 1, 1972, they did not reach agreement on the details of the rate schedule filed herewith until recently. This delay in development of the detailed language of the rate schedule prevented the filing of such rate schedule until this date. CL&P therefore requests that, in order to permit CL&P to receive payment in accordance with the agreement between the parties for service rendered after December 1, 1972, the Commission, pursuant to Section 35.11 of its regulations, waive the customary notice period and permit the rate filed to take effect as of December 1, 1972.

CL&P states that the charges provided for in the rate schedule were arrived at through negotiations.

A Certificate of Concurrence signed by the United Illuminating Company accompanied the filing.

CL&P states that a copy of this rate schedule has been mailed or delivered to UI, New Haven, Connecticut.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedures (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 27, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any

person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-29549 Filed 12-18-74; 8:45 am]

[Docket No. CP75-158]

**CONSOLIDATED GAS SUPPLY CORP.**

**Application**

DECEMBER 11, 1974.

Take notice that on November 27, 1974, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP75-158 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas pipeline facilities and for an order permitting and approving the abandonment of certain pipeline facilities all in the state of West Virginia, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes, from 1975 through 1978, the following projects:

**1975 PROJECTS**

1. Construction and operation of approximately 20.0 miles of 18-inch Line No. TL-418, from Burnt House Junction in Ritchie County to Maxwell Junction in Doddridge County.
2. Abandonment of 13.9 miles of 12-inch Line No. H-57 from Fleming Junction in Ritchie County to connection with Line No. TL-362 in Doddridge County.
3. Abandonment of 5.9 miles of 10-inch Line No. H-68 from Burnt House Junction to Fleming Junction, all in Ritchie County.
4. Abandonment of 5.8 miles of 12-inch Line No. H-154 from Burnt House Junction to Fleming Junction, all in Ritchie County.

**1976 PROJECTS**

1. Construction and operation of approximately 24.4 miles of 24-inch Line No. TL-418 from Maxwell Junction in Doddridge County to Hastings in Wetzel County.
2. Abandonment of 4.9 miles of 12-inch Line No. H-57 from connection with TL-362 in Doddridge County to Doak Junction in Tyler County.
3. Abandonment of 20.5 miles of 12-inch Line No. H-117 from Doak Junction in Tyler County to Hastings in Wetzel County.
4. Abandonment of 3.0 miles of 12-inch Line No. TL-362 from Maxwell Junction to connection with Line No. H-57, all in Doddridge County.
5. Abandonment of 22.3 miles of 20-inch Line No. H-45 from Maxwell Junction in Doddridge County to Hastings in Wetzel County.

**1977 PROJECTS**

1. Construction and operation of approximately 14.1 miles of 16-inch Line No. TL-418 from Burnt House Junction in Ritchie County to Jones Station in Gilmer County.
2. Construction and operation of approximately 11.4 miles of 12-inch Line No. TL-422 from Burnt House Junction in Ritchie County to Cabot Station in Calhoun County.
3. Construction and operation of approximately 6.9 miles of 10-inch Line No. TL-423

from Burnt House Junction to Craig Station, all in Ritchie County.

4. Construction and operation of a 1320 H.P. Burnt House Compressor Station.

5. Abandonment of 12.1 miles of 12-inch Line No. H-193 from Cabot Station in Calhoun County to Burnt House Junction in Ritchie County.

6. Abandonment of 7.5 miles of 10-inch Line No. H-68 from Craig Station to Burnt House Junction, all in Ritchie County.

7. Abandonment of 1.1 miles of 10-inch Line No. H-139 from Payne Station to Heckert Junction, all in Gilmer County.

8. Abandonment of the 1,910 H.P. Payne Station in Gilmer County.

9. Abandonment of 35.9 miles of 16- and 20-inch Line No. H-138 from Jones Station in Gilmer County to Stutler Junction in Harrison County.

10. Abandonment of 8.1 miles of 16- and 20-inch Line No. H-45 from Fink Junction in Lewis County to Maxwell Station in Doddridge County.

11. Abandonment of 1.1 miles of 16-inch Line No. H-150 from Stutler Junction to New Stutler Junction, all in Harrison County.

12. Abandonment of 4.8 miles of 10-inch Line No. TL-207 from Fink Junction to Douglas Junction, all in Lewis County.

**1978 PROJECTS**

1. Construction and operation of approximately 1.6 miles of 8-inch Line No. TL-424 from Maxwell Junction to Collins Station, all in Doddridge County.
2. Construction and operation of approximately 4.1 miles of 8-inch Line No. TL-424 from Collins Station to Smithburg Station, all in Doddridge County.
3. Construction and operation of approximately 5.7 miles of 8-inch Line No. TL-425 from Davis Station to Law Station all in Harrison County.
4. Construction and operation of approximately 1.6 miles of 6-inch Line No. TL-426 from Weston Station to Kennedy Station, all in Lewis County.
5. Construction and operation of approximately 7.1 miles of 10-inch Line No. TL-427 from Camden Station to Kennedy Station, all in Lewis County.
6. Construction and operation of approximately 4.8 miles of 12-inch Line No. TL-427 from Kennedy Station in Lewis County to Law Station in Harrison County.
7. Construction and operation of approximately 4.6 miles of 6-inch Line No. TL-428 from Sardis Station to existing Wilsonburg Station, all in Harrison County.
8. Construction and operation of approximately 8.1 miles of 8-inch Line No. TL-428 from Wilsonburg Station to Line No. TL-413, all in Harrison County.
9. Relocation of one 440 H.P. compressor engine from Maxwell Station to Smithburg Station, both in Doddridge County.
10. Abandonment of approximately 7.2 miles of 16- and 20-inch Line No. H-45 from Maxwell Station to Maxwell Junction, all in Doddridge County.
11. Abandonment of approximately 4.1 miles of 8-inch Line No. H-15 from Smithburg Station to Collins Junction, all in Doddridge County.
12. Abandonment of approximately 0.8 mile of 8-inch Line No. H-149 from Maxwell Station to Line No. H-45, all in Doddridge County.
13. Abandonment of the 440 H.P. Maxwell Station in Doddridge County.
14. Abandonment of approximately 2.3 miles of 10-inch Line No. TL-238 from Camden Station to Douglas Junction in Lewis County.

15. Abandonment of approximately 5.7 miles of 10-inch Line No. TL-221 from Kennedy Station to Douglas Junction, all in Lewis County.

16. Abandonment of approximately 4.0 miles of 12- and 16-inch Line No. TL-215 from Kennedy Station in Lewis County to Law Junction in Harrison County.

17. Abandonment of approximately 3.4 miles of 8- and 10-inch Line No. TL-226 from Kennedy Station to connection with Line No. H-32, all in Lewis County.

18. Abandonment of approximately 9.5 miles of 8-, 12-, and 16-inch Line No. H-32 from Weston Station in Lewis County to Law Junction in Harrison County.

19. Abandonment of approximately 3.3 miles of 10-inch Line No. H-96 from Davis Station in Harrison County to Wymer Junction in Lewis County.

20. Abandonment of approximately 3.5 miles of 10-inch Line No. TL-354 from Sardis Station to Morrison Junction, all in Harrison County.

21. Abandonment of approximately 4.5 miles of 16-inch Line No. H-141 from Morrison Junction to Springer Junction, all in Harrison County.

22. Abandonment of approximately 4.7 miles of 16-inch Line No. H-150 from Springer Junction to New Stutler Junction, all in Harrison County.

Applicant estimates the cost of the proposed facilities at \$18,812,292, to be financed from funds on hand and funds to be obtained from Applicant's parent, Consolidated Natural Gas Company. No additional sales or services are proposed in this application.

Applicant states that construction proposed herein will result in the replacement of approximately 200 miles of aged and deteriorated pipeline with approximately 119 miles of new, wrapped, coated and cathodically protected pipeline. Applicant further states that, with the exception of Line No. TL-362, which is 3.0 miles in length, all of the pipelines which are proposed to be abandoned were originally constructed between 1904 and 1925, and that, although Line No. TL-362 was constructed in 1963, the abandonment of this section of pipeline is necessitated by the abandonment of Maxwell Station. Applicant estimates that approximately 4,500 Mcf of gas per day are being lost from the pipeline system which is proposed herein to be replaced.

Applicant alleges that the relocation of the Maxwell Station horsepower and the abandonment of Payne Station are required because it will be necessary to relocate many pipelines.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1975, 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 77 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29551 Filed 12-18-74; 8:45 am]

[Docket No. CP75-160]

#### EL PASO NATURAL GAS CO.

##### Notice of Application

DECEMBER 11, 1974.

Take notice that on November 27, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP75-160 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain compressor facilities located in Howard and Scurry Counties, Texas, all as set forth in the application which is on file with the Commission and open to public inspection.

The application states that by Commission orders issued June 19, 1952, in Docket No. G-1631 (11 FPC 1071) and March 26, 1958, in Docket No. G-1197 (19 FPC 393) Applicant was authorized, inter alia, to construct and operate the Vealmoor Compressor Station in Howard County, Texas, consisting of three 440 horsepower and one 800 horsepower gas engine-driven reciprocating compressor units with appurtenances, for the transportation of available volumes of residue gas from the Vealmoor area. The application further states that due to the continuing decline in available supplies of residue gas in the Vealmoor area, Applicant's interstate system no longer requires the use of the total compressor horsepower now comprising such facility for the purpose initially installed.

In addition, the application states that by various Commission orders Applicant was authorized, inter alia, to construct and operate the Snyder Compressor Station in Scurry County, Texas, consisting of five 660 horsepower and one 2,000 horsepower gas engine-driven reciprocating compressor units with appurtenances, for the transportation of gas from sources in the Snyder area in Scurry County, Texas, to Applicant's interstate system. The application states further that due to the reductions in the amount of residue gas supplies from sources in the Snyder area, Applicant's system operations no longer require the use of the total compressor horsepower facilities installed at said location.

Applicant, accordingly, proposes to abandon and store in place, until installation at some other location on Applicant's interstate system is required, or until such facilities are sold on the used compressor market, one 440 horsepower compressor unit authorized by the order issued June 19, 1952, in Docket No. G-1631, from the Vealmoor Compressor Station, and the 2,000 horsepower compressor unit authorized by order issued March 23, 1971, in Docket No. CP71-72 (45 FPC 477), at the Snyder Compressor Station, together with appurtenant facilities. The total cost of abandonment of the facilities is estimated by Applicant to be \$4,050 including filing fees.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29552 Filed 12-18-74; 8:45 am]

[Docket No. RI75-46]

**EXXON CORP.****Notice of Postponement of Hearing**

DECEMBER 11, 1974.

On December 3, 1974, Exxon Corporation filed a motion to extend the hearing date fixed by order issued November 4, 1974 in the above-designated matter. On December 6, 1974, Staff Counsel filed an answer. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the Hearing date in the above matter is postponed until January 7, 1975 at 10 a.m. [e.s.t.]

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29553 Filed 12-18-74; 8:45 am]

[Docket No. CP75-58]

**IOWA POWER & LIGHT CO. AND  
NORTHERN NATURAL GAS CO.****Notice of Extension of Procedural Dates**

DECEMBER 12, 1974.

On December 6, 1974, Northern Natural Gas Company filed a motion to extend the procedural dates fixed by order issued December 2, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Applicant's and Respondent's Testimony, January 9, 1975.

Hearing, January 23, 1975 (10 a.m. e.s.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29556 Filed 12-18-74; 8:45 am]

[Docket No. E-9150 and E-9137]

**IOWA PUBLIC SERVICE CO.****Notice of Application**

DECEMBER 11, 1974.

Take notice that on November 18, 1974 and November 25, 1974, Iowa Public Service Company (Applicant), filed applications with the Federal Power Commission, pursuant to section 204 of the Federal Power Act seeking authorization to negotiate with at least three underwriters, in each transaction, regarding the proposed issuance and sale of (1) not more than 700,000 shares of Common Stock; (2) \$20 million principal amount of First Mortgage Bonds; and (3) 100,000 shares of Cumulative Preferred Stock, by negotiated underwriting.

Applicant seeks permission to negotiate with underwriters regarding the terms upon which the securities might be issued in order to determine whether application for exemption from the competitive bidding requirements of § 34.1a (a) (b) and (c) of the Commission's regulations under the Federal Power Act should be made. Applicant represents

that it has not engaged in any negotiations for the sale or underwriting of securities.

Applicant is incorporated under the laws of the State of Iowa, with its principal business office at Sioux City, Iowa, and is engaged in the electric utility business within that State.

Any person desiring to be heard or to make any protest with reference to the application should on or before December 31, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with 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.74-29555 Filed 12-18-74; 8:45 am]

[Docket No. E-8365]

**KANSAS CITY POWER AND LIGHT CO.****Extension of Procedural Dates**

DECEMBER 12, 1974.

On December 5, 1974, Staff Counsel filed a motion to extend the procedural dates fixed by order issued November 1, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Company, Staff, Intervenor's Testimony, December 24, 1974.  
Hearing, January 16, 1975.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29557 Filed 12-18-74; 8:45 am]

[Docket No. CP75-164]

**LONE STAR GAS CO.****Notice of Application**

DECEMBER 11, 1974.

Take notice that on December 2, 1974, Lone Star Gas Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP75-164 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon the operation of certain facilities for the transportation of natural gas in interstate commerce located in Collin County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks permission and approval to abandon approximately 0.01 mile of its 2-inch Line F-5 pipeline system located in Collin County and to transfer the use of said portion of Line F-5 from transmission to distribution pipeline. Applicant explains that the equipment and facilities used to serve the customers currently on Line F-5 are in a condition that will not tolerate the high pressures required on Applicant's transmission lines, but that the line may still effectively be used at lower distribution pressures to serve residential customers in the area. In addition, Applicant proposes to abandon and scrap, at an estimated cost of \$300, the existing measuring station which is located at the terminus of Line F-5. Applicant claims that said measuring station is obsolete.

Applicant states that the proposed abandonment of the Line F-5 facilities from interstate operations will not result in abandonment or reduction of natural gas service to any of Applicant's customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 8, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29558 Filed 12-18-74; 8:45 am]

[Docket No. E-8615]

**LOUISIANA POWER & LIGHT CO.****Postponement of Hearing****DECEMBER 12, 1974.**

On December 6, 1974, Louisiana Power and Light Company filed a motion to extend the hearing date fixed by order issued April 12, 1974, as most recently modified by notice issued October 24, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the hearing date in the above matter is postponed until January 14, 1975, at 10 a.m. (e.s.t.).

**KENNETH F. PLUMB,**  
Secretary.

[FR Doc.29559 Filed 12-18-74;8:45 am]

[Docket No. RP75-20]

**MISSISSIPPI RIVER TRANSMISSION CORP.****Order Granting Interventions****DECEMBER 11, 1974.**

On October 1, 1974, Mississippi River Transmission Corporation (MRT) tendered for filing proposed changes in its FPC Gas Tariff<sup>1</sup> to provide for a rate increase of approximately \$14,166,924 over the rates effective October 1, 1974.

Letters of protest, comments or petitions to intervene were due on or before October 18, 1974. The following parties filed untimely interventions:

Illinois Power Company  
Illinois Commerce Commission

The participation of the above-named Company and State Commission may be in the public interest and therefore, their untimely interventions shall be granted.

*The Commission finds.* The participation of the above named parties may be in the public interest.

*The Commission orders.* (A) The above named parties are permitted to intervene in this proceeding subject to the rules and regulations of the Commission and the procedures set forth in the Commission Order of October 31, 1974; *Provided, however,* That participation of said intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their petitions to intervene, and *Provided, further,* The admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered in this proceeding.

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

By the Commission.

[SEAL] **MARY B. KIDD,**  
Acting Secretary.

[FR Doc.74-29560 Filed 12-18-74;8:45 am]

[Docket Nos. RP73-110 and RP71-125]

(PGA 75-4B)]

**NATURAL GAS PIPE LINE COMPANY OF AMERICA****Notice of Rate Filing****DECEMBER 11, 1974.**

Take notice that on December 5, 1974, Natural Gas Pipe Line Company of America (Natural) tendered for filing changes to its FPC Gas Tariff, Third Revised Volume No. 3:

Revised 5th Substitute 16th	Effective
Revised Sheet No. 5.	Nov. 1, 1974.
2d 5th Substitute 16th Re-	Nov. 18,
vised Sheet No. 5.	1974.

Natural states that its December 5, 1974, filing is to be substituted for its December 2, 1974, filing. Natural states that its December 2, 1974, filing was pursuant to a Commission directive which: (1) Required the rates which were effective November 1, 1974, to be revised to reflect the elimination of the effect of an advance payment unit adjustment being withdrawn by Natural and to record the PGA increases from Great Lakes and United Gas<sup>2</sup> (2) Required the rates to be effective November 18, 1974 to reflect the PGA increase by Colorado Interstate.<sup>3</sup> Furthermore, Natural states that one tariff sheet of its December 2, 1974, filing, to become effective November 2, 1974, was revised to track the rate effect of United Gas' Petition For Special Relief through the establishment of a temporary National Rate Surcharge.<sup>4</sup>

Natural states that its December 5, 1974, filing is necessitated by the fact of a Commission denial of United Gas Petition For Special Relief. Therefore, Natural states that its December 5, 1974, filing eliminates Second Revised Fifth Substitute Revised Sheet No. 5 contained in its December 2, 1974 filing and also eliminates the effect of the proposed National Rate Surcharge on its rates to become effective November 18, 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, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 30, 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.74-29562 Filed 12-18-74;8:45 am]

[Docket No. CP75-161]

**NATURAL GAS PIPELINE COMPANY OF AMERICA****Notice of Application****DECEMBER 11, 1974.**

Take notice that on November 27, 1974, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP75-161 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the Commission's regulations thereunder (18 CFR 157.7(b)), for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1975, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers in the general area of its existing system, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally co-extensive with said system.

The application states that the total costs of all facilities for which authorization is sought herein will not exceed \$7,000,000, with no single onshore project to exceed a cost of \$1,000,000, and with no single offshore project to exceed a cost of \$1,750,000. Applicant states that the proposed facilities will be financed from funds on hand.

Applicant notes that the Commission has issued a Notice of Proposed Rule-making in Docket No. RM75-2,<sup>1</sup> wherein it is proposed to amend the aforesaid Section 157.7(b). Applicant, therefore, requests, should the Commission issue an order in Docket No. RM75-2 increasing the maximum cost limitations for budget-type facilities, authorization for a total expenditure not to exceed \$10,000,000, with the cost of onshore and offshore gas purchase facilities for a single project not to exceed \$1,500,000 and \$2,500,000, respectively.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 2, 1975, 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.

1 39 FR 29938

<sup>1</sup> The below listed revised tariff sheets to Mississippi's FPC Gas Tariff, First Revised Volume No. 1 were filed on October 1, 1974: Revised Sheet No. 3A, Twelfth Revised Sheet No. 5; Tenth Revised Sheet No. 6; Third Revised Sheet No. 27E.

<sup>2</sup> Revised Fifth Substitute Sixteenth Revised Sheet No. 5.

<sup>3</sup> Third Revised Fifth Substitute Sixteenth Revised Sheet No. 5.

<sup>4</sup> Second Revised Fifth Substitute Sixteenth Revised Sheet No. 5.

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29561 Filed 12-18-74; 8:45 am]

[Docket No. CP74-71]

# **NATURAL GAS PIPELINE COMPANY OF AMERICA**

## **Notice of Petition To Amend**

DECEMBER 11, 1974.

Take notice that on December 2, 1974, Natural Gas Pipeline Company of America (Petitioner), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP74-71 a petition to amend the order issued in said docket on December 3, 1973 (50 FPC —), pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the Commission's regulations thereunder (18 CFR 157.7(b)), by authorizing the construction and operation of onshore gas purchase facilities through waiver of the cost limitation prescribed by § 157.7(b) (1) (ii) of the Commission's regulations (18 CFR 157.7(b) (1) (ii)), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order of December 3, 1973, Petitioner was authorized to construct during the calendar year 1974 onshore natural gas purchase facilities with no single project to exceed a cost of \$1,000,000 and to operate said facilities. Section 157.7(b) (1) (ii) of the Regulations under the Natural Gas Act limits to \$1,000,000 the cost of any single onshore gas purchase facility which Petitioner may construct under that section. Petitioner now requests a waiver of this limit so that it may include the construction of transportation facilities from its Maud Field reserves located in Bowie County, Texas, under the authorization in Docket No. CP74-71.

Petitioner states that during the period January 1974 through May 1974 it constructed facilities to transport production from the Maud Field to a point of connection with Petitioner's existing transmission system located in

Miller County, Arkansas, at an actual cost of \$1,218,000, which exceeded Petitioner's original estimate by \$368,000 and also exceeds the authorization granted by the December 3, 1974, order. Petitioner further states that the major portion of this increase is attributable to the installation cost, which was \$307,500 higher than Petitioner's original estimate primarily because of the increase in the cost of labor, the extended period required for construction, the delay in placing all facilities in service, and the inclement weather conditions that prevailed in the construction area during the period January to March 1974. Petitioner contends that it could not have reasonably foreseen this cost overrun prior to the completion of substantially all of the construction and installation of said facilities, which consist of 21 miles of 8-inch pipeline, and a 6-inch measuring facility.

Petitioner asserts that the gas purchased in the Maud Field and transported by means of the facilities described in the petition to amend is required and will be used by Petitioner to augment its total gas supply and to assure maintenance of adequate service to its customers. Petitioner, therefore, requests the Commission to increase the authorized cost ceiling for any single onshore project in the December 3, 1974, order to \$1,300,000.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29563 Filed 12-18-74; 8:45 am]

[Docket No. E-9151]

# **NIAGARA MOHAWK POWER CORP.**

## **Notice of Tariff Change**

DECEMBER 11, 1974.

Take notice that Niagara Mohawk Power Corporation and New York State Electric & Gas Corporation, on December 4, 1974, tendered for filing proposed changes in Niagara Mohawk Power Corporation's Rate Schedule FPC No. 45 and New York State Electric & Gas Corporation's Rate Schedule FPC No. 36. The proposed filing is submitted as Supplement No. 4 to both companies.

Supplement No. 3 between the Power Authority of the State of New York,

Niagara Mohawk Power Corporation and New York State Electric & Gas Corporation stated that the transmission fee would increase from \$4.375 per Kw per year to \$4.80 per Kw per year when the contract demand exceeded 100,000 Kw. On September 1, 1974, the Power Authority of the State of New York commenced deliveries of 130,000 Kw of power under the agreement thereby necessitating the 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, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before December 27, 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.74-29564 Filed 12-18-74; 8:45 am]

[Docket No. RP73-8 PGA 75-4]

# **NORTH PENN GAS CO.**

## **Proposed Changes in FPC Gas Tariff**

DECEMBER 11, 1974.

Take notice that North Penn Gas Company (North Penn) on December 2, 1974, tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1, pursuant to its PGA clause for rates to be effective January 1, 1975. North Penn states that the proposed rate increase would generate \$739,999.01 annually in additional jurisdictional revenues based on the twelve-month period ending October 31, 1974.

North Penn states that this PGA filing was triggered by a rate increase filed by Tennessee Gas Pipeline Company (Tennessee) and Consolidated Gas Supply Corporation (Consolidated), both to be effective January 1, 1975. Tennessee filed two sets of tariff sheets for the same effective date, one of which, designated as Second Substitute Sixth Revised Sheet Nos. 12A and 12B, includes small producer increases above the level established by Opinion No. 699 while the other, designated as Substitute Sixth Revised Sheet Nos. 12A and 12B, does not. North Penn has reflected in its filing the Second Substitute Sixth Revised Sheet Nos. 12A and 12B rates of Tennessee. Additionally, North Penn has included the change in rates from Consolidated, filed November 5, 1974, to become effective December 1, 1974, and designated as Second Substitute Original Sheet No. 7A. This change in rates from Consolidated was to correct rates filed October 16, 1974 to become effective December 1, 1974, in Docket No. RP74-90.

North Penn is requesting a waiver of the 45-day notice requirement contained in its PGA clause since it did not receive the suppliers' revised rates in sufficient time to make a timely filing. Further, North Penn asks for a waiver of any other of the Commission's rules and regulations in order to permit the proposed rates to go into effect on January 1, 1975.

Copies of this filing were served upon North Penn's jurisdictional customers, as well as interested state commissioners.

Any persons desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 23, 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.74-29566 Filed 12-18-74; 8:45 am]

[Docket No. CP74-236]

#### NORTHERN NATURAL GAS CO.

#### Order Granting Interventions, Setting Date for the Filing of Evidence and Hearing Date; Correction

NOVEMBER 14, 1974.

In the Order Granting Interventions, Setting Date for the Filing of Evidence and Hearing Date issued September 23, 1974 and Published in the FEDERAL REGISTER on September 27, 1974 39 FR 34709, Page 34710, Paragraph 4, listed intervenor Iowa Electric Gas and Electric Company is an erroneous combination of two separate intervenors, and should be changed to:

Iowa Electric Light and Power Company  
Iowa-Illinois Gas and Electric Company

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29565 Filed 12-18-74; 8:45 am]

[Docket No. E-9148]

#### NORTHERN STATES POWER CO.

#### Filing of Proposed Rate Increase

DECEMBER 11, 1974.

Take notice that Northern States Power Company, Minneapolis, Minnesota, (NSP) on December 2, 1974, tendered for filing Third Revised Schedule A to NSP's contracts with the following sixteen total requirements wholesale customers:

	FPC Rate Schedule No.
City of Anoka.....	338
City of Arlington.....	378
Village of Brownton.....	324

	FPC Rate Schedule No.
Village of Buffalo.....	369
City of Chaska.....	323
City of Granite Falls.....	355
Home Light & Power Co.....	335
Village of Kasota.....	318
Village of Kasson.....	379
City of Lake City.....	361
Village of North St. Paul.....	371
City of St. Peter.....	325
City of Shakopee.....	368
Town of Valley Springs.....	366
City of Waseca.....	380
City of Winthrop.....	364

The rate schedule is proposed to be effective for deliveries of power and energy on and after January 1, 1975, but NSP requests, in accordance with a settlement agreement in Docket No. E-8252 that the proposed increase be suspended by the Commission so as to allow the increase to become effective for deliveries of power and energy on and after June 1, 1975.

NSP states that the proposed rate schedule will increase revenues from the total requirements sales by \$2,219,600, based on sales for the 1975 test year. The proposed increase is needed, NSP states, so that the revenues will more nearly recover NSP's costs in rendering the service.

NSP states that it has mailed a copy of the proposed rate schedule and comparative billing data to each of NSP's customers affected by the proposed change and to the Minnesota Public Service Commission as required by § 35.2 of the Commission's regulations.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 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 December 24, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29567 Filed 12-18-74; 8:45 am]

[Docket Nos. CP62-59, CP74-124]

#### PACIFIC GAS TRANSMISSION CO.

#### Petition To Amend; Correction

NOVEMBER 19, 1974.

In the Notice of Petition to amend issued November 7, 1974 and published in the FEDERAL REGISTER on November 14, 1974 39 FR 40198, Page 40198, line 9: Delete period and add "as defined under priorities 4 and 5 in Commission Order No. 467 (49 FPC 85)."

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29568 Filed 12-18-74; 8:45 am]

[Docket No. E-9068]

#### PHILADELPHIA ELECTRIC CO.

#### Application; Correction

NOVEMBER 27, 1974.

In the Notice of Application issued November 8, 1974, and published in the FEDERAL REGISTER on November 15, 1974, 39 FR 40332, page 40332, paragraph 3, the name of the Company should read: "Philadelphia Electric Power Company" rather than "Pennsylvania Electric Power Company".

Page 40332, paragraph 4, line 1, should read: "Philadelphia Electric Power Company". Line 3 should read: "Philadelphia Electric Company". Line 9 should read: "Philadelphia Electric Power Company".

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-29569 Filed 12-18-74; 8:45 am]

[Docket No. CI75-340]

#### SKYLINE OIL CO., ET AL.

#### Notice of Application

DECEMBER 11, 1974.

Take notice that on November 22, 1974, Skyline Oil Company, 418 Atlas Building, Salt Lake City, Utah 84101, Joseph Oil Corp. and Joseph S. Gruss, 55 Broad Street, New York, New York 10004, (collectively Applicants) filed in Docket No. CI75-340 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to Columbia Gas Transmission Corporation (Columbia) from the Sweet Lake Land and Oil Co. Well Nos. 1 and 2, Chalkley Field, Cameron Parish, Louisiana, and delivery of said gas at Columbia's existing measuring station No. 503 in Cameron Parish, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application indicates that Applicants have commenced a sale of natural gas to Columbia on November 18, 1974, from the Chalkley Field within the contemplation of § 157.29 of the Commission's regulations under the Natural Gas Act (18 CFR 157.29) and propose to continue said sale for one year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicants propose to sell to Columbia all gas produced from the subject wells, estimated at approximately 2,500 Mcf of gas per day, at a rate of \$1.00 per million Btu at 15.025 psia. Said rate is subject to the condition that if Columbia is not able upon good faith effort to include any portion of the contract price in its cost-of-service, the portion which was not includable shall be refunded by Applicant and the contract price reduced accordingly.

Any person desiring to be heard or to make any protest with reference to said application should on or before January

2, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29570 Filed 12-18-74;8:45 am]

[Docket No. E-8953]

**SUPERIOR WATER LIGHT AND POWER CO.**  
**Extension of Procedural Dates**

DECEMBER 12, 1974.

On December 9, 1974, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 30, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, February 18, 1975.  
Service of Intervenor's Testimony, March 4, 1975.  
Service of Company Rebuttal, March 18, 1975.  
Hearing, April 8, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29571 Filed 12-18-74;8:45 am]

[Docket No. CP75-159]

**TENNESSEE GAS PIPELINE CO.**  
**Notice of Application**

DECEMBER 11, 1974.

Take notice that on November 27, 1974, Tennessee Gas Pipeline Company, a Di-

vision of Tenneco Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP75-159 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the Commission's regulations thereunder (18 CFR 157.7(b)), for a certificate of public convenience and necessity authorizing the construction during the calendar year 1975 and the operation of gas-purchase facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers in the general area of its existing system, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The stated purpose of the budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

The application states that the total cost of all facilities for which authorization is sought herein will not exceed \$7,000,000, with no single onshore or offshore project to exceed costs of \$1,000,000 and \$1,750,000, respectively. Applicant states that initial financing will be from general funds and/or borrowings under Applicant's revolving credit agreements.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29572 Filed 12-18-74;8:45 am]

[Docket No. RP74-91-6]

**TENNESSEE GAS PIPELINE CO.**

**Order Granting Withdrawal of Petition for Extraordinary Relief and Vacating Prior Order**

DECEMBER 11, 1974.

On September 19, 1974, Mississippi Valley Gas Company (Mississippi Valley), filed in Docket No. RP74-91-6 a petition for extraordinary relief pursuant to § 1.7 of the Commission's rules of practice and procedure and 2.78 of the Commission's rules and regulations requesting: (1) that the Commission authorize Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee) to restructure its 1974 allocation of natural gas or in the alternative, (1) that the Commission order that no penalty be imposed on Mississippi Valley for volumes of gas taken in excess of its April-October, 1974 curtailment period quantity entitlement (CPQE) of 2,796 Mcf as long as the overrun does not exceed the 2,080 Mcf that Mississippi Valley was entitled to but did not take during the January-March, 1974 curtailment period; and (2) that the Commission waive any and all requirements which would delay the immediate grant of the relief requested. By order of October 25, 1974, the Commission, inter alia, ordered a formal hearing be held on the issues raised by Mississippi Valley's petition, and authorized Tennessee to deliver to Mississippi Valley the requested volumes of natural gas subject to payback if determined to be required at the aforementioned hearing.

On November 13, 1974, Mississippi Valley filed a motion requesting the Commission to: (1) allow it to withdraw its petition for extraordinary relief; (2) vacate the order granting temporary relief; and (3) dismiss the proceeding. Mississippi Valley states that due to warmer than normal weather during October, 1974, and delay of the cotton ginning season due to wet fields, it required delivery of only 2,723 Mcf, while its CPQE for that period was 2,769 Mcf. Mississippi Valley states that its petition for extraordinary relief is now unnecessary and therefore requests the Commission grant the relief set forth above. We shall grant Mississippi Valley's request and allow it to withdraw its petition of September 19, 1974; we shall also vacate our order of October 25, 1974, which inter alia, ordered a formal hearing be held on the issues raised by Mississippi Valley's petition.

The Commission finds. That Mississippi Valley's request to withdraw its petition for extraordinary relief filed in the instant docket on September 19, 1974 should be granted; and that the order issued in this docket on October 25, 1974, should be vacated.

*The Commission orders:* That Mississippi Valley's request to withdraw its petition for extraordinary relief filed in the instant docket on September 19, 1974, is hereby granted; and that the order issued in this docket on October 25, 1974 is hereby vacated.

By the Commission.

[SEAL] MARY B. KIDD,  
Acting Secretary.  
[FR Doc.74-29573 Filed 12-18-74;8:45 am]

[Docket No. RP74-39-14, et al.]

**TEXAS EASTERN TRANSMISSION CORP.,  
ET AL.**

**Order Granting Extraordinary Relief Pendente Lite, Permitting Intervention, Providing for Hearing and Establishing Procedures; Correction**

NOVEMBER 21, 1974.

In the Order Granting Extraordinary Relief *Pendente Lite*, Permitting Intervention, Providing for Hearing and Establishing Procedures, issued November 19, 1974 and published in the FEDERAL REGISTER on November 27, 1974 39 FR 41412: Page 41412 change the figure in the table under Paragraph I which gives the amount of daily relief requested for Bound Brook Corporation from: "261.2" to "361.2."

Page 41414 Ordering paragraph (A), Subparagraph (4): change "January 15, 1974" to "January 15, 1975." Page 10 Ordering Paragraph (A), last subparagraph: insert words "extraordinary relief" after the word "that" in the fourth line.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.74-29574 Filed 12-18-74;8:45 am]

[Docket No. RP74-52]

**TRANSWESTERN PIPELINE CO.**

**Notice of Extension of Procedural Dates**

DECEMBER 10, 1974.

On December 9, 1974, Transwestern Pipeline Company filed a motion to extend the procedural dates fixed by order issued November 18, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Company Rebuttal, January 14, 1975.

Hearing, January 28, 1975 (10 a.m. e.s.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29575 Filed 12-18-74;8:45 am]

[Docket No. E-8619]

**WISCONSIN ELECTRIC POWER CO. AND  
WISCONSIN MICHIGAN POWER CO.**

**Further Extension of Procedural Dates**

DECEMBER 10, 1974.

On December 4, 1974, Staff Counsel filed a motion to extend the procedural

dates fixed by order issued April 19, 1974, as most recently modified by notice issued, September 16, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon Consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, December 23, 1974.

Service of Intervenor's Testimony, January 7, 1975.

Service of Company Rebuttal, January 28, 1975.

Hearing, February 18, 1975 (10 a.m. e.s.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-29576 Filed 12-18-74;8:45 am]

**FEDERAL RESERVE SYSTEM**

**CANTON BANCORPORATION, INC.**

**Order Denying Formation of Bank Holding Co.**

Canton Bancorporation, Inc., Canton, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 85 percent of the voting shares of Bank of Canton, Canton, Oklahoma ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation organized for the purpose of becoming a bank holding company through the acquisition of shares of Bank. The purpose of the proposed transaction is to effect a transfer of ownership of Bank from individuals to a corporation owned by the same individuals with no significant change in Bank's management or operations. With total deposits of \$5.3 million on December 31, 1973, Bank was the smallest of five banks in Blaine County, which approximates the relevant banking market. Bank holds about 13 per cent of the total deposits in banks in Blaine County and less than .1 of 1 per cent of the total deposits in the State. Since the proposal is essentially a reorganization, consummation thereof would not eliminate any existing competition, nor would it appear to have any adverse effects on other banks or on the development of competition in the relevant market. Therefore, competitive considerations are consistent with approval of the application.

Under the Bank Holding Company Act, the Board is required to take into consideration the financial and managerial resources and future prospects of the proposed holding company and the bank to be acquired. In the exercise of that responsibility, the Board finds that considerations relating to the financial re-

sources of Applicant warrant denial of the application.

Applicant has no operating history. Applicant's revenues would be limited to its 85 percent interest in cash dividends declared by Bank. The Applicant expects to service the \$388,000 debt it will incur as part of this transaction through dividends from Bank. On the basis of the record, the Board is unable to conclude that the Applicant's projected earnings are reasonable or attainable. Furthermore, even if Applicant's projections are realized, the projected earnings for Bank do not, in the Board's view, provide Applicant with the necessary financial flexibility to meet its annual debt servicing requirements as well as any unexpected problems that might arise at Bank. In addition, the high level of dividend payout from Bank necessary for Applicant to service its debt could inhibit growth in Bank's capital at a rate compatible with its projected asset growth, thus impairing Bank's financial condition and its ability to continue as a viable banking organization in meeting the banking needs of the community it serves. Accordingly, on the basis of the record, the Board concludes that the considerations relating to the financial aspects of Applicant's proposal weigh against approval of the application.

Applicant does not propose, as part of this application, to make any changes or additions in the services presently offered by Bank. Thus, the considerations relating to the convenience and needs of the community to be served do not lend any significant weight in favor of approval of the application. Moreover, in view of the proposed debt-retirement plan, consummation of the proposal could diminish Bank's ability to continue to serve the area as a banking alternative.

On the basis of all the facts in the record, it is the Board's judgment that the financial considerations involved in the proposed transaction present adverse factors weighing against approval of the application. Accordingly, the Board concludes that consummation of the proposal would not be in the public interest, and that the application should be, and is hereby, denied.

By order of the Board of Governors,<sup>1</sup> effective December 11, 1974.

[SEAL] THEODORE E. ALLISON,  
Secretary of the Board.

[FR Doc.74-29521 Filed 12-18-74;8:45 am]

**MERCANTILE BANCORPORATION INC.**

**Acquisition of Bank**

Mercantile Bancorporation Inc., St. Louis, Missouri, 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 at least 90 percent of the voting shares of State

<sup>1</sup> Voting for this action: Governors Sheehan, Bucher, Holland, Wallach, and Coldwell. Absent and not voting: Chairman Burns and Governor Mitchell.

Bank of Willow Springs, Willow Springs, Missouri. 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 St. Louis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 10, 1975.

Board of Governors of the Federal Reserve System, December 11, 1974.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.74-29523 Filed 12-18-74; 8:45 am]

#### PEOPLES BANCORPORATION

##### Order Denying Formation of Bank Holding Co.

Peoples Bancorporation, Hampton, Iowa, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842 (a) (1)) of formation of a bank holding company through acquisition of 86.5 percent of the voting shares of Peoples Savings Bank, Elma, Iowa ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank (deposits of \$5.7 million).<sup>1</sup> Bank is the only bank in Elma (population of approximately 600), an agriculturally oriented community located in north-eastern Iowa. Bank is the third largest of five banks in the Howard County banking market and holds approximately 17 percent of the total commercial bank deposits therein. Upon acquisition of Bank, Applicant would control the 453rd largest bank in Iowa, holding .06 of one percent of total deposits in commercial banks in the State. Since the purpose of the proposed transaction is to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals, consummation of the proposal herein would not eliminate existing or potential competition, nor have an adverse effect on other area banks.

The principals of Applicant are also principals in A. M. Saylor, Incorporated, Hampton, Iowa, a registered one-bank holding company which owns 59.3 percent of First National Bank of Hampton,

Hampton, Iowa ("Hampton Bank"). Hampton Bank (deposits of \$16.6 million) is the largest of five banks in the Franklin County banking market, a separate banking market located approximately 50 miles southwest of Bank. It appears that there is no significant competition between Hampton Bank and Bank. Accordingly, on the basis of the facts of record, the Board concludes that competitive considerations are consistent with approval of the application.

The Board has indicated on previous occasions that it believes that a holding company should provide a source of strength to its subsidiary bank(s), and that it will examine closely the condition of the Applicant in each case with this view in mind. The proposal herein involves an acquisition debt of \$407,300 which Applicant proposes to service over an eleven-year period through a dividend payout from Bank averaging over 50 percent of Bank's net income. Moreover, Applicant proposes to borrow an additional \$51,000 during the next five years in order to meet the principal and interest payments during that period. In the Board's view, this high level of debt and the dividend payout required from Bank to service the debt could place an undue strain on Bank's capital position. In this regard, the projected asset and deposit growth and earnings of Bank during the debt retirement period do not appear to provide Applicant with the necessary financial flexibility to meet its annual debt serving requirements while maintaining adequate capital at Bank. On the basis of the foregoing and other facts of record, the Board is unable to conclude that it would be in the public interest to permit the formation of a one-bank holding company with an initial debt structure which could result in impairing Bank's financial condition. Accordingly, the Board concludes that the financial aspects of Applicant's proposal weigh against approval of the application.

Applicant has proposed some changes which could benefit the community, including increased real estate lending and the increased use of loan participations enabling Bank to extend larger loans to its customers. However, the introduction of these expanded services is not dependent upon formation of Applicant as a bank holding company and, in any event, does not outweigh the aforementioned adverse considerations relating to the banking factors.

On the basis of all of the circumstances concerning this application, the Board concludes that the financial considerations involved in this proposal present adverse circumstances bearing upon the financial condition and prospects of both Applicant and Bank. Such adverse factors are not outweighed by any procompetitive effects or by benefits which would result in serving the convenience and needs of the community. Accordingly, it is the Board's judgment that approval of the application would not be in

the public interest and that the application should be denied.

On the basis of the record, the application is denied for the reasons summarized above.

By order of the Board of Governors,<sup>2</sup> effective December 9, 1974.

[SEAL] THEODORE E. ALLISON,  
Secretary of the Board.

[FR Doc.74-29522 Filed 12-18-74; 8:45 am]

#### VICTORIA BANKSHARES, INC.

##### Acquisition of Bank

Victoria Bankshares, Inc., Victoria, Texas, has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842 (a) (3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the Jackson County State Bank, Edna, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842 (c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 13, 1975.

Board of Governors of the Federal Reserve System, December 12, 1974.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.74-29525 Filed 12-18-74; 8:45 am]

#### WACHOVIA CORP.

##### Order Approving Retention of Southeastern Financial Corp.

The Wachovia Corporation, Winston-Salem, North Carolina, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act and § 225.4(b) (2) of the Board's Regulation Y, to retain all of the outstanding shares of Southeastern Financial Corporation, Charlotte, North Carolina ("Southeastern"), a company that engages in the activities of purchasing of accounts receivable, principally on a nonrecourse basis ("factoring"), and of making secured and unsecured advances and loans to commercial customers, such loans being secured by accounts receivable, inventory, equipment, and/or real estate ("commercial financing"). Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a) (1)). The shares of Southeastern are presently held by American Credit Corporation,

<sup>2</sup> Voting for this action: Chairman Burns and Governors Sheehan, Bucher, Holland and Coldwell. Absent and not voting: Governors Mitchell and Wallich.

<sup>1</sup> All banking data are as of December 31, 1973.

Charlotte, North Carolina ("ACC"), a wholly-owned subsidiary of Applicant.<sup>1</sup>

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 9187). The time for filing comments and views has expired, and those received have been considered in light of the standards of section 4(c)(8) of the Act.

Applicant, the largest banking organization in North Carolina, controls one bank, Wachovia Bank and Trust Company, N.A. ("Bank"), with total deposits of \$2.5 billion, representing 21 per cent of total deposits in commercial banks in North Carolina.<sup>2</sup> Applicant's nonbanking subsidiaries include ACC, a mortgage company, a data processing company, an insurance agency, a courier corporation, a title insurance agency, and a real estate development company. Certain of these nonbanking subsidiaries must be divested, under section 4(a)(2) of the Act, by December 31, 1980, unless the Board, prior to that date, approves Applicant's retention of those subsidiaries.

Southeastern is engaged in both factoring and commercial financing and conducts business from its sole office in Charlotte, North Carolina. Its customers, that is, business entities that either borrow from it or sell accounts receivable to it, are principally located throughout the southeastern United States. During 1973, it had a factoring volume of \$628 million, representing approximately 3.8 per cent of total commercial factored accounts held by all factoring firms in the United States. It is estimated that Southeastern is thereby the ninth largest such firm.

The United States Department of Justice ("Justice") has urged that the

Board deny this application on grounds that Applicant's original acquisition of ACC eliminated what Justice deems a probability that Applicant would have entered factoring either de novo or by foothold entry. Justice relies on the facts that Southeastern is the second largest factor in North Carolina and that Applicant is the largest commercial banking organization in the southeastern United States. Applicant's bank is the largest commercial bank in North Carolina and numerous users or potential users of factoring services are among its customers. More than 65 per cent of Southeastern's clients and factoring volume are from North Carolina, and no other State accounts for more than 7 per cent of Southeastern's factoring business.<sup>3</sup> As factoring requires business contacts and factoring firms prefer to deal with local factors, Justice argues that the State of North Carolina approximates the relevant geographic market in which to adjudge the competitive effects of the instant acquisition and retention.

Applicant contends that the nation as a whole constitutes the relevant geographic market in that the receivables purchased by Southeastern are owed by debtors located throughout the country. However, the competitive choice whether to deal with Southeastern is made by sellers of accounts receivable, not by account debtors. More than 97 per cent of Southeastern's clients were located in the southeastern United States in 1970,<sup>4</sup> and those clients represented more than 98 per cent of Southeastern's factoring volume. The southeastern United States is the area where Southeastern operates, and to which its factoring clients can practically turn for factoring alternatives. It is the area in which the effect on competition of the acquisition in 1970, and the retention, of Southeastern will be direct and immediate. Accordingly, it is the relevant geographic market in which to adjudge the competitive effects of the affiliation of Applicant and Southeastern.<sup>5</sup> However, while the southeastern

United States constitutes the relevant market, the bulk of the Board's analysis has focused on that area in which adverse competitive effects, if any, would be most likely to occur, the State of North Carolina.

The factoring business in North Carolina is concentrated, the four largest firms in 1971 accounting for more than 66 per cent of factoring volume and the eight largest firms accounting for more than 85 per cent of such volume. Of the 28 factoring firms in the State in 1971, Southeastern ranked second and accounted for slightly more than 18 per cent of total factoring volume.

Justice asserts that Applicant has both the incentive and the capacity to enter factoring in North Carolina; that textile and furniture manufacturers, prime users of factoring services, constitute substantial components of the North Carolina economy; that growth of the North Carolina textile and furniture manufacturing industries has contributed to growth of factoring volume; and that the other major banking organizations in North Carolina are affiliated with factors. Further, in a proxy statement to shareholders of Bank in 1968, in seeking shareholder approval for the plan of reorganization in which Applicant was formed, Bank's management expressly stated that "factoring accounts receivable" was among the services that "it is contemplated that Wachovia Corporation will ultimately offer" either de novo or by acquisition. Applicant does not contend that it lacked an incentive to enter factoring de novo or by foothold entry, and the Board concludes that Applicant had such an incentive in 1970 and, but for its ownership of Southeastern, would have such incentive today.

However, Applicant asserts that whatever its incentive, it did not and does not have the capacity to enter factoring in North Carolina de novo or by foothold acquisition. However, its simple assertion is not dispositive of the issue. Justice contends that Applicant's substantial North Carolina contacts enable it to enter factoring de novo or by foothold acquisition. Internal memoranda of Southeastern, written in 1969 and 1970, suggest an expectation that competing factors would affiliate with banks.

Applicant's position is premised on the assertions that it lacks the expertise necessary to service factored customers and to collect accounts receivable throughout

National Corporation, 58 Federal Reserve Bulletin 171 (1972), as support for its contention that factoring firms compete in a national market. However, in that case, the Board spoke not of a national market, but of Ambassador's rank among "the 26 factors that compete in national markets", that is, its rank among all factors that compete in the various markets in the nation. A determination as to relevant geographic market was not made in that case as such a finding was not essential to an assessment of the competitive effects of the affiliation, that assessment having been based upon the Board's finding that Industrial National Corporation was not capable of de novo entry into factoring, in any area.

<sup>1</sup> As originally filed, the instant application proposed retention of all of the shares of American Credit Corporation, Charlotte, North Carolina, parent of Southeastern. American Credit Corporation, through various subsidiaries, makes personal loans, purchases retail installment sales contracts, underwrites and sells insurance, leases personal property, and provides certain data processing services, as well as engaging in factoring and commercial financing activities through Southeastern. On April 25, 1974, that application was amended to incorporate Applicant's undertaking upon approval of this application to divest no later than December 31, 1978, all of the shares of American Credit Corporation, except for retention of all of the shares of American Credit Corporation's subsidiary, Southeastern.

Applicant had also filed a separate application to retain shares of Southeastern Fire Insurance Company and South State Insurance Company, both wholly-owned subsidiaries of American Credit Corporation. Southeastern Fire Insurance Company and South State Insurance Company each underwrites credit fire and casualty insurance, an activity that the Board has not determined to be closely related to banking or managing or controlling banks. Prior to the Board's consideration of whether there existed a reasonable basis for Applicant's opinion that such activity is closely related to banking or managing or controlling banks, that application was withdrawn.

<sup>2</sup> Banking data are as of December 31, 1973.

<sup>3</sup> Data is for year 1970.

<sup>4</sup> The southeastern United States as used herein includes, and is limited to, the States of North Carolina, Virginia, South Carolina, Tennessee, Georgia, Mississippi, Florida, Alabama, and Kentucky.

<sup>5</sup> In prior cases involving the acquisition of factors by bank holding companies, the Board has recognized the existence of factoring markets less than national in scope. E.g., see Order of September 4, 1974, approving application of The Main Corporation, Chicago, Illinois, to acquire Health Management Services Corporation, 39 FR 33261 (September 16, 1974); Order of September 11, 1973, approving application of Philadelphia National Corporation, Philadelphia, Pennsylvania, to retain Congress Factors Corporation, 38 FR 26156 (September 18, 1973); Order of September 8, 1972, approving application of Bank of Virginia Company, Richmond, Virginia, to retain Rusch Factors, Inc., 58 Federal Reserve Bulletin 935 (1972), 37 FR 18950 (September 16, 1972). Applicant cites the Board's Order of January 27, 1972, approving the acquisition of Ambassador Factors Corporation ("Ambassador") by Industrial

the United States. It purports not to possess the credit files on, or personnel who are able to assess the credit of, account debtors dispersed throughout the country. Applicant asserts that when Bank deems it necessary to resort to the active collection of accounts receivable to protect its interest as a creditor, it contracts with a factor to take over the receivables. Bank, according to Applicant, will not make a loan collateralized solely or chiefly by accounts receivable except in participation with a factor that would administer the accounts receivable.

The Board has in the past expressed its view that de novo entry into factoring is difficult but it has not characterized such entry as impossible. In earlier cases, the Board was not presented with proposed acquisitions of factors by bank holding companies that possessed the combination of resources, proximity to prime users of factoring services, and competitive incentives to enter factoring<sup>9</sup> that Applicant has. In recent years, several bank holding companies with fewer resources, less proximity to users of factoring services, and less competitive incentive to do so, have entered factoring de novo or announced plans to do so.<sup>10</sup> It appears that, but for its acquisition of Southeastern in 1970 and its continued retention of Southeastern, it is likely that Applicant would have entered factoring in North Carolina de novo or through another acquisition.

Applicant also argues that the acquisition constituted a foothold acquisition.<sup>11</sup> Southeastern is the second largest competitor in North Carolina with a share of more than 18 percent of that State's factoring volume. Its market share is overstated in that North Carolina serves as a surrogate in this case for a broader area, the southeastern United States, which is the relevant geographic market. Nonetheless, it appears that whatever market power Southeastern possesses is substantial and exceeds that traditionally held by firms the acquisitions of which are deemed to be foothold acquisitions. On the basis of the record, it is uncertain whether there existed firms which could be considered both foothold acquisitions and available for acquisition by Applicant. However, section 4(c)(8) requires the Board to consider "possible" adverse effects, and Applicant, upon whom the burden of proof in this matter falls, having failed to attempt to demonstrate that such foothold acquisitions were, or are, not possible, must be con-

sidered to have had the ability to have entered North Carolina factoring by foothold acquisition, as well as de novo, as discussed above.

The question then arises whether such entry by Applicant would have significantly increased competition, so that elimination of such entry could be deemed to have had, or to have, the effect of decreasing competition that may otherwise have developed. There were 28 competitors in the market in 1970. The instant application suggests that there are 32 competitors in the market today,<sup>12</sup> and accordingly, it does not appear that the acquisition of Southeastern by Applicant substantially raised barriers to entry into the market. In any event, as might be expected, the substantial presence of textile and furniture manufacturers, prime users of factoring services, in North Carolina, has drawn most of the nation's largest factoring firms into that market, and each of the eight factors that is larger than Southeastern currently competes in that market. Thus, de novo entry by Applicant into this market in 1970 would have increased the number of competitors from 28 to 29. Its de novo entry today would increase the number of competitors from 32 to 33. The competitive significance of such increases in the number of competitors appears slight, particularly in view of the presence of 12 of the nation's 15 largest factoring firms in the market. The market shares of these large firms is not in the record, but the shares of the majority of them may be estimated as not exceeding 6 percent.<sup>13</sup> If each of those competitors with their sizable resources, expertise and national reputations, has not increased its market share beyond 6 percent, it does not appear reasonably probable that Applicant's de novo entry without the benefit of such expertise and reputation would have any significant beneficial impact upon competition in the market. To the contrary, it appears likely that such entry would not have significantly affected competition in the market.

With respect to the separate product line of commercial financing, approximately 34 percent of the receivables held by Southeastern derive from making loans and advances to its factoring customers and others and discounting installment notes secured by interests in commercial equipment. At year-end 1971, more than 85 percent of the commercial financing receivables held by

Southeastern derived from firms located in the southeastern United States and that area constitutes a reasonable approximation of the relevant geographic area in which to adjudicate the effects that the acquisition in 1970, and the retention, of Southeastern would have upon competition in commercial financing.

It does not appear that Applicant and Southeastern were in significant competition with one another in the area of commercial financing in 1970. Interest rates on commercial financing loans available from factors are 4 to 7 percent above those on commercial loans made by commercial banks. Firms finding it necessary to borrow from commercial finance companies usually do so after they have exhausted credit lines from, or have been denied credit by, commercial banks. Whereas loans by Southeastern generally are secured, 95 percent of Bank's commercial loans are unsecured, Southeastern relying primarily on collateral to avoid undue risk, banks relying primarily upon a borrower's creditworthiness to avoid undue risk. Accordingly, it does not appear that the acquisition or retention of shares of Southeastern would eliminate significant existing competition in commercial financing. Furthermore, in view of the large number of existing competitors, the Board concludes that the acquisition and retention of Southeastern by Applicant did not and would not eliminate any significant probable future or potential competition in commercial financing in the southeastern United States.

Justice has also asserted that the affiliation of Applicant with Southeastern would entrench the positions of both through channeling of deposits to Bank and through voluntary tie-ins of Southeastern's services with extensions of credit by Bank. Justice has not alleged any specific case of such channeling or tie-in, nor does the record contain evidence supporting that assertion. More than three times as many of Southeastern's clients bank with direct actual competitors of Bank than do with Bank. Furthermore, Applicant has taken internal management measures to avoid these adverse effects, and, such practices, if they arose, would be subject to prosecution by Justice under section 106 of the 1970 Amendments to the Act.

Finally, Justice contends that splitting Southeastern from the rest of ACC will weaken ACC's ability to compete in personal, consumer, and sales finance, and leasing markets and thus indirectly decrease competition within the meaning of section 4(c)(8). In this regard, Justice notes that Southeastern constitutes 20 percent of the assets of ACC and accounts for approximately 20 percent of its income. Justice argues that ACC would thus lose a substantial portion of its asset and income base, as well as some of its diversification and thereby, according to Justice, its ability to attract capital at favorable rates would be impeded.

ACC's diversification has contributed to its ability to raise funds through the

<sup>9</sup>Two of Applicant's major competitors, NCNB Corporation and First Union National Corporation, the second and third largest banking organizations in North Carolina respectively, acquired small factors in 1970 and 1969 respectively.

<sup>10</sup>These include First Pennsylvania Corporation, Midlantic Banks, Inc., Heritage Bancorporation, Flagship Bankshares, Hartford National Corp., and Shawmut Association, the latter in a joint venture with Milberg Factors.

<sup>11</sup>In July, 1970, Southeastern held outstanding receivables of \$26.4 million and had an annual factoring volume of \$291 million.

<sup>12</sup>The record actually identifies 39 competitors, besides Southeastern, presently in the market. However, five of these apparently are "captive" factors each serving only one user of factoring services, and another two are different offices of factors already included within the market. The record does not identify the firms included among the 28 competitors in 1970.

<sup>13</sup>If Southeastern's market share is 18 percent and it has the second largest market share, if the four largest market shares total 66 percent, and if the eight largest market shares total 85 percent, then, even, if the 12 large national firms in the market hold the 12 largest market shares eight of the 12 must have market shares below 6 percent.

issuance of commercial paper and some of that diversification will be lost upon its divestiture of Southeastern. However, Southeastern is highly leveraged, and it appears that the removal of debt, attributable to Southeastern, from ACC would significantly improve the capital position of ACC. ACC would remain well-diversified and would rank as the 16th largest independent finance company in the nation. The Board concludes that the separation of ACC and Southeastern would not, on balance, weaken ACC's ability to raise capital or significantly increase the cost of that capital and that such separation would not significantly impair the ability of ACC to compete.

There is no evidence in the record to indicate that the proposed retention might lead to an undue concentration of resources, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

Since Applicant's acquisition of Southeastern in July, 1970, Southeastern has steadily reduced its average monthly factoring charge. Those reductions may reflect responses to competitive pressures or cost savings attributable to economies associated with servicing large wholesale accounts. Since the acquisition, Southeastern's outstanding factored receivables increased from \$36.4 million to \$84.4 million. Its factoring volume increased from approximately \$292 million in 1970 to \$628 million in 1973. Further, Southeastern has expanded into wholesale factoring since its acquisition by Applicant. This rapid expansion has not been funded by Applicant, but rather has been funded by ACC, due to requirements of a court-imposed "hold-separate" order. However, direct affiliation of Southeastern and Applicant, with the removal of ACC as an intermediate funding vehicle, may be expected to result in lowered costs of funds for Southeastern as Applicant is less leveraged than is ACC. Applicant will not have to incur dealer fees to place commercial paper or long-term debt to fund Southeastern. Southeastern's reduced cost of funds should be reflected in further reduced factoring and commercial rates and also in a greater amount of business credit extended by Southeastern. This should indirectly benefit the high-risk borrowers who comprise Southeastern's indirect clientele and who, in periods of credit stringency, may be among the first to lose their sources of credit.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the

Board's regulations and orders issued thereunder, or to prevent evasion thereof. By order of the Board of Governors,<sup>11</sup> effective December 11, 1974.

[SEAL]

THEODORE E. ALLISON,  
Secretary of the Board.

[FR Doc.74-29524 Filed 12-18-74;8:45 am]

## GENERAL SERVICES ADMINISTRATION

[FPMR Temporary Reg. F-314]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government in intrastate rate proceedings.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Georgia Public Service Commission involving the application of the Georgia Power Company for interim increases in its intrastate rates as of December 16, 1974.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,  
Administrator of General Services.

DECEMBER 12, 1974.

[FR Doc.74-29526 Filed 12-18-74;8:45 am]

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### FEDERAL GRAPHICS EVALUATION ADVISORY PANEL

#### Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a meeting of the Federal Graphics Evaluation Advisory Panel to the National Council on the Arts will be held on January 16 from 9 a.m.-5:30 p.m. and on January 17 from 9 a.m.-5:30 p.m. in the 10th floor conference room of the Shoreham Building, 806 15th Street, NW., Washington, D.C.

<sup>11</sup> Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallich and Coldwell. Absent and not voting: Chairman Burns.

A portion of this meeting will be open to the public on January 16 from 9 a.m.-11 a.m. and on January 17 from 9 a.m.-11 a.m. on a space available basis. Accommodations are limited. During the open session there will be a discussion on the graphic material from the Department of Interior.

The remaining sessions of this meeting on January 16 and 17 are for the purpose of Panel review, discussion, evaluation, and recommendation on graphics under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4) and (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6110.

EDWARD M. WOLFE,  
Administrative Officer, National  
Endowment for the Arts, Na-  
tional Foundation on the Arts  
and the Humanities.

[FR Doc.74-29540 Filed 12-18-74;8:45 am]

## OFFICE OF MANAGEMENT AND BUDGET

### BUSINESS ADVISORY COUNCIL ON FEDERAL REPORTS

#### Public Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of a panel of the Business Advisory Council on Federal Reports to be held in Room 2008, New Executive Office Building, 726 Jackson Place, NW., Washington, D.C., on Thursday, January 9, 1975, at 9:30 a.m.

The purpose of the meeting is to advise the Statistical Policy Division of the Office of Management and Budget concerning problems associated with proposed revisions of the renegotiation Board's regulations to require that renegotiation filings be in conformance with Cost Accounting Standards promulgated by the Cost Accounting Standards Board. The meeting will be open to public observation and participation.

Further information regarding the meeting may be obtained from the Statistical Policy Division, Office of Management and Budget, Room 10201, New Executive Office Building, Washington, D.C. 20503, Telephone (202) 395-3443.

VELMA N. BALDWIN,  
Assistant to the Director  
for Administration.

[FR Doc.74-29494 Filed 12-18-74;8:45 am]

# SECURITIES AND EXCHANGE COMMISSION

## AMERICAN STOCK EXCHANGE, INC. AND CHICAGO BOARD OPTIONS EXCHANGE, INC.

### Delaying Amendment to Proposed Rules for a Common Clearing Corporation

Notice is hereby given that the American Stock Exchange, Inc. (Amex) and the Chicago Board Options Exchange, Inc. (CBOE) have filed an amendment delaying the effectiveness of the proposed charter, by-laws and rules of the Option Clearing Corporation (OCC) filed pursuant to Rule 9b-1 (17 CFR 240.9b-1) under the Securities Exchange Act of 1934. The proposed changes were originally published at 39 FR 39615 on November 8, 1974.

The OCC was originally organized and has been operating as a wholly owned subsidiary of the CBOE under the name Chicago Board Options Exchange Clearing Corporation (CBOECC). With the proposed option trading plans of the Amex reaching their final stages, the CBOECC was reorganized to be the issuer of the options which may be purchased or sold in transactions on any participating exchanges (Amex and CBOE) with each exchange having an ownership and voting interest in the operation of the OCC. Provisions of the OCC also provide for any other exchange which has been qualified under the rules of the SEC for option trading to become a participating exchange.

All interested persons are invited to submit their views and comments on the proposed OCC charter, by-laws and rules either before or after they have 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. All amendments that have been made to the Amex's plans have been placed in their respective option files under file number S7-505. The proposed rules 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.

Dated: December 11, 1974.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29509 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### BBI, INC.

#### Suspension of Trading

DECEMBER 13, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 15, 1974 through December 24, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29504 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### CANADIAN JAVELIN, LTD

#### Suspension of Trading

DECEMBER 13, 1974.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 14, 1974 through December 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29508 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### IBERIA INTERNATIONAL BRANDS, INC.

#### Suspension of Trading

DECEMBER 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Iberia International Brands, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 12 noon

(EST) on December 12, 1974 through midnight (EST) on December 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29501 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### NICOA CORP.

#### Suspension of Trading

DECEMBER 13, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Nicoa Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 15, 1974 through December 24, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29505 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### OKURAYA/DAVOS INTERNATIONAL INC.

#### Suspension of Trading

DECEMBER 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Okuraya/Davos International Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 12 noon (e.s.t.) on December 12, 1974 through midnight (e.s.t.) on December 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29502 Filed 12-18-74; 8:45 am]

[File No. 500-1]

### ROYAL PROPERTIES INC.

#### Suspension of Trading

DECEMBER 13, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated being traded otherwise than on a national securities exchange is required in

the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 14, 1974 through December 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29506 Filed 12-18-74;8:45 am]

[File No. 500-1]

#### SOSSIN SYSTEM, INC.

##### Suspension of Trading

DECEMBER 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Sossin System, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 12 noon (e.s.t.) on December 12, 1974 through midnight (e.s.t.) on December 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29503 Filed 12-18-74;8:45 am]

[File No. 500-1]

#### WESTERN RESEARCH AND DEVELOPMENT, INC.

##### Suspension of Trading

DECEMBER 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Western Research and Development, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 11 A.M. (e.s.t.) on December 12, 1974 through midnight (e.s.t.) on December 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29500 Filed 12-18-74;8:45 am]

[File No. 500-1]

#### WINNER INDUSTRIES, INC.

##### Suspension of Trading

DECEMBER 13, 1974.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of Winner Industries, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 14, 1974 through December 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-29507 Filed 12-18-74;8:45 am]

#### INTERSTATE COMMERCE COMMISSION

[Rule 19, Ex Parte 241, Exemption 91]

#### AKRON, CANTON & YOUNGSTOWN RAILROAD CO.

##### Exemption Under Mandatory Service Rules

It appearing, that The Akron, Canton & Youngstown Railroad Company owns numerous 50-ft. plain boxcars; that under present conditions there are substantial surpluses of these cars on its line; that return of these cars to the owners would result in their being stored idle; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of these cars, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, 50-ft. plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 393, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing reporting marks assigned to The Akron, Canton & Youngstown Railroad Company, shall be exempted from the provisions of Car Service Rules 1, 2(a), and 2(b).

Effective December 11, 1974.

Expires January 15, 1975.

Issued at Washington, D.C., December 11, 1974.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[FR Doc.74-29599 Filed 12-18-74;8:45 am]

[Notice 657]

#### ASSIGNMENT OF HEARINGS

DECEMBER 16, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket

of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 114004 Sub 127, Chandler Trailer Convoy, Inc., Extension—Buildings, now assigned January 20, 1975, is postponed to a date to be hereafter fixed.

MC 139769, Falcon Charter Service, now assigned January 13, 1975, at San Francisco, Calif., will be held in Room 13025, 450 Golden Gate Ave.

MC 73165 Sub 345, Eagle Motor Lines, Inc., now being assigned January 20, 1975 (1 day) at Memphis, Tenn., in a hearing room to be later designated.

MC 921 Sub 26, Dean Truck Lines, Inc., now being assigned January 21, 1975 (2 days), at Memphis, Tenn., in a hearing room to be later designated.

MC-C-8456, Agricultural Services Association, Inc.—Investigation of Operations and Practices, now being assigned January 23, 1975 (2 days), at Memphis, Tenn., in a hearing room to be later designated.

MC-F-12150, Motor Cargo—Purchase—Wholesale Services, Inc., DBA R & R Transportation Company, and MC 114818 Sub 15, Motor Cargo, now assigned January 20, 1975, at Reno, Nev., will be held at the Holiday Inn Hotel, 1000 East Sixth St.

I & S No. 8938, Waterborne Shipments, North Atlantic Ports, now assigned January 20, 1975, at Washington, D.C., is postponed to March 24, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 135944, Rodgers Express, Inc., now assigned January 28, 1975, at St. Louis, Mo., will be held in Courtroom No. 2, 5th Floor, U.S. Courthouse, 1114 Market St.

MC 110563 Sub 140, Coldway Food Express, Inc., now assigned January 30, 1975, at St. Louis, Mo., will be held in Courtroom No. 2, 5th Floor, U.S. Courthouse, 1114 Market St.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-29598 Filed 12-18-74;8:45 am]

[2nd Rev. S.O. 1112, Exception 7, Amdt. 1]

#### CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO. ET AL.

##### Notice of Expiration

DECEMBER 12, 1974.

To: Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Railway Company.

Pursuant to the authority vested in me by section (a) (1) (viii) of Second Revised Service Order No. 1112, the provisions of Exception No. 7 effective September 14, 1974, are hereby amended to expire March 31, 1975.

Effective December 14, 1974.

Issued at Washington, D.C., December 12, 1974.

[SEAL] R. D. PFAHLER,  
Chairman,  
Railroad Service Board.

[FR Doc.74-29600 Filed 12-18-74;8:45 am]

[Rule 19; Ex Parte No. 241, Rev. Exemption 88, Amdt. 1]

#### EXEMPTION UNDER MANDATORY CAR SERVICE RULES

Upon further consideration of Revised Exemption No. 88, issued November 25, 1974.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Revised Exemption No. 88 to the Mandatory Car Service Rules, ordered in Ex Parte No. 241, be, and it is hereby amended to expire January 15, 1975.

This amendment shall become effective December 15, 1974.

Issued at Washington, D.C., December 9, 1974.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[FR Doc.74-29603 Filed 12-18-74;8:45 am]

[Rule 19; Ex Parte No. 241, Exemption 85, Amdt. 1]

#### CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO.

#### Exemption Under Mandatory Car Service Rules

To: Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Railway Company.

Upon further consideration of Exemption No. 85 issued September 11, 1974.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 85 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire March 31, 1975.

This amendment shall become effective December 14, 1974.

Issued at Washington, D.C., December 6, 1974.

INTERSTATE COMMERCE COM-  
MISSION,

[SEAL] R. D. PFAHLER,  
Agent.

[FR Doc.74-29602 Filed 12-18-74;8:45 am]

#### FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 16, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before January 3, 1975. FSA No. 42916—Petroleum—Southwest to Official Territory, also Returned Shipments. Filed by Southwestern Freight Bureau, Agent,

(No. B-500), for and on behalf of carriers parties to schedule listed below. Rates on petroleum, petroleum products and related articles, in tank-carloads, as described in the application, from points in southwestern territory, including Kansas and Missouri, to points in official territory; also, returned shipments in the reverse direction.

Grounds for relief—Rate relationship. Tariff—Supplement 36 to Southwestern Freight Bureau, Agent, tariff SW/E-133-K, ICC 5106. Rates are published to become effective on January 18, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-29604 Filed 12-18-74;8:45 am]

[Rev. S.O. 994, I.C.C. Order 136]

#### READING CO.

#### Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, Agent, the Reading Company (Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees) (RDG) is unable to transport traffic to and from Carney's Point, New Jersey, and Gibbstown, New Jersey, because of inoperative bridge float at Carney's Point.

It is ordered, That:

(a) The RDG, being unable to transport traffic to and from Carney's Point, New Jersey, and Gibbstown, New Jersey, because of an inoperative bridge float, is hereby authorized to reroute or divert such traffic via any available route. Traffic necessarily diverted by authority of this order shall be rerouted so as to preserve as nearly as possible the participation and revenues of other carriers provided in the original routing. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained. The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers. Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order re-

mains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date. This order shall become effective at 12:01 a.m., December 11, 1974.

(g) Expiration date. This order shall expire at 11:59 p.m., May 31, 1975.

It is further ordered, That this order 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 it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 10, 1974.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[FR Doc.74-29601 Filed 12-18-74;8:45 am]

#### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

DECEMBER 16, 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 December 30, 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 83745 (Sub-No. E7), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery and such commodities, generally requiring rigging, special equipment, or specialized handling except articles requiring special vehicular equipment for over-the-road movements, between Clarksburg, Pa., on the one hand, and, on the other, points

in Maryland. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83745 (Sub-No. E8), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized handling, except articles requiring special vehicular equipment for over-the-road movements, between points in Armstrong County, Pa., within 25 miles of Pittsburgh, Pa., on the one hand, and, on the other, points in Maryland, Ohio, and West Virginia. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83745 (Sub-No. E9), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized handling except articles requiring special vehicular equipment for over-the-road movements, between points in Indiana County, Pa., within 25 miles of Pittsburgh, Pa., on the one hand, and, on the other, points in Ohio and West Virginia. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83745 (Sub-No. E10), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized handling except articles requiring special vehicular equipment for over-the-road movements, between points in Beaver, Butler, and Lawrence Counties, Pa., within 25 miles of Pittsburgh, Pa., on the one hand, and, on the other, points in West Virginia and Maryland. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83745 (Sub-No. E12), filed June 4, 1974. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized handling except articles requiring special vehicular equipment for over-the-road movements, between points in Fayette

County, Pa., within 25 miles of Pittsburgh, Pa., south and west of a line beginning at the Fayette-Washington County line, extending along Pennsylvania Highway 201 to junction Pennsylvania Highway 819, thence along Pennsylvania Highway 819 to the Fayette-Westmoreland County line, on the one hand, and, on the other, Baltimore, Md. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 83835 (Sub-No. E40), filed May 14, 1974. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: William A. Cunningham (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pipe (except oilfield pipe)*, (1) which because of size or weight, require the use of special equipment (except pipe 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) (2) which is earth drilling machinery and equipment, (3) which is incidental to, used in, or in connection with (a) the transmission, installation, removal, repair, operation, 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, (4) which is used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; (a) from points in Texas, to points in Iowa, Michigan, Minnesota, and Wisconsin; (b) from points in Illinois, to points in California.

(c) From points in Colorado, Kansas, and Nebraska, to points in Mississippi; (d) from points in Kansas and Nebraska to points in Georgia and South Carolina; (e) from points in Colorado, Kansas, and Nebraska to points in Florida; (f) from points in Nebraska to points in Alabama; (g) from points in Arkansas, Illinois, and Missouri to points in Arizona; (h) from points in Arkansas and Louisiana to points in California, Idaho, Nevada, Oregon, and Washington; (i) from points in New Mexico, Oklahoma, and Texas to points in New York, Ohio, and Pennsylvania; (j) from points in New Mexico and Oklahoma to points in Indiana, Kentucky, Michigan, and Wisconsin; (k) from points in Colorado and New Mexico to points in Alabama, Tennessee, and Virginia; (l) from points in Colorado, New Mexico, and Oklahoma, to points in Georgia, North Carolina, South Carolina, and Virginia; (m) from points in

Colorado, New Mexico, Oklahoma, and Texas, to points in Connecticut, Delaware, Maryland, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont; (n) from points in Louisiana to points in that part of Arizona on and north of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 70 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with U.S. Highway 80, thence along U.S. Highway 80 to its junction with U.S. Highway 95, thence along U.S. Highway 95 to the U.S.-Mexico International Boundary line, and points in that part of Iowa on and west of a line beginning at the Missouri-Iowa State line, thence along U.S. Highway 63 to its junction with Iowa Highway 149, thence along Iowa Highway 149 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with Iowa Highway 149, thence along Iowa Highway 149 to its junction with U.S. Highway 151, thence along U.S. Highway 151 to its junction with Iowa Highway 13, thence along Iowa Highway 13 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to the Minnesota-Iowa State line; (o) from points in Missouri to points in that part of California on and south and west of a line beginning at the California-Iowa State line, thence along Interstate Highway 5 to its junction with California Highway 89, thence along California Highway 89 to its junction with California Highway 44, thence along California Highway 44 to its junction with U.S. Highway 395, thence along U.S. Highway 395 to the California-Nevada State line, and in that part of Nevada on and south of a line beginning at the Utah-Nevada State line, thence along U.S. Highway 50 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to the California-Nevada State line.

(p) From points in Kansas to points in that part of Alabama on and south of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 78 to its junction with U.S. Highway 278, thence along U.S. Highway 278 to the Alabama-Georgia State line; (q) from points in New Mexico, to points in that part of Florida on and east of a line beginning at the Georgia-Florida State line, thence along U.S. Highway 319 to its junction with Florida Highway 369, thence along Florida Highway 369 to the Gulf of Mexico; (r) from points in Texas, to points in that part of North Carolina on and east of a line beginning at the North Carolina-South Carolina State line, thence along U.S. Highway 52 to its junction with U.S. Highway 311, thence along U.S. Highway 311 to its junction with U.S. Highway 220, thence along U.S. Highway 220 to the North Carolina-Virginia State line; (s) from points in Oklahoma, to points in that part of Florida on and east of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 319 to its

junction with Florida Highway 363, thence along Florida Highway 363 to the Gulf of Mexico; (t) from points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along Kansas Highway 57 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with Kansas Highway 37, thence along Kansas Highway 37 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to its junction with Kansas Highway 184, thence along Kansas Highway 184 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line, to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont.

(u) From points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 125, thence along Colorado Highway 125 to the Colorado-Wyoming State line, to points in Pennsylvania; (v) from points in that part of Kansas on and south and west of a line beginning at the Kansas-Missouri State line, thence along U.S. Highway 24 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line, to points in North Carolina; (w) from points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along Kansas Highway 57 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with Kansas Highway 37, thence along Kansas Highway 37 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 183, thence along Kansas Highway 183 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Colorado State line, to

points in Maryland; (x) from points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 69 to its junction with Oklahoma Highway 3, thence along Oklahoma Highway 3 to its junction with Oklahoma Highway 13, thence along Oklahoma Highway 13 to its junction with Oklahoma Highway 39, thence along Oklahoma Highway 39 to its junction with Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Kansas State line, to points in California.

(y) From points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line, thence along U.S. Highway 177 to its junction with Oklahoma Highway 9, thence along Oklahoma Highway 9 to its junction with U.S. Highway 170, thence along U.S. Highway 170 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to its junction with Oklahoma Highway 3, thence along Oklahoma Highway 3 to its junction with Oklahoma Highway 7, thence along Oklahoma Highway 7 to the Oklahoma-Arkansas State line, to points in Arizona; (z) from points in that part of Texas on and north of a line beginning at the Texas-Arkansas State line, thence along U.S. Highway 67 to its junction with U.S. Highway 90, thence along U.S. Highway 90 to its junction with U.S. Highway 67, thence along U.S. Highway 67 to the U.S.-Mexico International Boundary line, to points in Georgia; (a1) from points in that part of Texas on and north of a line beginning at the Texas-New Mexico State line, thence along Interstate Highway 10 to its junction with Interstate Highway 20, thence along Interstate Highway 20 to the Texas-Louisiana State line, to points in Virginia; (b1) from points in Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to its junction with Interstate Highway 45, thence along Interstate Highway 45 to the Gulf of Mexico, to points in Indiana; (c1) from points in that part of Texas on and south of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 259 to its junction with U.S. Highway 69, thence along U.S. Highway 69 to its junction with Texas Highway 63, thence along Texas Highway 63 to its junction with U.S. Highway 190, thence along U.S. Highway 190 to the Texas-Louisiana State line, to points in West Virginia; (d1) from points in that part of Texas on and north of a line beginning at the Texas-New Mexico State line, thence along Interstate Highway 10 to its junction with Interstate Highway 20, thence along Interstate Highway 20 to its junction with Texas Highway 121, thence along Texas Highway 121 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to the Texas-Oklahoma State line, to points in South Carolina.

(e1) From points in that part of Colorado on and west of a line beginning at the Colorado-Wyoming State line, thence along Colorado Highway 71 to its junction

with U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Kansas State line, and in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to its junction with Texas Highway 19, thence along Texas Highway 19 to its junction with Texas Highway 59, thence along Texas Highway 59 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 77, thence along Texas Highway 488 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to its junction with U.S. Highway 190, thence along U.S. Highway 190 to its junction with Texas Highway 21, thence along Texas Highway 21 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Texas Highway 316, thence along Texas Highway 316 to the Gulf of Mexico, to points in Kentucky; (f1) from points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Missouri State line, thence along Interstate Highway 44 to its junction with U.S. Highway 277, thence along U.S. Highway 277 to its junction with U.S. Highway 81, thence along U.S. Highway 81 to the Oklahoma-Texas State line, and points in that part of Texas on and east of a line beginning at the U.S.-Mexico International Boundary line, thence along U.S. Highway 83 to its junction with Texas Highway 42, thence along Texas Highway 42 to its junction with U.S. Highway 377, thence along U.S. Highway 377 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to the Texas-Oklahoma State line, to points in Washington.

(g1) From points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 13, thence along Colorado Highway 13 to the Colorado-Wyoming State line, and in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along Kansas Highway 57 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with Kansas Highway 37, thence along Kansas Highway 37 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to the Kansas-Colorado State line, to points in New York; (h1) from points in that part of Illinois

on and south of a line beginning at the Lake Michigan, thence along U.S. Highway 66 to its junction with U.S. Highway 136, thence along U.S. Highway 136 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Missouri-Illinois State line, points in that part of Oklahoma on and east of Interstate Highway 35, and points in Texas on and east of a line beginning at the Gulf of Mexico, thence along Texas Highway 44 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its junction with Interstate Highway 35W, thence along Interstate Highway 35W to its junction with Texas Highway 121, thence along Texas Highway 121 to its junction with Interstate Highway 35E, thence along Interstate Highway 35E to its junction with U.S. Highway 75, thence along U.S. Highway 75 to the Texas-Oklahoma State line, to points in Nevada.

(11) From points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Texas State line, thence along the H. E. Bailey Turnpike to its junction with U.S. Highway 81, thence along U.S. Highway 81 to the Oklahoma-Kansas State line, and in that part of Texas on and east of a line beginning at the Gulf of Mexico, thence along U.S. Highway 75 to its junction with Texas Highway 6, thence along Texas Highway 6 to its junction with Interstate Highway 35W, thence along Interstate Highway 35W to the Oklahoma-Texas State line, to points in Oregon; (j1) from points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Texas State line, thence along the H. E. Bailey Turnpike to its junction with Interstate Highway 44, thence along Interstate Highway 44 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to the Kansas-Oklahoma State line, and in that part of Texas on and east of a line beginning at the U.S.-Mexico International Boundary line, thence along U.S. Highway 281 to its junction with U.S. Highway 81, thence along U.S. Highway 81 to its junction with Interstate Highway 35W, thence along Interstate Highway 35W to the Oklahoma-Texas State line, to points in Idaho.

(k1) From points in that part of Kansas on and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 77 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with U.S. Highway 81, thence along U.S. Highway 81 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to the Kansas-Nebraska State line, and in that part of Nebraska on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 83 to its junction with Nebraska Highway 97, thence along Nebraska Highway 97 to its junction with Nebraska Highway 2,

thence along Nebraska Highway 2 to its junction with Nebraska Highway 250, thence along Nebraska Highway 250 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with U.S. Highway 385, thence along Nebraska Highway 385 to the South Dakota-Nebraska State line, and in that part of Oklahoma on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 69 to its junction with U.S. Highway 266, thence along U.S. Highway 266 to its junction with U.S. Highway 64, thence along U.S. Highway 64 to its junction with Oklahoma Highway 82, thence along Oklahoma Highway 82 to its junction with Oklahoma Highway 10, thence along Oklahoma Highway 10 to its junction with Oklahoma Highway 20, thence along Oklahoma Highway 20 to the Oklahoma-Arkansas State line, and in that part of Texas on, west, and north of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with Texas Highway 121, thence along Texas Highway 121 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to its junction with U.S. Highway 67, thence along U.S. Highway 67 to its junction with Texas Highway 174, thence along Texas Highway 174 to its junction with Texas Highway 22, thence along Texas Highway 22 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to its junction with Texas Highway 186, thence along Texas Highway 186 to its junction with Texas Highway 497, thence along Texas Highway 497 to the Gulf of Mexico, to points in Tennessee.

(11) From points in that part of Arkansas on and west of a line beginning at the Arkansas-Texas State line, thence along U.S. Highway 71 to its junction with Arkansas Highway 59, thence along Arkansas Highway 59 to its junction with Arkansas Highway 33, thence along Arkansas Highway 33 to the Arkansas-Oklahoma State line, and in that part of New Mexico on and south of a line beginning at the New Mexico-Arizona State line, thence along Interstate Highway 40 to its junction with U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, and in that part of Oklahoma on and south of a line beginning at the Oklahoma-Arkansas State line, thence along Oklahoma Highway 33 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to the Oklahoma-Texas State line, to points in Iowa; (m1) from points in that part of Oklahoma on, north, and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 77 to its junction with Oklahoma Highway 7, thence along Oklahoma Highway 7 to its junction with Oklahoma Highway 12, thence along Oklahoma Highway 12 to its junction with Oklahoma Highway 1, thence along Oklahoma Highway 1 to its junction with U.S. Highway 270, thence along U.S. Highway 270 to its junction with

U.S. Highway 69, thence along U.S. Highway 69 to its junction with U.S. Highway 266, thence along U.S. Highway 266 to its junction with U.S. Highway 59, thence along U.S. Highway 59 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the Oklahoma-Arkansas State line, and in that part of Texas on and north of a line beginning at the Texas-New Mexico State line, thence along Interstate Highway 10 to its junction with Interstate Highway 20, thence along Interstate Highway 20 to its junction with U.S. Highway 285, thence along U.S. Highway 285 to its junction with Texas Highway 302, thence along Texas Highway 302 to its junction with Texas Highway 181, thence along Texas Highway 181 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 283, thence along U.S. Highway 283 to the Texas-Oklahoma State line, to points in Alabama.

(n1) From points in New Mexico on and west of a line beginning at the New Mexico-Arizona State line, thence along Interstate Highway 40 to its junction with U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, and in that part of Oklahoma on and south of a line beginning at the Oklahoma-Arkansas State line, thence along Oklahoma Highway 20 to its junction with Oklahoma Highway 82, thence along Oklahoma Highway 82 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to its junction with Oklahoma Highway 33, thence along Oklahoma Highway 33 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to the Oklahoma-Texas State line, to points in Minnesota; (o1) from points in that part of New Mexico on and north of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 84 to its junction with U.S. Highway 70, thence along U.S. Highway 70 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to its junction with Interstate Highway 10, thence along Interstate Highway 10 to the New Mexico-Texas State line, and in that part of Oklahoma on and north of a line beginning at the Oklahoma-Texas State line, thence U.S. Highway 66 to its junction with Interstate Highway 40, thence along Interstate Highway 40 to its junction with U.S. Highway 69, thence along U.S. Highway 69 to its junction with U.S. Highway 266, thence along U.S. Highway 266 to its junction with Oklahoma Highway 100, thence along Oklahoma Highway 100 to its junction with Oklahoma Highway 82, thence along Oklahoma Highway 82 to its junction with Oklahoma Highway 10, thence along Oklahoma Highway 10 to its junction with Oklahoma Highway 20,

thence along Oklahoma Highway 20 to the Oklahoma-Arkansas State line, and in that part of Texas on and north of U.S. Highway 66, to points in Mississippi; (p1) from points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along U.S. Highway 171 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico, to points in that part of Indiana on and north of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 136 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Ohio State line.

(q1) From points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along U.S. Highway 79 to its junction with Louisiana Highway 7, thence along Louisiana Highway 7 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Louisiana Highway 6, thence along Louisiana Highway 6 to its junction with U.S. Highway 171, thence along U.S. Highway 171 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico, to points in that part of Pennsylvania on and west of U.S. Highway 219; (r1) from points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along Louisiana Highway 3 to its junction with Louisiana Highway 1, thence along Louisiana Highway 1 to its junction with Louisiana Highway 175, thence along Louisiana Highway 175 to its junction with U.S. Highway 171, thence along U.S. Highway 171 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico, to points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along Ohio Highway 49 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Ohio Highway 29, thence along Ohio Highway 29 to its junction with U.S. Highway 33, thence along U.S. Highway 33 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Ohio-West Virginia State line; (s1) from points in that part of Texas on and east of a line beginning at the Gulf of Mexico, thence along U.S. Highway 75 to its junction with Texas Highway 6, thence along Texas Highway 6 to its junction with Interstate Highway 35W, thence along Interstate Highway 35W to the Texas-Oklahoma State line, to points in that part of California on and west of a line beginning at the Pacific Ocean, thence along California Highway 74 to its junction with U.S. Highway 395, thence along U.S. Highway 395 to its junction with California Highway 168, thence along California Highway 168 to the California-Nevada State line.

(t1) From points in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to its junction with U.S.

Highway 82, thence along U.S. Highway 82 to its junction with Texas Highway 79, thence along Texas Highway 79 to its junction with U.S. Highway 283, thence along U.S. Highway 283 to its junction with Texas Highway 351, thence along Texas Highway 351 to its junction with U.S. Highway 80, thence along U.S. Highway 80 to its junction with Texas Highway 302, thence along Texas Highway 302 to its junction with U.S. Highway 285, thence along U.S. Highway 285 to its junction with Texas Highway 652, thence along Texas Highway 652 to its junction with Texas Highway 1108, thence along Texas Highway 1108 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the U.S.-Mexico International Boundary line, to points in that part of Mississippi on and north of a line beginning at the Mississippi-Arkansas State line, thence along Mississippi Highway 322 to its junction with Mississippi Highway 6, thence along Mississippi Highway 6 to its junction with U.S. Highway 78, thence along U.S. Highway 78 to the Alabama-Mississippi State line; (u1) from points in that part of Texas on and north of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with U.S. Highway 277, thence along U.S. Highway 277 to its junction with U.S. Highway 180, thence along U.S. Highway 180 to its junction with Texas Highway 350, thence along Texas Highway 350 to its junction with U.S. Highway 80, thence along U.S. Highway 80 to the Texas-New Mexico State line, to points in that part of Florida on and east of a line beginning at the Gulf of Mexico, thence along Florida Highway 369 to its junction with U.S. Highway 319, thence along U.S. Highway 319 to the Florida-Georgia State line; (v1) from points in that part of Texas on and east of a line beginning at the Gulf of Mexico, thence along Interstate Highway 45 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to the Texas-Oklahoma State line, to points in that part of Indiana on and north of a line beginning at the Indiana-Illinois State line, thence along Interstate Highway 70 to its junction with Indiana Highway 46, thence along Indiana Highway 46 to its junction with Indiana Highway 7, thence along Indiana Highway 7 to the Indiana-Kentucky State line.

(w1) From points in that part of Texas on and east of a line beginning at the Gulf of Mexico, thence along Interstate Highway 45 to its junction with Texas Highway 94, thence along Texas Highway 94 to its junction with Texas Highway 19, thence along Texas Highway 19 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Texas Highway 19, thence along Texas Highway 19 to its junction with U.S. Highway 171, thence along U.S. Highway 171 to the Texas-Oklahoma State line, to points in that part of Arizona on and west of a line beginning at the Arizona-Utah State line, thence along U.S. Highway 89 to its junction

with U.S. Highway 89 Alternate, thence along U.S. Highway 89 Alternate to its junction with Arizona Highway 71, thence along Arizona Highway 71 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with U.S. Highway 95, thence along U.S. Highway 95 to the Arizona-California State line; (x1) from points in that part of Missouri on and west of a line beginning at the Missouri-Iowa State line, thence along U.S. Highway 65 to its junction with Missouri Highway 23, thence along Missouri Highway 23 to its junction with Interstate Highway 40, thence along Interstate Highway 40 to its junction with Missouri Highway 13, thence along Missouri Highway 13 to its junction with Missouri Highway 82, thence along Missouri Highway 82 to its junction with Missouri Highway 97, thence along Missouri Highway 97 to its junction with Missouri Highway 37, thence along Missouri Highway 37 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to its junction with U.S. Highway 71 Alternate, thence along U.S. Highway 71 Alternate to its junction with U.S. Highway 71, thence along U.S. Highway 71 to the Missouri-Arkansas State line, to points in that part of Mississippi on and south of U.S. Highway 84; (y1) from points in that part of New Mexico on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 84 to its junction with U.S. Highway 70, thence along U.S. Highway 70 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to its junction with Interstate Highway 10, thence along Interstate Highway 10 to the New Mexico-Texas State line, to points in that part of Mississippi on and north of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 82 to its junction with U.S. Highway 49E, thence along U.S. Highway 49E to its junction with Mississippi Highway 322, thence along Mississippi Highway 322 to its junction with Mississippi Highway 1, thence along Mississippi Highway 1 to its junction with U.S. Highway 49, thence along U.S. Highway 49 to the Mississippi-Arkansas State line.

(z1) From points in that part of Colorado on, north, and east of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-Wyoming State line, to points in that part of Pennsylvania on and south of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 219 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to its junction with U.S. Highway 522, thence along U.S. Highway 522 to its junction with U.S. Highway 11, thence along U.S. Highway 11 to its junction with U.S.

Highway 6, thence along U.S. Highway 6 to its junction with Pennsylvania Highway 652, thence along Pennsylvania Highway 652 to the Pennsylvania-New York State line; (a2) from points in that part of Colorado on and north of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 13, thence along Colorado Highway 13 to the Colorado-Wyoming State line, to points in that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 6217 to its junction with New York Highway 242, thence along New York Highway 242 to its junction with U.S. Highway 219, thence along U.S. Highway 219 to its junction with New York Highway 39, thence along New York Highway 39 to its junction with U.S. Highway 20 Alternate, thence along U.S. Highway 20 Alternate to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with New York Highway 14, thence along New York Highway 14 to the Lake Ontario.

(b2) From points in that part of Colorado on and south of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 789, thence along Colorado Highway 789 to the Wyoming-Colorado State line, to points in that part of Ohio on and south and east of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 40 to its junction with U.S. Highway 68, thence along U.S. Highway 68 to its junction with Ohio Highway 67, thence along Ohio Highway 67 to its junction with Ohio Highway 18, thence along Ohio Highway 18 to its junction with Ohio Highway 4, thence along Ohio Highway 4 to Lake Erie; (c2) from points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 50 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with Colorado Highway 9, thence along Colorado Highway 9 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 13, thence along Colorado Highway 13 to the Colorado-Wyoming State line, to points in that part of Indiana on and south of U.S. Highway 40; (d2) from points in that part of Wyoming on and west of a line beginning at the Wyoming-Montana State line, thence along Wyoming Highway 120 to its junction with Wyoming Highway 789, thence along Wyoming Highway 789 to its junction with U.S. Highway 287, thence

along U.S. Highway 287 to its junction with Wyoming Highway 71, thence along Wyoming Highway 71 to the Wyoming-Colorado State line, to points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 50 to its junction with Indiana Highway 60, thence along Indiana Highway 60 to its junction with Indiana Highway 56, thence along Indiana Highway 56 to the Indiana-Kentucky State line.

(e2) From points in that part of Illinois on and west of a line beginning at the Lake Michigan, thence along U.S. Highway 66 to its junction with U.S. Highway 136, thence along U.S. Highway 136 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Missouri-Illinois State line, to points in that part of Nevada on and south of U.S. Highway 50; (f2) from points in Arkansas on and south of a line beginning at the Arkansas-Oklahoma State line, thence along U.S. Highway 64 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line, to points in that part of Iowa on and west of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 69 to its junction with Interstate Highway 35, thence along Interstate Highway 35 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to the Iowa-Minnesota State line; (g2) from points in that part of Kansas on and south of a line beginning at the Kansas-Oklahoma State line, thence along Interstate Highway 35 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Colorado State line, to points in that part of West Virginia on and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 50 Alternate to its junction with West Virginia Highway 16, thence along West Virginia Highway 16 to its junction with U.S. Highway 21, thence along U.S. Highway 21 to its junction with Interstate Highway 77, thence along Interstate Highway 77 to the West Virginia-Ohio State line.

(h2) From points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along U.S. Highway 50 to its junction with U.S. Highway 154, thence along U.S. Highway 154 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway

96, thence along Kansas Highway 96 to its junction with Kansas Highway 47, thence along Kansas Highway 47 to its junction with Kansas Highway 57, thence along Kansas Highway 57 to its junction with U.S. Highway 69, thence along U.S. Highway 69 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to the Kansas-Colorado State line, to points in that part of Pennsylvania on and south and east of a line beginning at the Pennsylvania-Ohio State line, thence along U.S. Highway 62 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the Pennsylvania-New York State line; (i2) from points in that part of Kansas on and west of a line beginning at the Kansas-Oklahoma State line, thence along Interstate Highway 35 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to its junction with Kansas Highway 184, thence along Kansas Highway 184 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line, to points in that part of Kentucky on and south of a line beginning at the Kentucky-Tennessee State line, thence along U.S. Highway 41 Alternate to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 68, thence along U.S. Highway 68 to the Kentucky-Ohio State line.

(j2) From points in that part of Kansas on and south and west of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to its junction with U.S. Highway 154, thence along U.S. Highway 154 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line, to points in that part of Indiana on and south of U.S. Highway 40; (k2) from points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along Kansas Highway 57 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with Kansas Highway 37, thence along Kansas Highway 37 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with

U.S. Highway 183, thence along U.S. Highway 183 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to its junction with Kansas Highway 184, thence along Kansas Highway 184 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line, to points in that part of Virginia on and east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of Wagoner, Okla.

No. MC 83835 (Sub-No. E36), filed May 14, 1974. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: William A. Cunningham (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe (except oilfield pipe), which is 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 operation at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells or which is used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way, (a) from points in Kentucky, Ohio, Pennsylvania, and West Virginia, to points in Arizona, California, New Mexico, Nevada, and Oklahoma; (b) from points in Kentucky and West Virginia, to points in Idaho, Oregon, and Washington; (c) from points in Iowa, Michigan, and Minnesota to points in Arizona and Texas; (d) from points in Indiana, to points in Arizona, California, New Mexico, and Oklahoma; (e) from points in Ohio and Pennsylvania, to points in Texas; (f) from points in Michigan, to points in New Mexico and Oklahoma; (g) from points in Minnesota, to points in Florida; (h) from points in West Virginia, to points in Colorado; (i) from points in Pennsylvania, to points in Utah; (j) from points in the state of Pennsylvania, to points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 125, thence along Colorado Highway 125 to the Colorado-Wyoming State line.

(k) From points in Indiana to points in that part of Nevada on and west and south of a line beginning at the Utah-Nevada State line, thence along U.S.

Highway 50 to its junction with Nevada Highway 8A, thence along Nevada Highway 8A to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with U.S. Highway 95, thence along U.S. Highway 95 to the Oregon-Nevada State line, and in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to its junction with Interstate Highway 45, thence along Interstate Highway 45 to the Gulf of Mexico; (l) from points in that part of Indiana on and south of U.S. Highway 24, and in that part of Ohio on and south of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 36 to its junction with Ohio Highway 4, thence along Ohio Highway 4 to its junction with U.S. Highway 30S, thence along U.S. Highway 30S to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Ohio Highway 585, thence along Ohio Highway 585 to its junction with Interstate Highway 76, thence along Interstate Highway 76 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to its junction with U.S. Highway 422, thence along U.S. Highway 422 to the Pennsylvania-Ohio State line, to points in Utah; (m) from points in Kentucky to points in that part of Colorado on and west of a line beginning at the Colorado-Wyoming State line, thence along Colorado Highway 71 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Kansas State line, and that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to its junction with Texas Highway 19, thence along Texas Highway 19 to its junction with Texas Highway 59, thence along Texas Highway 59 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Texas Highway 488, thence along Texas Highway 488 to its junction with U.S. Highway 75, thence along U.S. Highway 75 to its junction with U.S. Highway 190, thence along U.S. Highway 190 to its junction with Texas Highway 21, thence along Texas Highway 21 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Texas Highway 316, thence along Texas Highway 316 to the Gulf of Mexico.

(n) From points in West Virginia to points in that part of Texas on and south and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 259 to its junction with U.S. Highway 69, thence along U.S. Highway 69 to its junction with Texas Highway 63, thence along Texas Highway 63 to its junction with U.S. Highway 190, thence along U.S. Highway 190 to the Texas-Louisiana State line, and in that part of Wyoming on and west of a line beginning at the Colorado-Wyoming State line, thence along U.S. Highway 287 to its junction with Wyoming Highway 487, thence along Wyoming Highway 487 to

its junction with Wyoming Highway 220, thence along Wyoming Highway 220 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to the Montana-Wyoming State line; (o) from points in Michigan (except the Upper Peninsula), to points in California; (p) from points in Iowa, to points in that part of Arkansas on and west of a line beginning at the Arkansas-Texas State line, thence along U.S. Highway 71 to its junction with Arkansas Highway 59, thence along Arkansas Highway 59 to its junction with Arkansas Highway 33, thence along Arkansas Highway 33 to the Arkansas-Oklahoma State line, and in that part of California on and south of a line beginning at the California-Nevada State line, thence along Interstate Highway 15 to its junction with California Highway 58, thence along California Highway 58 to its junction with California Highway 99, thence along California Highway 99 to its junction with California Highway 180, thence along California Highway 180 to its junction with California Highway 68, thence along California Highway 68 to the Pacific Ocean, and points in that part of Nevada on and south of a line beginning at the Arizona-Nevada State line, thence along U.S. Highway 91 to its junction with Interstate Highway 15, thence along Interstate Highway 15 to the California-Nevada State line, and points in that part of New Mexico on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 60 to its junction with U.S. Highway 285, thence along U.S. Highway 285 to its junction with Interstate Highway 40, thence along Interstate Highway 40 to the New Mexico-Arizona State line, and points in that part of Oklahoma on and south of a line beginning at the Oklahoma-Arkansas State line, thence along Oklahoma Highway 33 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to the Oklahoma-Texas State line.

(q) From points in Kentucky and West Virginia, to points in Utah; (r) from points in that part of Iowa on and west of a line beginning at the Missouri-Iowa State line, thence along U.S. Highway 63 to its junction with Iowa Highway 149, thence along Iowa Highway 149 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with Iowa Highway 149, thence along Iowa Highway 149 to its junction with U.S. Highway 151, thence along U.S. Highway 151 to its junction with Iowa Highway 13, thence along Iowa Highway 13 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to the Minnesota-Iowa State line, to points in Louisiana; (s) from points in Minnesota, to points in that part of New Mexico on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 60 to its junction with U.S. Highway 84, thence along U.S. Highway 84 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to the New Mexico-Arizona State line, and in that part of Oklahoma on and south of a line beginning at the Oklahoma-Arkansas

State line, thence along Oklahoma Highway 20 to its junction with Oklahoma Highway 82, thence along Oklahoma Highway 82 to its junction with U.S. Highway 66, thence along U.S. Highway 66 to the Oklahoma-Texas State line; (t) from points in that part of Minnesota on and west of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 16 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with U.S. Highway 59, thence along U.S. Highway 59 to its junction with Minnesota Highway 79, thence along Minnesota Highway 79 to its junction with Minnesota Highway 78, thence along Minnesota Highway 78 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to its junction with U.S. Highway 59, thence along U.S. Highway 59 to its junction with Minnesota Highway 1, thence along Minnesota Highway 1 to its junction with Minnesota Highway 219, thence along Minnesota Highway 219 to its junction with Minnesota Highway 89, thence along Minnesota Highway 89 to its junction with Minnesota Highway 11, thence along Minnesota Highway 11 to its intersection with the Warroad River, thence along the Warroad River to Lake of the Woods, to points in Alabama.

(u) From points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 50 to its junction with Indiana Highway 60, thence along Indiana Highway 60 to its junction with Indiana Highway 56, thence along Indiana Highway 56 to the Indiana-Kentucky State line, to points in that part of Wyoming on and west of a line beginning at the Wyoming-Colorado State line, thence along Wyoming Highway 71 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Wyoming Highway 769, thence along Wyoming Highway 769 to its junction with Wyoming Highway 120, thence along Wyoming Highway 120 to the Wyoming-Montana State line; (v) from points in that part of Indiana on and north of a line beginning at the Indiana-Illinois State line, thence along Interstate Highway 70 to its junction with Indiana Highway 46, thence along Indiana Highway 46 to its junction with Indiana Highway 7, thence along Indiana Highway 7 to the Illinois-Kentucky State line, to points in that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to its junction with Interstate Highway 45, thence along Interstate Highway 45 to the Gulf of Mexico; (w) from points in that part of Indiana on and south of U.S. Highway 40, to points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 50 to its intersection with Interstate Highway 25, thence along Interstate Highway 25 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with Colorado Highway 9, thence along Colorado Highway

9 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 13, thence along Colorado Highway 13 to the Colorado-Wyoming State line; (x) from points in that part of Indiana on and north of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 136 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Ohio State line, to points in Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along U.S. Highway 171 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico.

(y) From points in Indiana on and south of U.S. Highway 40, to points in Kansas on and south and west of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line; (z) from points in that part of Iowa on and west of U.S. Highway 169, to points in that part of Mississippi on and west of a line beginning at the Mississippi-Tennessee State line, thence along Interstate Highway 55 to its junction with Mississippi Highway 35, thence along Mississippi Highway 35 to its junction with Mississippi Highway 19, thence along Mississippi Highway 19 to the Mississippi-Alabama State line; (aa) from points in that part of Iowa on and west of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 69 to its junction with Interstate Highway 35, thence along Interstate Highway 35 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to the Iowa-Minnesota State line, to points in that part of Arkansas on and south of a line beginning at the Arkansas-Oklahoma State line, thence along U.S. Highway 64 to its junction with U.S. Highway 65, thence along U.S. Highway 65 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line.

(bb) From points in that part of Kentucky on and south of a line beginning at the Illinois-Kentucky State line, thence along U.S. Highway 45 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with Mountain Parkway Toll Road, thence along the Mountain Parkway Toll Road to its junction with Kentucky Highway 114, thence along Kentucky Highway 114 to its junction with Kentucky Highway 80, thence along Kentucky Highway 80 to the Virginia-Kentucky State line, to points in that part of Montana on and west of a line beginning at the Montana-Wyoming State line, thence along U.S. Highway 87 to its junction with U.S. Highway 212, thence along U.S. Highway 212 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction

with U.S. Highway 12, thence along U.S. Highway 12 to its junction with U.S. Highway 89, thence along U.S. Highway 89 to its junction with U.S. Highway 91, thence along U.S. Highway 91 to the U.S.-Canada International Boundary line; (cc) from points in that part of Kentucky on and south of Interstate Highway 64, to points in that part of Wyoming on and north of a line beginning at the Wyoming-Utah State line, thence along Interstate Highway 80 to its junction with Wyoming Highway 13, thence along Wyoming Highway 13 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Wyoming Highway 34, thence along Wyoming Highway 34 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to its junction with U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Nebraska State line.

(dd) From points in that part of Kentucky on and east and south of a line beginning at the Kentucky-Tennessee State line, thence along Alternate U.S. Highway 41 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to its junction with U.S. Highway 68, thence along U.S. Highway 68 to the Kentucky-Ohio State line, to points in that part of Kansas on and west of a line beginning at the Kansas-Oklahoma State line, thence along Interstate Highway 35 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence along U.S. Highway 281 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 187, thence along U.S. Highway 187 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to its junction with Kansas Highway 184, thence along Kansas Highway 184 to its junction with Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line; (ee) from points in that part of Minnesota on and west of a line beginning at the Minnesota-North Dakota State line, thence along U.S. Highway 16 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with Minnesota Highway 19, thence along Minnesota Highway 19 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with U.S. Highway 10, thence along U.S. Highway 10 to its junction with Minnesota Highway 371, thence along Minnesota Highway 371 to its junction with Minnesota Highway 210, thence along Minnesota Highway 210 to its junction with Minnesota Highway 6, thence along Minnesota Highway 6 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to the U.S.-Canada International Boundary line, to points in Alabama on and south of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 82 to its junction with U.S. Highway 80, thence along U.S.

Highway 80 to the Alabama-Georgia State line.

(ff) From points in that part of Minnesota on and east of a line beginning at the Minnesota-South Dakota State line, thence along U.S. Highway 16 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with Minnesota Highway 19, thence along Minnesota Highway 19 to its junction with U.S. Highway 71, thence along U.S. Highway 71 to the U.S.-Canada International Boundary line, to points in that part of California on and south of a line beginning at the California-Nevada State line, thence along Interstate Highway 40 to its junction with California Highway 58, thence along California Highway 58 to its junction with California Highway 99, thence along California Highway 99 to its junction with California Highway 152, thence along California Highway 152 to its junction with California Highway 1, thence along California Highway 1 to its junction with California Highway 17, thence along California Highway 17 to the Pacific Ocean; (gg) from points in Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 71 to its junction with Minnesota Highway 72, thence along Minnesota Highway 72 to its junction with Minnesota Highway 11, thence along Minnesota Highway 11 to the U.S.-Canada International Boundary line, to points in that part of Georgia on and south of a line beginning at the Alabama-Georgia State line, thence along Georgia Highway 26 to its junction with Georgia Highway 23, thence along Georgia Highway 23 to its junction with Georgia Highway 21, thence along Georgia Highway 21 to its junction with U.S. Highway 301, thence along U.S. Highway 301 to the South Carolina-Georgia State line.

(hh) From points in Minnesota on and west of a line beginning at the Minnesota-Iowa State line, thence along U.S. Highway 65 to its junction with U.S. Highway 61, thence along U.S. Highway 61 to its junction with U.S. Highway 53, thence along U.S. Highway 53 to the U.S.-Canada International Boundary line, to points in that part of Mississippi on and south and west of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 80 to its junction with U.S. Highway 49, thence along U.S. Highway 49 to its junction with U.S. Highway 49E, thence along U.S. Highway 49E to its junction with Mississippi Highway 322, thence along Mississippi Highway 322 to the Mississippi-Louisiana State line; (ii) from points in that part of Ohio on and south and east of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 40 to its junction with U.S. Highway 68, thence along U.S. Highway 68 to its junction with Ohio Highway 67, thence along Ohio Highway 67 to its junction with Ohio Highway 18, thence along Ohio Highway 18 to its junction with Ohio Highway 4, thence along Ohio Highway 4 to Lake Erie, to points in that part of Colorado on and south of a line

beginning at the Colorado-Kansas State line, thence along U.S. Highway 50 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with Colorado Highway 789, thence along Colorado Highway 789 to the Colorado-Wyoming State line.

(jj) From points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 36 to its junction with Ohio Highway 29, thence along Ohio Highway 29 to its junction with U.S. Highway 33, thence along U.S. Highway 33 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to the Ohio-West Virginia State line, to points in that part of Louisiana on and west of a line beginning at the Arkansas-Louisiana State line, thence along Louisiana Highway 3 to its junction with Louisiana Highway 175, thence along Louisiana Highway 175 to its junction with U.S. Highway 171, thence along U.S. Highway 171 to its junction with Louisiana Highway 14, thence along Louisiana Highway 14 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico; (kk) from points in that part of Pennsylvania on and west of U.S. Highway 219, to points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line, thence along U.S. Highway 79 to its junction with Louisiana Highway 7, thence along Louisiana Highway 7 to its junction with Louisiana Highway 6, thence along Louisiana Highway 6 to its junction with U.S. Highway 171, thence along U.S. Highway 171 to its junction with Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico; (ll) from points in that part of Pennsylvania on and west of a line beginning at the Pennsylvania-West Virginia State line, thence along U.S. Highway 219 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to its junction with U.S. Highway 522, thence along U.S. Highway 522 to its junction with U.S. Highway 11, thence along U.S. Highway 11 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with Pennsylvania Highway 652, thence along Pennsylvania Highway 652 to the Pennsylvania-New York State line, to points in that part of Colorado on and north and east of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 24 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with U.S. Highway 85, thence along U.S. Highway 85 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-Wyoming State line;

(mm) From points in that part of Pennsylvania on and south and east of a line beginning at the Pennsylvania-Ohio State line, thence along U.S. Highway 62 to its junction with

U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the Pennsylvania-New York State line, to points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along U.S. Highway 160 to its junction with U.S. Highway 69, thence along U.S. Highway 69 to its junction with Kansas Highway 57, thence along Kansas Highway 57 to its junction with Kansas Highway 47, thence along Kansas Highway 47 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 154, thence along U.S. Highway 154 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Colorado State line; (nn) from points in that part of West Virginia on and east of a line beginning at the West Virginia-Virginia State line, thence along Interstate Highway 77 to its junction with U.S. Highway 21, thence along U.S. Highway 21 to its junction with West Virginia Highway 16, thence along West Virginia Highway 16 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the West Virginia-Ohio State line, to points in that part of Kansas on and south of a line beginning at the Kansas-Oklahoma State line, thence along Interstate Highway 35 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with Kansas Highway 14, thence along Kansas Highway 14 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to its junction with Kansas Highway 96, thence along Kansas Highway 96 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Colorado State line. The purpose of this filing is to eliminate the gateway of Wagoner, Okla.

No. MC 95540 (Sub-No. E802), filed November 25, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, from those points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line and extending along North Carolina Highway 18 to its junction with North Carolina Highway 115, thence along North Carolina Highway 115 to its junction with Interstate Highway 77, thence along Interstate Highway 77 to the North Carolina-South Carolina State line, to those points in Arizona on and north of a line beginning at the Arizona-California State line and extending along U.S. Highway 80 to its junction with Arizona Highway 84, thence along Arizona Highway 84 to its junction with U.S. Highway 80, thence along U.S. Highway

80 to its junction with Arizona Highway 77, thence along U.S. Highway 60 to the Arizona-New Mexico State line. The purpose of this filing is to eliminate the gateway of Washington, Pa.

No. MC 106398 (Sub-No. E75), filed May 31, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74101. Applicant's representative: Irvin Tull (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, complete, knocked down, or in sections, including component parts, materials, supplies, and fixtures*, from points in New Jersey, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, South Carolina, Tennessee, West Virginia, Wisconsin, and that part of North Carolina on and west of a line beginning at the Atlantic Ocean, thence along North Carolina Highway 117 to junction U.S. Highway 301, thence along U.S. Highway 301 to the North Carolina-Virginia State line. The purpose of this filing is to eliminate the gateway of Hanover, Pa.

No. MC 106398 (Sub-No. E78), filed May 31, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74101. Applicant's representative: Irvin Tull (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, complete, knocked down, or in sections, from points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia, Wisconsin, and that part of North Carolina on and west of a line beginning at the Atlantic Ocean, thence along North Carolina Highway 117 to junction U.S. Highway 301, thence along U.S. Highway 301 to the North Carolina-Virginia State line, to points in New Jersey. The purpose of this filing is to eliminate the gateway of Hanover, Pa.*

No. MC 106398 (Sub-No. E79), filed May 31, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74101. Applicant's representative: Irvin Tull (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated houses and buildings, and sections, panels, parts and accessories thereof*, from points in Wisconsin, Michigan, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, and that part of Illinois north of U.S. Highway 50, to points in New Mexico. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 106398 (Sub-No. E81), filed May 31, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., P.O. Box 3329, Tulsa, Okla. 74101. Applicant's representative: Irvin Tull (same as above). Authority sought to operate as a com-

mon carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, complete, knocked down, or in sections and component parts; materials, supplies and fixtures*, from points in Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, to points in Nebraska. The purpose of this filing is to eliminate the gateway of Des Moines or Clarinda, Iowa.

No. MC 107515 (Sub-No. E202) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Alan E. Serby, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk, in tank vehicles), from points in that part of Florida on and east of a line beginning at the Georgia-Florida State line, thence along U.S. Highway 41 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction Florida Highway 339, thence along Florida Highway 339 to junction Florida Highway 24, thence along Florida Highway 24 to the Gulf of Mexico, to points in Alabama, Mississippi, and Louisiana. The purpose of this filing is to eliminate the gateway of Tifton, Ga. The purpose of this correction is to clarify the origin territory.

No. MC 107515 (Sub-No. E263), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 21, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from Cook, DuPage, Lake, and Will Counties, Ill., and Lake County, Ind., to Memphis, Tenn., and points in Clark, Floyd, Harrison, Perry, and Spencer Counties, Ind., Mississippi, Louisiana, that part of West Virginia on and south of a line beginning at the Kentucky-West Virginia State line, thence along Interstate Highway 64 to Charleston, thence along U.S. Highway 60 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction West Virginia Highway 41, thence along West Virginia Highway 41 to junction West Virginia Highway 15, thence along West Virginia Highway 15 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction West Virginia Highway 28, thence along West Virginia Highway 28 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Virginia-West Virginia State line, and that part of Virginia on and south of a line beginning at

the Virginia-West Virginia State line, thence along U.S. Highway 33 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 28, thence along U.S. Highway 28 to junction Virginia Highway 29, thence along Virginia Highway 29 to junction Virginia Highway 7, thence along Virginia Highway 7 to the Potomac River. The purpose of this filing is to eliminate the gateway of the plant site of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County, Ky. The purpose of this correction is to include a destination State which was omitted in the previous publication.

No. MC 107515 (Sub-No. E265) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and 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 76 (except commodities in bulk, in tank vehicles, and hides), from points in Cook, DuPage, Lake, and Will Counties, Ill., and Lake County, Ind., to points in that part of Arkansas on and south of a line beginning at the Arkansas-Tennessee State line, thence along Interstate Highway 40 to junction Interstate Highway 30, thence along Interstate Highway 30 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Oklahoma State line, that part of Oklahoma on and south of U.S. Highway 70, and that part of Texas on and south of U.S. Highway 70. The purpose of this filing is to eliminate the gateway of Adairsville, Ky. The purpose of this correction is to include territorial descriptions which were omitted in the previous publication.

No. MC 107515 (Sub-No. E326) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen edible meats, edible meat products, and frozen by-products* (except commodities in bulk), from points in that part of Iowa on and west of a line beginning at the Iowa-Missouri State line, thence along Iowa Highway 139 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Iowa Highway 141, thence along Iowa Highway 141 to

the Iowa-South Dakota State line, to points in that part of Tennessee on and east of a line beginning at the Tennessee-Georgia State line, thence along U.S. Highway 27 to the Tennessee-Kentucky State line. The purpose of this filing is to eliminate the gateway of Rossville, N.C. The purpose of this correction is to include territorial descriptions which were omitted.

No. MC 107515 (Sub-No. E396) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER December 2, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prepared dough*, when moving in refrigerated vehicles, from Atlanta, Ga., to points in that part of West Virginia on and east of Interstate Highway 77, and that part of Ohio on and east of a line beginning at the Ohio-West Virginia State line, thence along Interstate Highway 77 to junction Ohio Highway 21, thence along Ohio Highway 21 to Lake Erie. The purpose of this filing is to eliminate the gateway of Greensboro, N.C. The purpose of this correction is to clarify the commodity description.

No. MC 107515 (Sub-No. E397) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER December 2, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk, in tank vehicles), from points in that part of Georgia on and south of a line beginning at the Alabama-Georgia State line, thence along Georgia Highway 62 to junction U.S. Highway 80, thence along U.S. Highway 80 to Savannah Beach, to points in Texas. The purpose of this filing is to eliminate the gateway of Tifton, Ga. The purpose of this correction is to include the destination points.

No. MC 107515 (Sub-No. E398) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER December 2, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in that part of Georgia on and north of a line beginning at the Alabama-Georgia State line, thence along Georgia Highway 18 to junction Georgia Highway 74, thence along Georgia Highway 74 to Macon, thence along U.S. Highway 80 to the Atlantic Ocean, to points in Texas. The purpose of this fil-

ing is to eliminate the gateway of Florence, Ala. The purpose of this correction is to include the destination points.

No. MC 107515 (Sub-No. E414) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, from points within 5 miles of Albany, Ga. (except Albany), to points in Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, and Michigan. The purpose of this filing is to eliminate the gateway of the plant site of Odom's Sausage Co., at Madison, Tenn. The purpose of this correction is to correct the origin territory.

No. MC 107515 (Sub-No. E415) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, from points within 10 miles of Atlanta, Ga. (except Atlanta), to points in Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, and Michigan. The purpose of this filing is to eliminate the gateway of the plant site of Odom's Sausage Co., at Madison, Tenn. The purpose of this correction is to correct the origin territory.

No. MC 107515 (Sub-No. E416) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Atlanta, Ga. 33050. Applicant's representative: Alan E. Serby, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, from points that are (a) within 5 miles of Macon, Ga. (except Macon), and (b) within 5 miles of Griffin, Ga. (except Griffin), to points in Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, and Indiana. The purpose of this filing is to eliminate the gateway of the plant site of Odom's Sausage Co., at Madison, Tenn. The purpose of this correction is to correct the origin territory.

No. MC 111545 (Sub-No. E519) (Correction), filed June 2, 1974, published in the FEDERAL REGISTER November 19, 1974. Applicant: HOME TRANSPORTATION CO., 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: *Self-propelled articles*, each weighing 15,000

pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, (1) between points in that part of Alabama within 175 miles of Chattanooga, Tenn., and on and north of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 82 to Tuscaloosa, thence along U.S. Highway 11 to Birmingham, thence along U.S. Highway 280 to the Georgia-Alabama State line, on the one hand, and, on the other, points in that part of Texas on, west, and south of a line beginning at the Texas-Arkansas State line, thence along U.S. Highway 59 to Houston, thence along U.S. Highway 75 to Galveston; (2) between points in that part of Alabama within 175 miles of Chattanooga, Tenn., and on and north of U.S. Highway 78, on the one hand, and, on the other, points in Texas; and (3) between points in that part of Alabama within 175 miles of Chattanooga, Tenn., on and north of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 80 to Montgomery, thence along U.S. Highway 82 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in that part of Texas on, south, and west of a line beginning at the Texas-Arkansas State line, thence along U.S. Highway 59 to Lufkin.

Thence along Texas Highway 94 to Trinity, thence along Texas Highway 19 to Huntsville, along Texas Highway 30 to Bryan, thence along Texas Highway 21 to junction U.S. Highway 290, thence along U.S. Highway 290 to Austin, thence along U.S. Highway 183 to Cuero, thence along U.S. Highway 87 to Port Lavaca, restricted in (1), (2), and (3) above to the transportation of commodities which are transported on trailers, and restricted in (1), (2), and (3) above against the transportation of machinery, equipment, material, 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, and machinery, materials, equipment, and supplies used in or in connection with the construction, operation, repair, servicing, and picking up thereof. The purpose of this filing is to eliminate the gateway of points in that part of Mississippi within 175 miles of Chattanooga, Tenn. The purpose of this correction is to clarify the destination points.

No. MC 111545 (Sub-No. E520) (Correction), filed June 2, 1974, published in the FEDERAL REGISTER November 20, 1974. Applicant: HOME TRANSPORTATION CO., 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: *Self-propelled articles*, each weighing 15,000 pounds or more, which may be included in crawler-type tractors, road-building, construction, and mining machinery and diesel engines, and related machinery,

tools, parts, and supplies moving in connection therewith; (1) from points in Iowa, to points in Mercer, Monroe, Wyoming, Summers, McDowell, Pocahontas, and Greenbrier Counties, W. Va.; and (2) from points in that part of Missouri on and north of a line beginning at the Minnesota-Kansas State line, thence along U.S. Highway 54 to Nevada, thence along U.S. Highway 71 to junction Missouri Highway 52, thence along Missouri Highway 52 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Missouri-Illinois State line, to points in Mercer, Monroe, Wyoming, Summers, McDowell, Pocahontas, and Greenbrier Counties, W. Va., restricted in (1) and (2) above to the transportation of machinery and contractors' equipment and commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of Peoria or Decatur, Ill., and points in that part of Iowa within 300 miles of Ames, Iowa. The purpose of this correction is to clarify the territorial description.

No. MC 111545 (Sub-No. E537) (Correction), filed May 30, 1974, published in the FEDERAL REGISTER November 18, 1974. Applicant: HOME TRANSPORTATION CO., 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 (except agricultural machinery and implements, other than hand, as defined by the Commission), (1) from points in Florida to points in Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; (2) from points in Florida to points in that part of California north and west of a line beginning at the California-Arizona State line, thence along U.S. Highway 95 to junction California Highway 78, thence along California Highway 78 to junction California Highway 111, thence along California Highway 111 to Calexico; and (3) from points in that part of Florida on and east of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 319 to Wakulla, thence along Florida Highway 363 to St. Marks, to points in Arizona and Colorado. The purpose of this filing is to eliminate the gateways of points in that part of Georgia within 175 miles of Chattanooga, Tenn., and Anniston, Ala. The purpose of this correction is to include destination states which were omitted in the previous publication.

No. MC 111956 (Sub-No. E9) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER November 14, 1974. Applicant: SUWAK TRUCKING COMPANY, 1105-15 Fayette Street, Washing-

ton, Pa. 15301. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper cartons, paper sheets, cullet, and tin plate, from points in that part of West Virginia on and south of West Virginia Highway 50, to points in Allegheny and Westmoreland Counties, Pa., and rejected or refused shipments of paper cartons, paper sheets, cullet, and tin plate, from points in Allegheny and Westmoreland Counties, Pa., to points in that part of West Virginia on and south of West Virginia Highway 50. The purpose of this filing is to eliminate the gateway of Connellsville, Pa. The purpose of this correction is to include rejected and refused shipments on return.

No. MC 111956 (Sub-No. E14) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER November 14, 1974. Applicant: SUWAK TRUCKING COMPANY, 1105-15 Fayette Street, Washington, Pa. 15301. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Corrugated fibreboard boxes and parts thereof, between points in that part of Ohio on and south of U.S. Highway 40, on the one hand, and, on the other, points in that part of New York on and south of U.S. Highway 6, and in New Jersey and Delaware. The purpose of this filing is to eliminate the gateway of Connellsville-McKees Rocks, Pa. The purpose of this correction is to include points in New Jersey and Delaware.

No. MC 112822 (Sub-No. E177), (Correction), filed June 3, 1974, published in the FEDERAL REGISTER November 13, 1974. Applicant: BRAY LINES, INC., P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum products, in containers, from Oklahoma City, Okla., to points in Alabama on, north, and east of a line extending from the Alabama-Tennessee State line along U.S. Highway 43 to Grove Hill, thence along U.S. Highway 84 to Alabama Highway 41, thence along Alabama Highway 41 to the Alabama-Florida State line, and points in Tennessee east of Tennessee Highway 22. The purpose of this filing is to eliminate the gateway of Coffeyville, Kans. The purpose of this correction is to correct the origin points.

No. MC 114211 (Sub-No. E107), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Road building equipment, between points in Colorado, on the one hand, and, on the

other, points in that part of Oklahoma on and east of Oklahoma Highway 136, and that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 62 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Texas Highway 16, thence along Texas Highway 16 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the points in Kansas.

No. MC 114211 (Sub-No. E110), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Road building equipment, between points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Texas Highway 31, thence along Texas Highway 31 to junction Interstate Highway 45, thence along Interstate Highway 45 to junction Texas Highway 14, thence along Texas Highway 14 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 21, thence along Texas Highway 21 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Gulf of Mexico, on the one hand, and, on the other, points in South Dakota, Minnesota, Nebraska, Iowa, and Illinois. The purpose of this filing is to eliminate the gateway of points in Kansas.

No. MC 114211 (Sub-No. E112), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tractors, road making machinery, and contractors' equipment and supplies, from points in that part of Nebraska on and north of Interstate Highway 80 to points in that part of North Carolina on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 17 to junction U.S. Highway 70, thence along U.S. Highway 70 to Atlanta, and that part of Wisconsin on and north of U.S. Highway 10, restricted to the transportation of self-propelled vehicles (except motor vehicles as defined in Section 203(a) (13) of the Interstate Commerce Act and commodities moving in driveway service), equipment designed for use in conjunction

with self-propelled vehicles (except tank semi-trailers), and parts and attachments for self-propelled vehicles and equipment designed for use in conjunction therewith. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E113), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Grading, paving, and finishing machinery, equipment, parts, accessories, and attachments, between points in that part of Nebraska on, north, and west of a line beginning at the Wyoming-Nebraska State line, thence along Interstate Highway 80 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-South Dakota State line, on the one hand, and, on the other, points in Ohio, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, that part of Michigan on, north, and east of a line beginning at Muskegon, thence along Interstate Highway 96 to junction U.S. Highway 131, thence along U.S. Highway 131 to the Michigan-Indiana State line, that part of Illinois on, north, and east of a line beginning at the Wisconsin-Illinois State line, thence along Illinois Highway 26 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Illinois Highway 173, thence along Illinois Highway 173 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Illinois Highway 120, thence along Illinois Highway 120 to Waukegan, Ill., that part of Wisconsin on, north, and west of a line beginning at the Iowa-Wisconsin State line.*

Thence along U.S. Highway 18 to junction Wisconsin Highway 39, thence along Wisconsin Highway 39 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 81, thence along Wisconsin Highway 81 to junction Wisconsin Highway 69, thence along Wisconsin Highway 69 to the Wisconsin-Illinois State line, that part of Indiana on and east of a line beginning at the Michigan-Indiana State line, thence along Indiana Highway 19 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction Indiana Highway 15, thence along Indiana Highway 15 to junction Indiana Highway 35, thence along Indiana Highway 35 to junction Indiana Highway 28, thence along Indiana Highway 28 to the Indiana-Ohio State line, that part of Kentucky on and east of Interstate Highway 75, that part of Tennessee on and east of a line beginning at the Ken-

tucky-Tennessee State line, thence along Interstate Highway 75 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Georgia-Tennessee State line, and that part of Alabama on and south of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 48 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction U.S. Highway 80, thence along U.S. Highway 80 to Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Alabama-Mississippi State line. The purpose of this filing is to eliminate the gateway of Canton, S. Dak.

No. MC 114211 (Sub-No. E114), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and implements, other than hand, as described in Section 1(b) of Appendix XII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, and parts thereof, when their transportation is incidental to the transportation of machinery and implements, from points in that part of Iowa on and east of a line beginning at the Minnesota-Iowa State line, thence along U.S. Highway 65 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Iowa Highway 137, thence along Iowa Highway 137 to junction Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line, to points in that part of Kansas on and west of a line beginning at the Nebraska-Kansas State line, thence along U.S. Highway 183 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateways of Ottumwa, Iowa, and Beatrice, Nebr.*

No. MC 114211 (Sub-No. E115), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and parts thereof (except commodities which, because of size or weight, require the use of special equipment, and*

those described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459), from Tulsa, Okla., to the District of Columbia, Las Cruces, Lordsburg, and Denning, N. Mex., El Paso, Dallas, Ft. Worth, Houston, Galveston, Abilene, Sweetwater, Big Springs, Midland, and Odessa, Tex., and points in California, Arizona, Nebraska, Iowa, Wisconsin, North Carolina, Virginia, Maryland, and New Jersey. The purpose of this filing is to eliminate the gateway of Claremore, Okla.

No. MC 114211 (Sub-No. E117), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof, between points in that part of South Dakota on and south of a line beginning at the Minnesota-South Dakota State line, thence along U.S. Highway 12 to junction South Dakota Highway 25, thence along South Dakota Highway 25 to junction South Dakota Highway 20, thence along South Dakota Highway 20 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to junction U.S. Highway 212, thence along U.S. Highway 212 to the South Dakota-Wyoming State line, on the one hand, and, on the other, points in that part of Minnesota on and north of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 12 to junction Interstate Highway 94, thence along Interstate Highway 94 to the Minnesota-Wisconsin State line. The purpose of this filing is to eliminate the gateways of Nassau, Minn., and points within 25 miles thereof.*

No. MC 114211 (Sub-No. E119), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies, from points in that part of Nebraska on and north of U.S. Highway 20, to points in North Carolina, South Carolina, that part of Georgia on and east of a line beginning at the North Carolina-Georgia State line, thence along Georgia Highway 11 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction Georgia Highway 257, thence along Georgia Highway 257 to junction Georgia Highway 62, thence along Georgia Highway 62 to the Georgia-Alabama State line, that part of Alabama on, south, and east of a line beginning at the Georgia-Alabama State line, thence along Alabama Highway 62 to junction U.S. Highway 431, thence*

along U.S. Highway 431 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line, that part of Florida on and east of U.S. Highway 231, and to that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line, thence along Wisconsin Highway 54 to junction Wisconsin Highway 35, thence along Wisconsin Highway 35 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Interstate Highway 94, thence along Interstate Highway 94 to Milwaukee, restricted to the transportation of self-propelled vehicles (except motor vehicles as defined in Section 203 (a) (13) of the Interstate Commerce Act and commodities moving in driveway service), equipment designed for use in conjunction with self-propelled vehicles (except tank semi-trailers), and parts and attachments for self-propelled vehicles, and equipment designed to be used in conjunction therewith. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E120), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, from points in Kansas to points in the Upper Peninsula of Michigan, and that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line, thence along Wisconsin Highway 25 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 41, thence along U.S. Highway 41 to Green Bay, restricted to the transportation of self-propelled vehicles (except motor vehicles as defined in Section 203(a) (13) of the Interstate Commerce Act and commodities moving in driveway service), equipment designed for use in conjunction with self-propelled vehicles (except tank semi-trailers), and parts and attachments for self-propelled vehicles, and equipment designed for use in conjunction therewith. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E121), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, from points in Nebraska to points in

Maine, Vermont, New Hampshire, the Upper Peninsula of Michigan, and that part of New York on and east of a line beginning at the International Boundary line between the United States and Canada, thence along New York Highway 30 to junction New York Highway 28, thence along New York Highway 28 to junction Interstate Highway 27, thence along Interstate Highway 27 to junction New York Highway 7, thence along New York Highway 7 to the New York-Vermont State line, restricted to the transportation of self-propelled vehicles (except motor vehicles as defined in Section 203(a) (13) of the Interstate Commerce Act and commodities moving in driveway service), equipment designed for use in conjunction with self-propelled vehicles (except tank semi-trailers), and parts and attachments for self-propelled vehicles, and equipment designed for use in conjunction therewith. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E124), filed May 24, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment, and those described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459), from points in that part of Nebraska on and east of U.S. Highway 77 to points in Arizona and that part of California on, south, and west of a line beginning at the Arizona-California State line, thence along U.S. Highway 66 to junction California Highway 58, thence along California Highway 58 to junction California Highway 41, thence along California Highway 41 to the Pacific Ocean. The purpose of this filing is to eliminate the gateways of points in Kansas, and Claremore, Okla.

No. MC 114457 (Sub-No. E151), filed November 22, 1974. Applicant: DART TRANSIT COMPANY, 780 North Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such paper and paper articles as are paper mill products and supplies* (except commodities in bulk), from the facilities of Hudson Pulp & Paper Company at Pine Bluff, Ark., to Chicago, Ill., restricted to the transportation of shipments originating at the above-described facilities. The purpose of this filing is to eliminate the gateway of Hammond, Ind.

No. MC 114457 (Sub-No. E152), filed November 22, 1974. Applicant: DART TRANSIT COMPANY, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (Same as above). Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Such newsprint, printing paper, and groundwood paper*, in rolls, as are paper mill products and supplies (except commodities in bulk), from Minneapolis, Minn., to Hamilton, Ohio, and Hammond, Ind., restricted to the transportation of traffic having a prior movement by rail or water. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 115331 (Sub-No. E7) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: TRUCK TRANSPORT INCORPORATED, 230 St. Clair Ave., East St. Louis, Ill. 62201. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime and limestone products* (except dolomite), in bulk, from Chicago, Ill., to points in South Dakota, Nebraska, Kansas, Louisiana, Oklahoma, Colorado, Texas, Wyoming, Arkansas, points in Montana south of U.S. Highway 2 and on and west of Montana Highway 232. The purpose of this filing is to eliminate the gateways of Davenport, Iowa, Hannibal, Kansas City, and St. Genevieve, Mo. The purpose of this correction is to clarify the territorial description.

No. MC 115331 (Sub-No. E15) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER November 21, 1974. Applicant: TRUCK TRANSPORT, INC., 230 St. Clair Ave., East St. Louis, Ill. 62201. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (3) *Lime* (except lime used for agricultural purposes), in bulk, from Gibsonburg, Ohio, to points in Oklahoma, Louisiana, Arizona, New Mexico, and Texas (except Houston and points within 50 miles thereof) (Limedale, Ark.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct the origin point in (3) above. The remainder of this letter-notice remains as previously published.

No. MC 115331 (Sub-No. E16) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER November 25, 1974. Applicant: TRUCK TRANSPORT, INC., 230 St. Clair Ave., East St. Louis, Ill. 62201. Applicant's representative: E. Stephen Heisley, 666 11th St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime* (except lime used for agricultural purposes), in bulk, from Hannibal, Mo., and Marblehead and Quincy, Ill., to points in Florida, points in Alabama and Mississippi on and south of U.S. Highway 78, and points in Georgia on and south of Interstate Highway 20. The purpose of this filing is to eliminate the gateways of Limedale, Ark., and Roberta, Ala. The purpose of this correction is to clarify the origin points.

No MC 115603 (Sub-No. E2), filed May 20, 1974. Applicant: TURNER BROS. TRUCKING CO., INC., P.O. Box 94626, Oklahoma City, Okla. 73109. Applicant's representative: Jack E. Turner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipe lines, (2) *Machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-ways; and (3) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe* incidental to, used in or in connection with (2) 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, between points in North Dakota on and west of a line beginning at the United States-Canadian International Boundary line and extending along North Dakota Highway 30 thru York, and Medina to Lehr, thence along unnumbered highway to Ashley, and thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in Morton, Stevens, Seward, and Meade Counties, Kansas, between points in Kansas on and south of a line beginning at the Colorado-Kansas State line and extending east along U.S. Highway 83, 160 to its junction with U.S. Highway 144 thence east on Kansas Highway 144 to its junction with U.S. Highway 56, thence along U.S. Highway 56 to Dodge City, thence southeast on U.S. Highway 154 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 281, thence south along U.S. Highway 281 to its junction with U.S. Highway 160, thence east along U.S. Highway 160 to its junction with Kansas State Highway 49, thence south along Kansas State Highway 49 to its junction with U.S. Highway 166, thence east along U.S. Highway 166 to its junction with U.S. Highway 77 at Arkansas City, thence south along U.S. Highway

77 to the Kansas-Oklahoma State line, on the one hand, and, on the other, points in North Dakota on, north, and west of a line beginning at the Montana-North Dakota State line and extending east along U.S. Interstate Highway 2 to its junction with North Dakota State Highway 8 to Stanley, thence north on North Dakota State Highway 8 to the United States-Canadian International Boundary line. The purpose of this filing is to eliminate the gateway of points in Texas.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[PR Dec. 74-29607 Filed 12-18-74; 8:45 am]

[Notice No. 167]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 13, 1974.

The following are notices of filing of application; except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 921 (Sub-No. 27TA), filed December 4, 1974. Applicant: DEAN TRUCK LINE, INC., P.O. Drawer 631 (Fulton Drive), Corinth, Miss. 38834. Applicant's representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. 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 in 17 M.C.C. 467, livestock, commodities in bulk, and articles which because of size or weight require special equipment), (1) between Tupelo, Miss., and the Alabama-Mississippi State line near Tremont, Miss.: From Tupelo over

U.S. Highway 78 to Alabama State line and return over the same route, serving all intermediate points and their commercial zones, and the off-route points of Mantachie and Marietta, Miss., and their commercial zones, in connection with applicant's existing regular route between Corinth and Tupelo, Miss., over U.S. Highway 45 and the applied for route herein; (2) between Belmont, Miss., and the junction of Mississippi Highway 25 and U.S. Highway 78 at or near Fulton, Miss.: From Belmont over Mississippi Highway 25 to the intersection of Mississippi Highway 25 and U.S. Highway 78 as an alternate route for operating convenience only; and (3) between Red Bay, Ala., and Tremont, Miss.: From Red Bay, Ala., over Mississippi Highway 23 to Tremont, Miss., and return over the same route, as an alternate route for operating convenience only, for 180 days.

NOTE.—Applicant intends to tack the authority here applied for with all regular route authority held by it under Docket MC 921 and would interline primarily at Tupelo, Miss., Memphis, Tenn., and terminal points. Supporting shippers: There are approximately 37 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 106644 (Sub No. 199TA), filed December 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: W. Randall Tye, Attorney at Law, 1400 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Switch gears, circuit breakers, bus barsystems, and rectifiers*, which because of size or weight require special equipment, from Camden, New Jersey, and Philadelphia, Pennsylvania, to points in the United States, including Alaska but excluding Hawaii, restricted to the transportation of traffic originating at the plant sites, storage facilities, and shipping facilities of the General Electric Company at Camden, New Jersey, and Philadelphia, Pennsylvania. Supporting shipper: General Electric Company, 6901 Elmwood Avenue, Philadelphia, Pennsylvania 19142. Send protests to: District Supervisor, William L. Scroggs, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 107403 (Sub No. 925TA), filed December 9, 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: *Synthetic plastics*, dry, in bulk, from the plantsite of Georgia Pacific Corporation at or near Plaquemine, La., to points in Arkansas, Arizona, California, Colorado,

Delaware, Florida, Iowa, Kentucky, Massachusetts, Mississippi, Missouri, North Carolina, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, and Texas, for 180 days. Supporting shipper: Georgia Pacific Corporation, P.O. Box 629, Plaquemine, La. 70764 (G. K. Hendrix, Traffic Analyst). Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107496 (Sub-No. 976TA), filed December 2, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from points in Missouri (except Birds Point and points within four miles, Kansas City, LaGrange, Malden, Palmyra, Selma and points within five miles, South River, Sugar Creek, and Clark County, Mo.), to points in Illinois, for 180 days. Supporting shipper: Texas Gas Industrial, P.O. Box 37, Barnhart, Mo. 63012. Send protests to: Herbert W. Allen, District Supervisor Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 107496 (Sub-No. 977TA), filed December 5, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow, animal feeding fats, and feed supplements*, in bulk, from points in Sarpy County, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, and South Dakota, for 180 days. Supporting shipper: National By-Products, P.O. Box 7187, Omaha, Nebr. 68107. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 108207 (Sub-No. 411TA), filed December 9, 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: *Cheese and commodities dealt in by retail gift shops or retail curio shops, when moving in mixed loads with cheese, from Monroe, Wis., to points in Missouri, Arizona, and California, for 180 days.* Supporting shipper: Swiss Colony Stores, Inc., 1112 7th Avenue, Monroe, Wis. 53566. Send protests to: District Supervisor Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 109649 (Sub-No. 21TA), filed December 10, 1974. Applicant: L. P. TRANSPORTATION, INC., Cross & Main Streets, Chester, N.Y. 10918. Applicant's representative: John L. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied natural gases*, in bulk, (1) from Chattanooga, Tenn., to Charlotte, N.C., and West Conshohocken, Pa.; and (2) from Roanoke, Va., to West Conshohocken, Pa., for 180 days. Supporting shipper: South Jersey Gas Co., William C. Bingham, Route 54, Folsom, N.J. 08037. Send protests to: Robert A. Radler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 New Federal Building, Albany, N.Y. 12207.

No. MC 114097 (Sub-No. 5TA), filed December 9, 1974. Applicant: NIED-FELDT TRUCKING SERVICE, INC., 821 South Front Street, La Crosse, Wis. 54601. Applicant's representative: Fred C. Niedfeldt (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty metal beverage containers*, from the plant site of the Continental Can Co., La Crosse, Wis., and the G. Heileman Brewing Co., Inc., warehouse, La Crosse, Wis., to the G. Heileman Brewing Co., Inc., Cincinnati, Ohio, Newport, Ky., and Evansville, Ind., for 180 days. Supporting shipper: G. Heileman Brewing Co., Inc., 925 South 3rd Street, La Crosse, Wis. 54601. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

No. MC 116300 (Sub-No. 16TA), filed December 6, 1974. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, Miss. 39635. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Building, P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, wood shavings, and other scrap waste lumber materials*, (1) from the facilities of American Box Company, Division of Altamil Corp. at or near Fernwood, Miss., to Elizabeth, De Ridder, and Bastrop, La., and Mobile, Ala.; and (2) from the facilities of Great Southern Wirebound Box Company at or near Magnolia, Miss., to Elizabeth, De Ridder, Bastrop, and New Orleans, La.; and Mobile, Ala., for 180 days. Supporting shippers: American Box Company, Division of Altamil Corp., P.O. Box 248, Fernwood, Miss. 39635, and Great Southern Wirebound Box Co., P.O. Box 229, Magnolia, Miss. 39652. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 117068 (Sub-No. 35TA), filed December 5, 1974. Applicant: MIDWEST

SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Highway 63, 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: *Fertilizer spreaders, lift trucks, front-end loaders, and solid waste compactors* (restricted against the transportation of self-propelled vehicles each weighing 15,000 lbs. or more) on flat-bed trailers and with winch-equipped tractors from the plants and other facilities of TCI, Inc., located at Benson, Minn., and Yankton, South Dakota, to points in Alabama, Arizona, California, Delaware, Florida, Georgia, Indiana, Louisiana, Maine, Maryland, New York, Michigan, Mississippi, New Jersey, North Carolina, Pennsylvania, Texas, Virginia, Utah, and Washington, for 180 days. Supporting shipper: TCI, Inc., W. Hwy. 12, Benson, Minnesota 56215. Send protests to: District Supervisor, A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 119493 (Sub-No. 132TA), filed December 9, 1974. Applicant: MONKEM COMPANY, INC., West 20th Street Road, P.O. Box 1196, 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: *Canned goods* (unfrozen), from Princeville and Hoopeston, Ill., to points in the United States in and East of Wisconsin, Iowa, Missouri, Kansas, Oklahoma, and Texas, for 180 days. Supporting shipper: Joan of Ark Company, 2231 W. Altorfer Drive, Peoria, Ill. 61614. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 119619 (Sub-No. 78TA), filed December 5, 1974. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43rd 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: (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 and commodities in bulk), from the plantsites and storage facilities of Equity Meats Corp., Ohio Division, Grant Road and Interstate Highway 75, North Baltimore, Ohio, to Jamestown, Rochester, Buffalo, and Mount Morris, N.Y.; Pittsburgh, Carnegie, and Erie, Pa.; and Linden, Mich.; and (2) *Meats, fresh and frozen, and materials and supplies used in the manufacture, preparation, processing, selling, and distribution of the commodities shown in (1) above, from the destination*

points named in (1) above, to the plant-sites and storage facilities of Equity Meats Corp., Ohio Division, Grant Road and Interstate Highway 75, North Baltimore, Ohio, for 180 days. Supporting shipper: James Temprano, Director of Transportation, Equity Meats Corp., Ohio Division, Interstate 75 and Grant Road, North Baltimore, Ohio 45872. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 124328 (Sub-No. 68TA), filed December 4, 1974. Applicant: BRINK'S INCORPORATED, 234 E. 24th Street, Chicago, Ill. 60616. Applicant's representative: Chandler L. van Orman, 704 Southern Building, 15th & H Streets NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion*, from Laredo, Tex., to Newark, N.J., and New York, N.Y., for 180 days. Supporting shipper: American Smelting & Refining Company, Charles W. Kane, Traffic Manager, 120 Broadway, New York, N.Y. 10005. Send protests to: District Supervisor Richard K. Shullaw, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 127811 (Sub-No. 1TA), filed December 6, 1974. Applicant: BRYNWOOD TRANSFER, INC., 175 8th Avenue SW., New Brighton, Minn. 55112. 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) *Precast pre-stressed concrete products*, which because of unusual size or weight require special handling and the use of special equipment, and (2) *related parts and equipment* when transported in the same vehicle at the same time with the commodities described in (1) above, from Osseo, Minnesota, to Chippewa Falls, Wisconsin, for 180 days. Supporting shipper: Bladhome Bros., Pre-Stressed, Division of Bladhome Bros. Culvert Co., Box H, Osseo, Minnesota 55369. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, Room 414, Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota 55401.

No. MC 127811 (Sub-No. 2TA), filed December 6, 1974. Applicant: BRYNWOOD TRANSFER, INC., 175 8th Avenue SW., New Brighton, Minn. 55112. 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) *bulk storage tanks and smokestacks*, which because of unusual size or weight require special handling and the use of special equipment, and (2) *related parts and*

equipment when transported in the same vehicles at the same time with the commodities described in (1) above, from the plant site of Arrow Tank and Engineering Company located at Cambridge, Minn., to points in Iowa, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan, for 180 days. Supporting shipper(s): Arrow Tank and Engineering Co., 8950 Evergreen Blvd., Minneapolis, Minn. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414, Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 128078 (Sub-No. 4TA), filed December 6, 1974. Applicant: MICHAEL VALIHORA, 3050 West Fort Street, Detroit, Mich. 48216. Applicant's representative: James P. Tryand, 111 S. Main Street, Ann Arbor, Mich. 48108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) between points in Canada via ports of entry on the United States-Canada International Boundary in the state of Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine, on the one hand, and, on the other, points in Connecticut, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan (Lower Peninsula), Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—This request duplicating areas presently authorized seeks use of all ports of entry in the named states; present authority is limited to movement via port of entry at or near Detroit and Port Huron, Mich., and Buffalo and Niagara Falls, N.Y., (2) between points in Canada via ports of entry on the United States-Canada International Boundary in the states of Minnesota, Michigan, New York, Vermont, New Hampshire, and Maine, on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kansas, Louisiana, Michigan (Upper Peninsula), Mississippi, Nebraska, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, and Texas, for 180 days. Supporting shippers: There are approximately 17 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell Avenue, Detroit, Mich. 48226.

No. MC 129613 (Sub-No. 16TA), filed December 9, 1974. Applicant: ARTHUR H. FULTON, P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md.

21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Veneers*, (1) between Rocky Mount, Va., on the one hand, and, on the other, points in Indiana, Illinois, Ohio, Kentucky, Tennessee, Maryland, West Virginia, Pennsylvania, North Carolina, South Carolina, New York, New Jersey, and Arkansas; and (2) between Martinsburg, W. Va., on the one hand, and, on the other, points in Illinois, Ohio, Tennessee, New Jersey, and New York, for 180 days. Supporting shipper: Erath Veneer Corporation, P.O. Box 1015, High Point, N.C. 27261. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 317, 12th & Constitution Avenue NW., Washington, D.C. 20423.

No. MC 135518 (Sub-No. 2TA), filed December 4, 1974. Applicant: EVERETT TRUCKING, INC., P.O. Box 56, Mount Vernon, Wash. 98273. Applicant's representative: George Kargianis, 2120 Pacific Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* requiring mechanical refrigerated equipment, from Los Angeles, San Francisco, and Bakersfield, Calif., and their commercial zones, to points in Washington, Oregon, Alaska, and their commercial zones, for 180 days. Supporting shippers: There are approximately 15 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 858 Federal Building, 915 Second Avenue, Seattle, Wash. 98174.

No. MC 136089 (Sub-No. 3TA) filed December 5, 1974. Applicant: WILLIAM W. WILLIAMS, 507 Cline Avenue, Port Orchard, Wash. 98366. Applicant's representative: George Kargianis, Attorney, 2120 Pacific Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Finished plastic products*, including, but not limited to, plastic containers, from Akron, Ohio, to points in Washington, Oregon, California, Colorado, Montana, New Mexico, Nevada, North Dakota, South Dakota, Idaho, Texas, Arizona, Wyoming, and Utah, for 180 days. Supporting shipper: Cardinal Plastic 815 E. Tallmadge Avenue, Akron, Ohio 44310. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission 858 Federal Building 915 Second Avenue, Seattle, Wash. 98174.

No. MC 136602 (Sub-No. 5TA), filed December 5, 1974. Applicant: ARIZONA WESTERN TRANSPORT, INC., P.O. Box F (Guadalupe Road), Chandler, Ariz. 85224. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, 3550 N. Central Avenue, Phoenix, Ariz. 85012. Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, from Phoenix, Buckeye, Tolleson and 5 miles thereof, Chandler and 5 miles thereof, and Chul-Chu (approximately 50 miles south of Chandler), Ariz., to points in Imperial, San Diego, and Riverside Counties, Calif., for 180 days. Supporting shippers: (1) Western Farm Services, 1310 W. Watkins Road, Phoenix, Ariz.; (2) Farmer's Agindustries Inc., 83rd Avenue & Southern Pacific Railroad, Tolleson, Ariz.; (3) Papago Chemicals Inc., 701 N. Comanche Drive, Chandler, Ariz.; and (4) Chevron Chemical Company, 200 Bush St., Room 1212, San Francisco, Calif. 94014. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3427 Federal Building, 230 N. First Avenue, Phoenix, Ariz. 85025.

No. MC 138134 (Sub-No. 4TA), filed December 2, 1974. Applicant: DONALD HOLLAND TRUCKING, INC., 1300 Main Street, Keokuk, Iowa 52632. Applicant's representative: Kenneth R. Dudley, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Calcium carbide* in steel containers of not less than 2½ tons capacity, from Keokuk, Iowa, to Fern-dale, Mich., for 180 days. Supporting shipper: Midwest Carbide Corp., P.O. Box 607, Keokuk, Iowa 52632. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 138299 (Sub-No. 4TA), filed December 6, 1974. Applicant: TRAILS TRUCKING, INC., 719 Union Street, Montebello Calif. 90640. Applicant's representative: William J. Monheim, P.O. Box 1756, Whittier, Calif. 90609. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Mineral wool and mineral wool products*, insulating material, insulated air duct, and products utilized in the installation of the described commodities from La Mirada and Union City, Calif., to points in Arizona, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, for 180 days. Supporting shipper(s): Certain-Teed Products Corporation, P.O. Box 860, Valley Forge, Pa. 19482. Send protests to: District Supervisor Philip Yellowitz, Interstate Commerce Commission, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 138563 (Sub-No. 2TA), filed December 9, 1974. Applicant: J.M.J. PROJECTS, INC., 2109 West 50th, Shawnee Mission, Kans. 66205. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Used and junk batteries, residues, residuum scale, slimes, sludge, sweepings, washings, and scrap*, from Leavenworth, Kans., to

Granite City, Ill., and (2) *Lead ingots, antimonial, and litharage*, from Granite City, Ill., to Leavenworth, Kans., under contract with Gould, Inc., for 180 days. Supporting shipper: Gould, Inc., Automotive Batteries Division, P.O. Box 3140, St. Paul, Minn. 55165. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 139545 (Sub-No. 3TA), filed December 5, 1974. Applicant: HENRY C. KOCOT, HENRY J. KOCOT, and ANTHONY J. KOCOT, doing business as H. C. KOCOT & SONS, Whately Road, South Deerfield, Mass. 01373. Applicant's representative: David M. Marshall, 135 State Street, Springfield, Mass. 01103. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete or in sections, and supplies, materials, and equipment used in the manufacture and installation of prefabricated buildings, between South Deerfield, Mass., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Pennsylvania, and points in New York on, East, and South of New York Highway 30, for 180 days. Supporting shipper: Edgeco, Inc., doing business as Habitat Homes and American Barn Corp., 123 Elm Street, South Deerfield, Mass. 01373. Send protests to: District Supervisor Joseph W. Balin, Interstate Commerce Commission, Bureau of Operations, 338 Federal Building & U.S. Courthouse, 436 Dwight Street, Springfield, Mass. 01103.

No. MC 140176 (Sub-No. 2TA), filed December 5, 1974. Applicant: RILEY WAYNE POWELL, doing business as POWELL TRUCKING COMPANY, Route 3, Sumrall, Miss. 39482. Applicant's representative: Fred W. Johnson, Jr., 717 Deposit Guaranty Bank Bldg., P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Poles and piling*, treated and untreated, from the plant site of Davis Lumber Company, Hattiesburg, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Nebraska, New York, North Carolina, Oklahoma, Ohio, South Carolina, Tennessee, Texas, and West Virginia, for 180 days. Supporting shipper: Davis Lumber Company, P.O. Box 1591, Hattiesburg, Miss. 39402. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 140441 (Sub-No. 1TA), filed December 4, 1974. Applicant: LAMAR M. LEIBY, R.D. #2, New Ringgold, Pa., 17960. Applicant's representative: S. Berne Smith, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier,

by motor vehicle, over irregular routes, transporting: *Sand*, from the plant sites of Refractory Sand Company, Inc., in the township of East Penn, Carbon County, and West Penn, Schuylkill County, Pa., to the plant site of Harbison Walker Refractories, Division of Dresser Industries, Inc., at or near North East, Cecil County, Md., for 180 days. Supporting shipper: Refractory Sand Company, Inc., West Main Street, Ringtown, Pa. 17967. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 314 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 140456 TA, filed December 9, 1974. Applicant: MERRIMACK TRANSPORT INC., Star Industrial Court, Merrimack, N.H. 03054. Applicant's representative: Francis P. Barrett, 60 Adams Street, Milton, Mass. 02187. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Empty beverage containers, lids, covers, and ends*, from Lawrence, Mass., to Merrimack, N.H., for 180 days. Supporting shipper: Crown Cork and Seal Company, Inc., P.O. Box 6208, Philadelphia, Pa. 19136. Send protests to: Ross J. Seymour, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 424 Federal Building, 55 Pleasant Street, Concord, N.H. 03301.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-29606 Filed 12-18-74; 8:45 am]

[Notice No. 100]

# MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

DECEMBER 13, 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 on or before January 20, 1975. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought

<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.

in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and on or before January 20, 1975, 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.

#### APPLICATION SET FOR HEARING

No. MC 95876 (Sub-No. 165), filed December 12, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Construction, mining, excavating machinery, and equipment*; (2) *self-propelled vehicles* when transported on trailers; (3) *attachments and accessories* for the commodities described in (1) and (2) above; (4) *parts* for the commodities described in (1), (2), and (3) above; and (5) *materials, equipment, and supplies* used in the manufacture or distribution of the commodities described in (1), (2), (3), and (4) above, between points in Bannock County, Idaho, on the one hand, and, on the other, points in the United States including Alaska (but excluding Hawaii, Washington, Oregon, California, Nevada, Utah, Arizona, Colorado, New Mexico, Oklahoma, and Texas).

NOTE.—Common control was approved in MC-F-10457.

HEARING: January 16, 1975 (2 days), at Salt Lake City, Utah, at 9:30 am Local Time, in a hearing room to be later designated.

No. MC 263 (Sub-No. 219), filed November 22, 1974. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garnett Way, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Green (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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Maple Grove, Minn. as an off-route point in connection with carrier's authorized regular-route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 730 (Sub-No. 375), filed November 21, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, P.O. Box 958, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Palm oil and derivatives and coconut oil and derivatives*, in bulk, in tank vehicles, from Portland, Oreg., to points in the United States, including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg., or San Francisco, Calif.

No. MC 2202 (Sub-No. 473), filed November 22, 1974. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William Slaubaugh (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, and those requiring special equipment), serving the plantsite of The Firestone Tire and Rubber Company located near Nashville (Rutherford County), Tenn., as on off-route point in connection with applicant's present regular route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Akron, Ohio, or Washington, D.C.

No. MC 3854 (Sub-No. 27), filed November 21, 1974. Applicant: BURTON LINES, INC., P.O. Box 11306, East Durham Station, Durham, N.C. 27703. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Ave. & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: *Tobacco, unmanufactured, leaf, scrap, cuttings, including stems, underground and reconstructed tobacco and materials and supplies* used or useful in the processing, packaging, storing, handling, and marketing of tobacco, between Ancram, N.Y., Spotswood, N.J., Louisville and Lexington, Ky., Petersburg and Richmond, Va., Wilson and Winston-Salem, N.C., and Macon, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 5888 (Sub-No. 38), filed Nov. 18, 1974. Applicant: MID-AMERICAN LINES, INC., 127 West 10th Street, Kansas City, Mo. 64105. Applicant's representative: Louis A. Hoyer (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Electrical distribution transformers*, and parts thereof, between the plantsites and warehouses of RTE Corporation, at or near Pewaukee and Waukesha, Wis., on the one hand, and, on the other, points in Iowa, Kansas, and Missouri, restricted to traffic originating at or destined to, the facilities of RTE Corporation, at or near Pewaukee, or Waukesha, Wis.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Milwaukee or Madison, Wis., or Kansas City, Mo.

No. MC 5888 (Sub-No. 39), filed Nov. 18, 1974. Applicant: MID-AMERICAN LINES, INC., 127 West Tenth Street, 11th Floor, Kansas City, Mo. 64105. Applicant's representative: Louis A. Hoyer (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, commodities requiring special equipment, and those injurious or contaminating to other lading): Serving the plantsites and storage facilities of the Donaldson Company, Inc., at or near Chillicothe, Mo., as intermediate or off-route points in connection with applicant's regular route operations to or from Kansas City, or St. Joseph, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Kansas City, Mo.

No. MC 7640 (Sub-No. 48), filed November 25, 1974. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, N.C. 27893. Applicant's representative: Harry J. Jordan, 1000 Sixteenth Street N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Insulating board*, including fibre board, made of vegetable, wood and/or mineral fibre, mineral or mineral and wood fibres and accessories and supplies used in the installation thereof, from Jamesburg, N.J., to points in Georgia, North Carolina, South Carolina, and Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 19945 (Sub-No. 51), filed November 15, 1974. Applicant: BEHNKEN TRUCK SERVICE, INC., Route No. 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flue dust*, in bulk, in dump vehicles, from the plantsite and storage facilities of Laclede Steel Company at Alton, Ill., to Frit Industries, Inc., at Humboldt, Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 26088 (Sub-No. 11), filed Nov. 18, 1974. Applicant: NORTH & SOUTH LINES, INCORPORATED, 2710 South Main Street, Harrisonburg, Va. 22801. Applicant's representative: John M. Muselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh fruit, and vegetable juices and frozen foods*, from Winchester, Va., and Ranson, W. Va., to points in the United States in and east of Minnesota, Iowa, Nebraska, Colorado, Oklahoma, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29079 (Sub-No. 78), filed November 12, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 S. Union, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Ben W. Cotten, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobile parts and accessories, material, equipment, and supplies*, from the plant site and facility of American Motors Corp. at or near South Charleston, W. Va., to points in Illinois, Indiana, Michigan (Lower Peninsula), those in New York on and west of U.S. Highway 62, Ohio, Pennsylvania, on and west of U.S. Highway 219, and the plant site and warehouse facilities of American Motors Corp. at or near Kenosha, Wis. and in Racine County, Wis.; and (2) *material, equipment, and supplies*, from the destination territory in (1) above, to the plant site and facilities of American Motors Corp. at or near South Charleston, W. Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., or Indianapolis, Ind.

No. MC 29079 (Sub-No. 79), filed November 19, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Ben W. Cotten, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and iron and steel articles*,

from the plantsite and warehouses of Midwestern Joists, Inc., at or near Washington, Mo., to points in Illinois, Indiana, Kentucky, the Southern Peninsula of Michigan, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin on and south of Wisconsin Highway 60; and (2) *materials, equipment, and supplies* used in the manufacture, production and distribution of iron and iron and steel articles, from the destination points named in (1) above, to the plantsite of Midwestern Joists, Inc. at or near Washington, Mo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Indianapolis, Ind., or Washington, D.C.

No. MC 29130 (Sub-No. 105), filed November 8, 1974. Applicant: THE ROCK ISLAND MOTOR TRANSIT COMPANY, 2744 SE. Market Street, P.O. Box 1355, Des Moines, Iowa 50305. Applicant's representative: Mr. James E. Sykes, La Salle Street Station, 139 West Van Buren Street, Chicago, Ill. 60605. 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 Lake Mills, Iowa, as an intermediate point in connection with carrier's authorized regular route operations over U.S. Highway 69 between Albert Lea, Minn., and Ames, Iowa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Mason City or Des Moines, Iowa.

No. MC 29886 (Sub-No. 319), filed November 22, 1974. Applicant: DALLAS AND 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: *Self-propelled articles* each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, from the plantsite and warehouse facilities of FMC Corporation, Crane and Excavator Division, located at Lexington, Ky., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, 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 Washington, D.C., or Cincinnati, Ohio.

No. MC 31389 (Sub-No. 192), filed November 25, 1974. Applicant: McLEAN TRUCKING COMPANY, 617 Waughtown Street, Winston-Salem, N.C. 27107. Applicant's representative: David F. Eshelman, P.O. Box 213, Winston-Salem, N.C. 27102. 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 Firestone Tire and Rubber Company, located at Rutherford County, Tenn., near Nashville, Tenn., in conjunction with applicant's regular route operations to and from Nashville, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Akron, Ohio, or Washington, D.C.

No. MC 32775 (Sub-No. 18), filed November 12, 1974. Applicant: HERMANN FORWARDING COMPANY, a Corporation, P.O. Box 1, North Brunswick, N.J. 08902. Applicant's representative: Maxwell A. Howell, 1100 Investment Building, 1511 K Street NW., Washington, D.C. 20005. 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 points in Bristol, Kent and Providence Counties, R.I., as off-route points in connection with applicant's regular route operations being acquired in MC F 12112.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 46054 (Sub-No. 78) (Correction), filed October 11, 1974, published in the FEDERAL REGISTER issue of November 14, 1974, and republished as corrected, this issue. Applicant: BROWN EXPRESS, INC., 428 South Main Avenue, San Antonio, Tex. 78285. Applicant's representative: Phillip Robinson, P.O. Box 2207, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), (1) Between Mission, Tex. and LaGloria, Tex.: From Mission over Texas Highway 107 to Junction Farm Road 681, thence over Farm Road 681 to junction Farm Road 1017, thence over Farm Road 1017 to LaGloria, and return over the same route, serving all intermediate points; (2) Between Linn, Tex. and Puerto Rico, Tex.: From Linn over Farm Road 1017 to Puerto Rico, and return over the same route, serving all intermediate points; (3) Between junction U.S. Highway 281 and Farm Road 490 and junction Farm Road 490 and Farm Road 755: From junction U.S. Highway 281 and Farm Road 490 over Farm Road 490 to junction Farm Road 755, and return over the same route, serving all intermediate points; (4) Between McCook, Tex. and junction Farm Road 2058 and Farm Road 681: From McCook over Farm Road 2058 to junction Farm Road 681, and return over

the same route, serving all intermediate points; (5) Between LaReforma, Tex. and El Centro, Tex.: From LaReforma over unnumbered county road to El Centro, and return over the same route, serving all intermediate points; (6) Between junction Farm Road 1017 and Farm Road 2294 and junction Farm Road 2294 and Farm Road 755: From junction Farm Road 1017 and Farm Road 2294 over Farm Road 2294 to junction Farm Road 755, and return over the same route, serving all intermediate points; and (7) Between junction Farm Road 2294 and Farm Road 2844 and junction Farm Road 2844 and Farm Road 490: From junction Farm Road 2294 and Farm Road 2844 over Farm Road 2844 to junction Farm Road 490, and return over the same route, serving all intermediate points.

NOTE.—The purpose of this republication is to correct route (6) erroneously published in the original notice. Common control was approved in MC F 4807. If a hearing is deemed necessary, the applicant requests it be held at either Houston or Austin, Tex.

No. MC 52752 (Sub-No. 23), filed November 21, 1974. Applicant: WESTERN TRANSPORTATION COMPANY, 1300 West 35th Street, Chicago, Ill. 60609. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), serving Knoxville, Iowa, as an off-route point in connection with carrier's presently authorized regular route authority.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 52824 (Sub-No. 4), filed November 19, 1974. Applicant: HILL'S TRUCK LINE, INC., Adrian, Mo. 64720. Applicant's representative: Elvin S. Douglas, Jr., 113 South Lexington, Box 280, Harrisonville, Mo. 64701. 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 commodities requiring special equipment): (1) Between Lamar, Mo. and Golden City, Mo.: From Lamar over U.S. Highway 160 to Golden, and return over the same route, serving no intermediate points; and (2) Between Lamar, Mo. and Jasper, Mo.: From Lamar over U.S. Highway 71 to Jasper, and return over the same route, serving no intermediate points, and serving Lockwood, Mo., as an off-route point.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Springfield, or Joplin, Mo.

No. MC 56553 (Sub-No. 29), filed November 20, 1974. Applicant: PULASKI HIGHWAY EXPRESS, INC., 640 Hamilton Avenue, P.O. Box 1081, Nashville, Tenn. 37203. Applicant's representative: Charles M. Locke (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and those requiring special equipment), serving the plantsite and warehouse facilities of The Firestone Tire & Rubber Co. in Rutherford County, Tenn., as an off-route point in connection with carrier's regular route operations to and from Nashville, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

No. MC 59117 (Sub-No. 46), filed November 18, 1974. Applicant: ELLIOTT TRUCK LINE, INC., 101 E. Excelsior Street, P.O. Box 1, Vinita, Okla. 74301. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Acid*, in bulk, in tank vehicles, from Pryor, Okla., to points in Arkansas, Kansas, Missouri, and Texas; and (2) *Liquid polyester*, in bulk, from Pryor, Okla., to points in Texas, Louisiana, Tennessee, Mississippi, Missouri, Kansas, Illinois, and Oklahoma.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 59150 (Sub-No. 89), filed November 18, 1974. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. 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, in Putnam County, Ga., to points in Alabama, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., Atlanta, Ga., or Washington, D.C.

No. MC 61231 (Sub-No. 80) (Correction), filed October 23, 1974, published in the FEDERAL REGISTER issue of November 21, 1974, and republished as corrected this issue. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles and building and construction materials*, from Albuquerque, N. Mex.,

Centerville, Iowa, Joliet, and Blue Island, Ill., Denver, Colo., Columbus and Toledo, Ohio, Detroit, Grand Rapids, and Lansing, Mich., Newton, Kans., and Kokomo and Fort Wayne, Ind., to points in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming; and (2) *materials and supplies* used in the manufacture and distribution of iron and steel articles and building and construction materials, from points in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming, to Albuquerque, N. Mex., Centerville, Iowa, Joliet and Blue Island, Ill., Denver, Colo., Columbus and Toledo, Ohio, Detroit, Grand Rapids, and Lansing, Mich., Newton, Kans., and Kokomo and Fort Wayne, Ind., restricted against the transportation of commodities in bulk and further restricted to shipments originating at, or destined to the plantsites of Continental Steel Corporation.

NOTE.—The purpose of this republication are (A) to indicate the correct origin point of Columbus, Ohio, in lieu of Columbia, Ohio, in (1) above, and (B) to indicate applicant seeks to restrict service to traffic originating and destined to said plantsites in lieu of restricting service against such traffic. If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind.

No. MC 61231 (Sub-No. 82), filed November 25, 1974. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Welded wire fabric and nails*, from Duluth, Minn., to points in Illinois, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 63837 (Sub-No. 4), filed November 15, 1974. Applicant: DIGGINS AND ROSE, INC., Sagamore Park Road, Hudson, N.H. 03051. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, Mass. 02043. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *High speed printers*, (1) from Boston Mass., to Chelmsford, Mass., and Hudson, N.H., restricted to traffic having a prior movement by water or rail; and (2) from Chelmsford, Mass., to Hudson, N.H.

NOTE.—It is applicant's position that it holds the authority requested herein in MC 63837, applicant has therefore concurrently filed a petition to dismiss the instant application. If a hearing is deemed necessary, the

applicant requests it be held at Concord, N.H., or Boston, Mass.

No. MC 67450 (Sub-No. 51), filed November 18, 1974. Applicant: PETERLIN CARTAGE CO., a Corporation, 9651 South Ewing Avenue, Chicago, Ill. 60617. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybeans, products of soybeans, and materials, supplies, and ingredients*, used in the processing thereof, in bulk, between the plant and warehouse facilities of Krause Milling Company, located at or near Logansport, Ind. 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 Chicago, Ill.

No. MC 69116 (Sub-No. 170), filed November 18, 1974. Applicant: SPEC-TOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), serving the plant and warehouse facilities of The Firestone Tire and Rubber Company located near Nashville (Davidson-Rutherford Counties), Tenn. as an off-route point in connection with carrier's authorized regular route operations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn.

No. MC 69322 (Sub-No. 5), filed November 4, 1974. Applicant: DOBSON CARTAGE & STORAGE COMPANY, a Corporation, 1006 East Indiana Street, Bay City, Mich. 48706. Applicant's representative: James E. Dobson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*: (1) Between points in Marquette County, Mich. on the one hand, and, on the other, points in the Upper Peninsula of Michigan; and (2) between points in Marquette County, Mich., restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments.

NOTE.—Applicant holds motor contract carrier authority in MC 127458 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Chicago, Ill.

No. MC 69397 (Sub-No. 14), filed November 18, 1974. Applicant: JAMES H. HARTMAN & SON, INC., U.S. Route 13, P.O. Box 85, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 11th St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibre-glass tanks, and accessories thereof*, from the plantsite of the Justin Atlantic Corp., at or near Georgetown, Del., to points in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 71459 (Sub-No. 46), filed November 19, 1974. Applicant: O.N.C. FREIGHT SYSTEMS, a Corporation, 2800 West Bayshore Road, Palo Alto, Calif. 94303. 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 plant site and construction facilities of the Nuclear Power Plant and points within 5 miles thereof, approximately 5 miles east of Sedro Woolley, Wash., as an off-route point in conjunction with its regular-route operations.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either San Francisco, Calif., or Seattle, Wash.

No. MC 72285 (Sub-No. 10), filed November 20, 1974. Applicant: MOTOR TRANSPORT COMPANY, a Corporation, 4101 W. Blue Mound Road, Milwaukee, Wis. 53208. Applicant's representative: Rolfe E. Hanson, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper mill machine parts*, between the plantsite of Beloit Corporation located at or near Rockton, Ill., on the one hand, and, on the other, points in Outagamie, Brown, Wood, and Portage Counties, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 74321 (Sub-No. 109), filed November 7, 1974. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Terminal Island, Calif., to points in Arizona, Colorado, New Mexico, Idaho, Utah, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif. or Denver, Colo.

No. MC 75816 (Sub-No. 4), filed November 14, 1974. Applicant: STONY'S TRUCKING CO., a Corporation, 11550 Youngstown-Akron Road, North Jackson, Ohio 44451. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel buildings, building sections, parts, materials, parts, and accessories*, from Van Wert, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 78687 (Sub-No. 40), filed November 18, 1974. Applicant: LOTT MOTOR LINES, INC., 118 Monell Street, Penn Yan, N.Y. 14527. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from Clearfield, Jefferson, Indiana, Cambria, Clarion and Armstrong Counties, Pa., to points in New York.

NOTE.—Applicant holds contract carrier authority in No. MC 2505, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 82841 (Sub-No. 147), filed November 7, 1974. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 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: *Iron and steel articles*, from points in Madison and Stanton Counties, Nebr., to points in Arizona, California, Idaho, Illinois, Indiana, Montana, Nevada, New Mexico, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 101219 (Sub-No. 57), filed November 6, 1974. Applicant: MERIT DRESS DELIVERY, INC., 524 West 36th Street, New York, N.Y. 10018. Applicant's representative: Herman B. J. Weckstein, One Woodbridge Center, Woodbridge, N.J. 07095. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies* used in the manufacture of wearing apparel (except commodities in bulk), between Colebrook, N.H., points in the New York, N.Y., Commercial Zone, and Fall River, Mass.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 103191 (Sub-No. 48), filed November 22, 1974. Applicant: THE GEO. A. RHEMAN CO., INC., 2019 Elgin Street, P.O. Box 2095, Station A, Charleston, S.C. 29403. Applicant's representative: Harris G. Andrews, P.O. Box 4255, Greenville, S.C. 29608. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles (except chemicals and petrochemicals), from Tampa, Fla., to points in South Carolina.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 105045 (Sub-No. 56), filed November 25, 1974. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. 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: *Brake presses and shears and parts thereof*, from Topeka, Kans., to points in Alabama, Florida, Georgia, Mississippi, Oklahoma, North Carolina, South Carolina, Texas, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 105813 (Sub-No. 200), filed Nov. 13, 1974. Applicant: BELFORD TRUCKING CO., INC., 3500 NW. 79th Avenue, Miami, Fla. 33148. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), from points in Massachusetts and New York, to points in Florida and Georgia, restricted to products originating at the plantsite and storage facilities of Howard Johnson Company, and destined to the above named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 722), filed November 25, 1974. Applicant: NATIONAL TRAILER CONVOY, INC., 525 South Main Street, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Delaware County, Okla., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 106644 (Sub-No. 198), filed November 20, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Payton Road NW., Atlanta, Ga. 30318. Applicant's representative: W. Randall

Tye, 1500 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor graders, road making, construction, and earth moving machinery and equipment*, between Owensboro, Ky., on the one hand, and, on the other, Alabama, Arkansas, Colorado, Connecticut, Delaware, 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, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 107012 (Sub-No. 213), filed November 18, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Michael L. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet*, (1) from Lewisville, Ark., to points in North Carolina, South Dakota, Iowa, Kansas, Texas, Colorado, New Mexico, Kentucky, Georgia, Florida, and Alabama; and (2) from Little Falls, N.J., to points in North Carolina, Virginia, Florida, Georgia, Alabama, and Pennsylvania.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 107445 (Sub-No. 8), filed November 22, 1974. Applicant: UNDERWOOD MACHINERY TRANSPORT, INC., 940 W. Troy Avenue, Indianapolis, Ind. 46225. Applicant's representative: K. Clay Smith, P.O. Box 33051, Indianapolis, Ind. 46203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between the plant site and warehouses of Roll Coater Company at or near Kingsbury, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Ohio, Kentucky, Missouri, and Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 107515 (Sub-No. 965), filed November 18, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, Post Office Box 18584, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk), from Memphis and Arlington, Tenn., to points in Colorado, South Dakota, North Dakota, Idaho, Montana, Oregon, and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Memphis, Tenn., or Atlanta, Ga.

No. MC 108393 (Sub-No. 84), filed November 20, 1974. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 E. Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail department stores and mail order houses*, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, between Atlanta, Ga., Boston, Mass., Chicago, Ill., Columbus, Ohio, Dallas, Tex., Greensboro, N.C., Jacksonville, Fla., Kansas City, Mo., Memphis, Tenn., Minneapolis-St. Paul, Minn., Philadelphia, Pa., North Bergen, N.J., and St. Louis, Mo., under a continuing contract or contracts with Sears, Roebuck and Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108676 (Sub-No. 73), filed November 21, 1974. Applicant: A. J. METTLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue, Knoxville, Tenn. 37917. Applicant's representative: William T. McManus (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and related *machinery, tools, parts and supplies* moving in connection therewith, from the plantsite and facilities of FMC Corporation, Crane and Excavator Division at Lexington, Ky., to points in Alabama, Florida, Georgia, Mississippi, Louisiana, Virginia, North Carolina, South Carolina, Arkansas, Texas, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lexington, Ky. or Knoxville, Tenn.

No. MC 108869 (Sub-No. 17), filed October 17, 1974. Applicant: WEBER TRUCK AND WAREHOUSE, a Corporation, 5035 Gifford Avenue, Vernon, Calif. 90058. Applicant's representative: Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated cooling or freezing equipment, or parts thereof*, other than household, between Los Angeles, Calif., on the one hand, and, on the other, points in Kern, Los Angeles (except the Los Harbor Commercial Zone 3 M.C.C. 254), Orange, Riverside, San Bernardino, San Diego, and Ventura Counties, Calif., subject to prior or subsequent movement in interstate commerce, under a continuing contract with Hussman-Los Angeles and Clark Equipment Company (R. W. Lester-Tyler Refrigeration Division).

NOTE.—Applicant holds common carrier authority in MC 41665 and Sub 2, therefore

dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 109026 (Sub-No. 18), filed November 7, 1974. Applicant: MAN-NING MOTOR EXPRESS, INC., P.O. Box 685, Glasgow, Ky. 42141. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. 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, Classes A and B explosives, commodities in bulk, and articles requiring special equipment); (1) Between Edmonton and Columbia, Ky.: From Edmonton, Ky. over Kentucky Highway 80 to Columbia, Ky., serving all intermediate points; and (2) Between Columbia and Hodgenville, Ky.: From Columbia, Ky., over Kentucky Highway 61 to Hodgenville, Ky., serving no intermediate points, and serving Hodgenville, Ky. for purposes of joinder only.

NOTE.—Applicant contends that it holds authority to serve Columbia, Ky. to and from a Louisville, Ky. gateway pursuant to the Commission's Superhighway Deviation Rules in 49 CFR 1042. Applicant therefore, has filed currently a motion to dismiss the instant application as to the point of Columbia, Ky. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Louisville, Ky.

No. MC 109324 (Sub-No. 29), filed November 19, 1974. Applicant: GARRISON MOTOR FREIGHT, INC., P.O. Box 969, Harrison, Ark. 72601. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. 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, in tank vehicles, and those requiring special equipment): (1) Between Yellville, Ark., and the plantsite of Holiday Manufacturing Company, Inc.: From Yellville, Ark., over Arkansas State Highway 14, to its junction with Arkansas State Highway 235, thence over Arkansas State Highway 235, to the plantsite, and return over the same route, serving all intermediate points.

(2) Between Mountain Home, and Henderson, Ark.: From Mountain Home, Ark. over U.S. Highway 62, to Henderson, Ark., and return over the same route, serving all intermediate points. (3) Between Mountain Home, Ark., and the plantsite of Travenol Laboratories, Inc., located at the junction of U.S. Highway 62 and 167, at or near Ash Flat, Ark.: From Mountain Home, Ark., over U.S. Highway 62, to the plantsite, and return over the same route, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 109533 (Sub-No. 67) (Correction), filed October 21, 1974, published in

the FEDERAL REGISTER issue of November 27, 1974, and republished as corrected this issue. Applicant: OVERNITE TRANSPORTATION COMPANY, a Corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: E. T. Lippert, Suite 1100, 1660 L Street NW., Washington, D.C. 20036. 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 Jacksonville, Fla. and Houston, Tex., serving all intermediate points and the off-route points of Gonzales, Fla., Port Arthur and Fort Neches, Tex., Lemoyne, Ala., Calvert, Ala. and the plant site of Dow Badische Company at or near Calvert, Ala.: From Jacksonville over Interstate Highway 10 and also Interstate Highway 90 to New Orleans, La., thence over U.S. Highway 61 to Baton Rouge, La., thence over U.S. Highway 190 to Opelousas, La., thence over U.S. Highway 167 to Lafayette, La., thence over Interstate Highway 10 and also Interstate Highway 90 to Houston, and return over the same route; (2) Between junction Interstate Highway 12 and Interstate Highway 10 at or near Pearl River, La. and junction Interstate Highway 12 and Interstate Highway 10 at or near Baton Rouge, La., serving all intermediate points: From junction Interstate Highway 12 and Interstate Highway 10 at or near Pearl River, La. over Interstate Highway 12 to junction Interstate Highway 10 at or near Baton Rouge, La. and return over the same route; (3) Between junction U.S. Highway 190 and U.S. Highway 90 near Slidell, La. and Baton Rouge, La., serving all intermediate points: From junction U.S. Highway 190 and U.S. Highway 90 near Slidell, La. over U.S. Highway 190 to Baton Rouge, La. and return over the same route; (4) Between New Orleans, La. and Lafayette, La., serving all intermediate points: From New Orleans, La. over Interstate Highway 10 to Lafayette, La., and return over the same route; (5) Between LaGrange, Ga. and Mobile, Ala., serving no intermediate points, but serving Pensacola and Gonzales, Fla. as off-route points: From LaGrange over Georgia Highway 219 to junction Interstate Highway 85, thence over Interstate Highway 85 to junction Interstate Highway 65, thence over Interstate Highway 65 to junction Alabama Highway 59, thence over Alabama Highway 59 to junction U.S. Highway 31, thence over U.S. Highway 31 to Mobile, Ala., and return over the same route; and (6) Between Macon, Ga. and Tallahassee, Fla., serving no intermediate points: From Macon over Interstate Highway 75 to junction U.S. Highway 319 at or near Tifton, Ga., thence over U.S. Highway 319 to Tallahassee, and return over the same route.

NOTE.—The purposes of this republication are (A) to indicate in (1) that applicant seeks authority over Interstate Highway 90

in addition to Interstate Highway 10; and (B) in (4) indicate Lafayette, La. as the correct terminal point in lieu of Baton Rouge, La. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or New Orleans, La.

No. MC 109818 (Sub-No. 19), filed November 18, 1974. Applicant: WENGER TRUCK LINE, INC., P.O. Box 36, Beaver, Iowa 50031. Applicant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed vehicles and scrap metal*, from points in Iowa and Nebraska, to points in Illinois, Indiana and Beloit, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa or Omaha, Nebr.

No. MC 109847 (Sub-No. 20), filed November 15, 1974. Applicant: BOSS-LINCO LINES, INC., Suite 450, One West Genesee Street, Buffalo, N.Y. 14240. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, commodities which because of their size or weight require special equipment and household goods as defined by the Commission), Between Binghamton, N.Y., and New Haven, Conn., as an alternate route for operating convenience only, serving no intermediate points: From Binghamton, N.Y. over New York Highway 17 to the junction of New York Highway 17 and 17K at or near Bloomingburg, N.Y., thence over New York Highway 17K to the junction of Interstate Highway 84 to Connecticut Highway 34 near Newton, Conn., thence over Connecticut Highway 34 to New Haven, Conn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Buffalo, N.Y.

No. MC 110166 (Sub-No. 21), filed November 18, 1974. Applicant: TENNESSEE CAROLINA TRANSPORTATION, INC., 40 Nance Lane, P.O. Box 7308, Nashville, Tenn. 37210. Applicant's representative: J. C. Hutcheson (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, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse of the Firestone Tire and Rubber Co., located in Rutherford County, Tenn., as an off-route point in connection with applicant's existing authority to serve Nashville, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn.

No. MC 110563 (Sub-No. 148), filed November 4, 1974. Applicant: COLDWAY FOOD EXPRESS, INC., Box 747, Sidney,

Ohio 45365. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat by-products and articles distributed by meat packing houses*, as defined by the Commission in sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides in commodities in bulk), from the plantsites and storage facilities of Equity Meats Corp., Ohio Division, at or near North Baltimore, Ohio, to 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, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) *meats, fresh and frozen, and materials and supplies used in the manufacturing, preparation, selling and distribution of the commodities described in (1) above*, from points in the United States (except Alaska and Hawaii), to the plantsites and warehouse facilities of Equity Meats Corp., Ohio Division, at or near North Baltimore, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 110633 (Sub-No. 101), filed November 5, 1974. Applicant: SMITH'S TRANSFER CORPORATION, P.O. Box No. 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McNerny, 1000 Sixteenth Street NW., Washington, D.C. 20036. 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); (A) Between Racine, Wis. and junction Wisconsin Highway 20, U.S. Highway 41 and Interstate Highway 94: From Racine, Wis. over Wisconsin Highway 20 to junction U.S. Highway 41 and Interstate Highway 94, and return over the same route, serving no intermediate points and serving the junction of Wisconsin Highway 20, U.S. Highway 41 and Interstate Highway 94 for the purpose of joinder only; (B) Between Kenosha, Wis. over and the junction of Wisconsin Highway 158 and U.S. Highway 41 and Interstate Highway 94: From Kenosha, Wis. over Wisconsin Highway 158 to junction U.S. Highway 41 and Interstate Highway 94, and return over the same route, serving no intermediate points, and serving Wisconsin Highway 158 and U.S. Highway 41 and Interstate Highway 94 for the purpose of joinder only; or in the alternative; (C) serve Racine and Kenosha, Wis. as off-route points in connection with carriers regular-route authority

between Chicago, Ill. and Milwaukee, Wis.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Milwaukee, Wis.

No. MC 110686 (Sub-No. 48), filed November 15, 1974. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. 17721. Applicant's representative: David A. Sutherland, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Patterns, molds and iron and steel castings and forgings*, from points in Wisconsin, to Dayton, Ohio and Muncy, Pa.; and (2) *patterns, molds and scrap attrition plates*, from Muncy, Pa., to Dayton, Ohio and points in Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 112801 (Sub-No. 167), filed November 21, 1974. Applicant: TRANSPORT SERVICE CO., a Corporation, 2 Salt Creek Lane, Hinsdale, Ill. 60521. 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: *Products of soybeans, and materials, supplies and ingredients used in the processing thereof*, in bulk, in tank or hopper vehicles, between the plant/or warehouse facilities of Krause Milling Company at or near Logansport, Ind., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 112822 (Sub-No. 357), filed November 15, 1974. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: William W. Frick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from the plantsite of Anderson Clayton Foods at Jacksonville, Ill., to points in California, Oregon, Washington, Idaho, Utah, and Montana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 113083 (Sub-No. 4), filed November 22, 1974. Applicant: JOHN F. MAHR, doing business as, MAHR BROS. TRANSPORTATION CO., a Corporation, Route 83, Box 328, Rockville, Conn. 06086. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic articles* (except in bulk), from Royersford, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode

Island, Virginia, Vermont, West Virginia, and the District of Columbia, under a continuing contract with Sheets & Seal, Incorporated, doing business as, French Creek Products of Royersford, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Providence, R.I.

No. MC 113388 (Sub-No. 107), filed November 19, 1974. Applicant: LESTER C. NEWTON TRUCKING CO., a Corporation, P.O. Box 618, Seaford, Del. 19973. Applicant's representative: Charles Ephraim, Suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Downingtown, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and New York (except that portion of New York south and east of a line beginning at the Connecticut-New York State Boundary line and extending along U.S. Highway 44 to intersection U.S. Highway 209, thence along U.S. Highway 209 to the New York-New Jersey State Boundary line, with service from Downingtown, Pa. restricted to partial pickup of shipments with traffic originating at Salisbury, Md.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113495 (Sub-No. 67), filed November 15, 1974. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham Street, P.O. Box 60628, Nashville, Tenn. 37206. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Structural steel*, (2) *commodities* which because of size or weight require the use of special equipment, and *related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, and *commodities* which do not require the use of special equipment when moving on the same shipment or on the same bill of lading as commodities which by reason of size or weight require special equipment, and (3) *self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts and supplies* moving in connection therewith, restricted to commodities which are transported on trailers, between points in North Carolina and Virginia, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin.

NOTE.—Applicant presently holds duplicating authority in MC-113495 and Subs 3, 6, 8, 10, 11, 14, 15, 16, 23, 27, 30, 31, 33, 34, 38, 39, 41, 42, 44, 47, 53, 54, and 55. No duplicating authority is sought. The purpose of this

application is (1) to obtain a uniform commodity description, (2) round out the territory in which operations are presently being conducted, and (3) perform a direct service into and out of Virginia and North Carolina. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., Chicago, Ill., or Washington, D.C.

No. MC 113624 (Sub-No. 66), filed November 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81001. Applicant's representative: Marion F. Jones, 1600 Lincoln Center, 1600 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Spent sulphuric acid*, in bulk, from Amarillo and El Paso, Tex., to Greeley, Colo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex. or Amarillo, Tex.

No. MC 113658 (Sub-No. 9), filed November 4, 1974. Applicant: SCOTT TRUCK LINE, INC., P.O. Box 16346, Denver, Colo. 80216. Applicant's representative: Robert W. Armstrong, 5280 Newport Street, Commerce City, Colo. 80022. 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 Denver, Fort Morgan, Sterling, and Greeley, Colo., to points in Connecticut, Illinois, Indiana, Delaware, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 113861 (Sub-No. 61), filed November 22, 1974. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. 38106. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Kentucky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 115841 (Sub-No. 488), filed November 13, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 107 Vulcan Road, Vulcan Life Bldg., Suite 200, Homewood, Ala. 35209. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Citric acid*, in bags, drums and containers, from the plant site of Pfizer, Inc., located at or near Southport, N.C., to points in Illinois,

Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 115924 (Sub-No. 26), filed November 21, 1974. Applicant: SUGAR TRANSPORT, INC., P.O. Box 4063, Savannah (Port Wentworth), Ga. 31407. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from Port Wentworth, Ga., to Canton and Mansfield, Ohio, under a continuing contract or contracts with Savannah Foods & Industries, Inc.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116763 (Sub-No. 299), filed November 15, 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: (1) *Canned foodstuffs*, from Biloxi, Miss., to points in Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Texas, Wisconsin, and the District of Columbia; and (2) *animal and poultry feed*, from Biloxi, Miss., to points in Illinois, Iowa, Kentucky, Missouri, North Carolina, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 117344 (Sub-No. 240), filed November 18, 1974. Applicant: THE MAXWELL CO., a Corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stivers, 1396 West Fifth Avenue, Columbus, Ohio 43212. 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, 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, the applicant requests it be held at Washington, D.C. or Columbus, Ohio.

No. MC 118370 (Sub-No. 2), filed November 18, 1974. Applicant: BANANA TRANSPORT, INC., 12712 North Oregon Avenue, Tampa, Fla. 33612. Applicant's representative: Robert L. Baker, Suite 618, Hamilton Bank Bldg. Nashville, Tenn. 37219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting:

*Bananas*, from Mobile, Ala., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Missouri, Kentucky, Michigan, Ohio, Tennessee, Florida, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Miami, Fla. or Washington, D.C.

No. MC 118803 (Sub-No. 9), filed October 16, 1974. Applicant: ATLANTIC TRUCK LINES, INC., 45 Gilpin Avenue, Cardinal Industrial Park, Hauppauge, N.Y. 11787. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Roofing materials*, from Clark, N.J., Philadelphia, Pa., Charleston, S.C., Birmingham, Ala., and Shreveport, La., to points in Florida south and east of the Suwannee River; (2) *returned shipments* of the commodities specified above, from points in Florida south and east of the Suwannee River, to their respective origin points; (3) *floor coverings*, from New York, N.Y., South Plainfield, N.J., Chicago, Ill., and Jackson, Miss., to points in Florida south and east of the Suwannee River; (4) *returned shipments* of floor coverings, from points in Florida south and east of the Suwannee River to New York, N.Y., South Plainfield, N.J., Chicago, Ill., and Jackson, Miss.; (5) *building materials and related hand tools and working supplies*, from the plantsite of Bieler National Industries, Inc., and Revere Aluminum Building Products, Inc., located at or near Hauppauge, Suffolk County, N.Y., Franklin Park, Ill., Atlanta, Ga., and Detroit, Mich., to points in the United States (except Alaska and Hawaii); and (6) *returned shipments* of the commodities specified above, and *materials and related products* for use in the manufacture, fabrication, distribution and sales of the commodities described above, from points in the United States (except Alaska and Hawaii), to the plantsite of Bieler National Industries, Inc. and Revere Aluminum Building Products, Inc., at Hauppauge, Suffolk County, N.Y., Franklin Park, Ill., Atlanta, Ga., and Detroit, Mich., restricted in (5) and (6) against commodities in bulk, and further restricted in parts (1) through (6) to a transportation service to be performed under a continuing contract or contracts with Bieler National Industries, Inc. of Hauppauge, Suffolk County, N.Y. and Revere Aluminum Building Products, Inc., of Hauppauge, Suffolk County, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y. or Washington, D.C.

No. MC 119619 (Sub-No. 75), filed November 7, 1974. Applicant: DISTRIBUTORS SERVICE CO., a Corporation, 2000 West 43rd 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: *Foodstuffs* (except commodities in bulk),

in vehicles equipped with mechanical refrigeration, from Milwaukee, Wis. and its Commercial Zone, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 120981 (Sub-No. 20), filed November 18, 1974. Applicant: BESTWAY EXPRESS, INC., 905 Visco Drive, 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 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 Firestone Tire & Rubber Company, Rutherford County, Tenn., as an off-route point in connection with the applicant's authorized regular route operations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 123048 (Sub-No. 317), filed Nov. 25, 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: *Bus bodies (SKD), and press brake parts*, from Marshall, Tex., to points in St. Joseph County, Ind.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123157 (Sub-No. 20), filed November 22, 1974. Applicant: CEMENT TRANSPORTERS, INC., Rillito, Ariz. 85246. Applicant's representative: A. Michael Bernstein, 1327 United Bank Bldg., Phoenix, Ariz. 85012. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime*, in sack, from the plantsite of Paul Lime Plant, near Douglas, Ariz., to points in New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Tucson or Phoenix, Ariz.

No. MC 123407 (Sub-No. 212), filed November 22, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, poles, and posts*, from points in Missouri to points in Iowa, Illinois, Wisconsin, Ohio, Michigan, Indiana, Minnesota, Kansas, Pennsylvania,

North Dakota, South Dakota, Colorado, Nebraska, Oklahoma, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo. or Chicago, Ill.

No. MC 123681 (Sub-No. 31), filed November 25, 1974. Applicant: WIDING TRANSPORTATION, INC., P.O. Box 03159, Portland, Ore. 97203. Applicant's representative: David C. White, 2400 SW. Fourth Avenue, Portland, Ore. 97201. 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 points in Whitman County, Wash., on the one hand, and, on the other, points in Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 123872 (Sub-No. 39), filed November 13, 1974. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Drawer 2607, Hickory, N.C. 28601. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New furniture and furniture parts*, from points in North Carolina, to points in Arizona and Nevada; and (2) *damaged and rejected new furniture* on return.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hickory or Charlotte, N.C.

No. MC 124078 (Sub-No. 626), filed November 18, 1974. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, between the plant site of the Southern California Chemical Company at or near Union, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Michigan, Minnesota, Missouri, New York, Ohio, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in No. MC 113832 Sub-No. 68, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124111 (Sub-No. 50), filed November 22, 1974. Applicant: OHIO EASTERN EXPRESS, INC., P.O. Box 2297, 300 West Perkins Avenue, Sandusky, Ohio 44870. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bakery products*, from the plantsite and warehouse facilities of Awrey Bakeries, Inc., located at Livonia, Mich., to points in Ohio, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Florida.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 124221 (Sub-No. 49), filed November 20, 1974. Applicant: HOWARD BAER, P.O. Box 27, Morton, Ill. 61550. Applicant's representative: Robert W. Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. 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 grocery and food business houses*, and, in connection therewith, *equipment, materials, and supplies used in the conduct of such business* (not including commodities in bulk), between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana, Illinois, Kentucky, Michigan, West Virginia, Atlanta, Ga., and its commercial zone, the Kansas City, Missouri-Kansas, commercial zone; Little Rock, Ark., and its commercial zone; Memphis and Nashville, Tenn., and its commercial zone; Pittsburgh, Pa. and its commercial zone; Salem, Va. and its commercial zone; and St. Louis, Mo., and its commercial zone, restricted to movements originating at and/or destined to a facility of The Kroger Co. and further restricted to a transportation to be performed under a continuing contract or contracts with The Kroger Co. and all operations will be conducted in vehicles equipped with mechanical refrigeration.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cincinnati, Ohio, Indianapolis, Ind., or Washington, D.C.

No. MC 124333 (Sub-No. 22), filed November 15, 1974. Applicant: BAKER PETROLEUM TRANSPORTATION CO., INC. Pyles Lane, New Castle, Del. 19720. Applicant's representative: Samuel W. Earnshaw, 833 Washington Blvd., Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from Marcus Hook, Pa., and Seaford, Del., to points in Delaware, Maryland, and Virginia located on the Delmarva Peninsula, under a continuing contract or contracts with Emulasta Products of Delmarva, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 137), filed November 18, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. 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: *Charcoal, wood chips, vermiculite, lighter fluid, and fire-place logs*, sawdust, and wax impregnated (except commodities in bulk), from Bell, Mo., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to a transportation service to be

performed under a continuing 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. 138), filed November 18, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: Richard A. Peterson, P.O. Box 81849, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aerosol products*, from Berkeley, R.I., and Danville, Ill., to Union City, Calif., Memphis, Tenn., Gloucester City, N.J., Detroit, Mich., Columbus, Ohio, and Louisville, Ky., under a continuing contract or contracts with Mor-ton-Norwich Products, 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. 139), filed November 18, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. 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: *Cooking oil*, (except in bulk), from Danville and Niles, Ill., to the plantsites and facilities of The Clorox Company, at or near Atlanta, Ga.; Boston, Mass.; Jersey City, N.J.; Charlotte, N.C.; Cleveland, Ohio; Frederick, Md.; Houston, Tex.; Kansas City, Mo.; and Tampa, Fla., restricted to a transportation service to be performed under a continuing 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 125777 (Sub-No. 147), filed November 14, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are usually transported in dump vehicles, from points in Alabama, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Washington, and Wisconsin, to points in the United States (except Alaska and Hawaii), restricted to traffic having a prior or subsequent movement by water.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 148), filed November 25, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, (1) between points in Indiana, Illinois, Kentucky, Michigan, Missouri, and Ohio; and (2) from Florence, Colo., 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.

No. MC 125777 (Sub-No. 149), filed November 25, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicles, from points in Arkansas, Illinois, Indiana (except Terre Haute and Indianapolis), Iowa, Kansas, Kentucky (except Ashland), Michigan (except Detroit), Minnesota (except St. Paul), Missouri (except St. Louis), Nebraska, New York (except Buffalo), Ohio (except Ironton and Painesville), Oklahoma, Pennsylvania (except Erie and Philadelphia), Tennessee, Texas, West Virginia, and Wisconsin (except Milwaukee), to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 126305 (Sub-No. 67), filed Nov. 19, 1974. Applicant: BYOD BROTHERS TRANSPORTATION CO., INC., Rural Delivery 1, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: (1) *Spheres, highway marking strip glass, balloting, and glass*, crushed, ground, and powdered, from the facilities of Potters Industries, Inc., at Apex, N.C., to points in Kentucky, Arkansas, Virginia, Tennessee, North Carolina, South Carolina, Georgia, and Louisiana; and (2) *materials and supplies*, used in the manufacture and sale of glass spheres, and *glass spheres* (except in bulk, in tank vehicles), from Louisiana, Georgia, South Carolina, North Carolina, Tennessee, Virginia, Arkansas, and Kentucky, to the facilities of Potters Industries, Inc., at Apex, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 126539 (Sub-No. 20), filed November 22, 1974. Applicant: KATUIN BROS. INC., 102 Terminal Street, Du-

buque, Iowa 52001. Applicant's representative: Carl E. Munson, 469 Fischer Bldg., Dubuque, Iowa 52001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from Rock Island, Ill., to points in Iowa.

NOTE.—Applicant holds contract carrier authority in MC 129135 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago or Peoria, Ill.

No. MC 127187 (Sub-No. 12), filed November 11, 1974. Applicant: FLOYD DUENOW, 1728 Industrial Park Blvd., Fergus Falls, Minn. 56537. Applicant's representative: Charles E. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, and animal and poultry feed ingredients* (except liquid commodities in bulk, in tank vehicles), from East Grand Forks, Crookston, Moorhead, and Ren-ville, Minn., to points in Montana, restricted to traffic originating at the above named origins and destined to the above named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or Minneapolis, Minn.

No. MC 128021 (Sub-No. 15), filed Nov. 15, 1974. Applicant: DIVERSIFIED PRODUCTS TRUCKING CORPORATION, 309 Williamson Avenue, Opelika, Ala. 36801. Applicant's representative: Robert S. Richard, 57 Adams Avenue, Montgomery, Ala. 36103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Weights and counterweights*, from the plantsite of Diversified Products Corporation, at Opelika, Ala., to points in the United States (except Alaska and Hawaii), under contract with Diversified Products Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Opelika or Montgomery, Ala.

No. MC 128383 (Sub-No. 61), filed November 19, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, and motor vehicles requiring the use of special equipment), between John F. Kennedy International Airport at or near New York, N.Y., Eau Claire Municipal Airport at or near Eau Claire, Wis., Austin Straubel Airfield at or near Green Bay, Wis., La Crosse Municipal Airport at or near La Crosse, Wis., General Mitchell Field at or near Milwaukee, Wis., Madison Municipal Airport (Traux Field) at or near Madison, Wis., Wausau Municipal Airport at or near Wausau, Wis., Rock County Airport at or near Janesville, Wis., St. Louis International Airport

(Lambert Field) at or near St. Louis, Mo., Memphis International Airport at or near Memphis, Tenn., Chicago-O'Hare International Airport at or near Chicago, Ill., Detroit Metropolitan Airport at or near Detroit, Mich., Standiford Field at or near Louisville, Ky., Greater Cincinnati Airport at or near Cincinnati, Ohio, Weir Cook Airport at or near Indianapolis, Ind., and Minneapolis-St. Paul International Airport at or near St. Paul, Minn., restricted to shipments having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128383 (Sub-No. 62), filed November 27, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Avenue, Galthersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, and motor vehicles, requiring the use of special equipment), having a prior or subsequent movement by air, between Oneida County Airport, Oneida County, N.Y., on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Maryland, the District of Columbia, Delaware, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 129706 (Sub-No. 1), filed November 25, 1974. Applicant: APPLE LINES, INC., 212 SW. Second, Madison, S. Dak. 57042. Applicant's representative: Robert A. Appelwick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat-tened car bodies, scrap iron, and solid waste*, from points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota, to points in Illinois, Indiana, Minnesota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133106 (Sub-No. 47), filed November 22, 1974. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Frederick J. Cosman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is manufactured or distributed by Warner Lambert Company, and related advertising material*, from the plantsites and storage facilities utilized by Warner Lambert Company, located at Long Island City, N.Y., Lititz and Philadelphia, Pa., and South Brunswick and North Bergen, N.J., to Morrow, Ga., under contract with Warner-Lambert Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Kansas City, Mo.

No. MC 133291 (Sub-No. 3), filed November 14, 1974. Applicant: JAMES H. FUNCH, doing business as JAMES FUNCH TRUCKING, 2750 North Polk Avenue, Fresno, Calif. 93705. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93721. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shingles, shakes, and ridge*, from points in Clallam and Skagit County, Wash., to points in Shasta, Tehama, Sutter, Yuba, Sacramento, Yolo, San Joaquin, Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, Kern, Santa Cruz, Monterey, San Benito, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange, San Bernardino, Riverside, San Diego, and Imperial Counties, Calif., and points in Maricopa and Pima Counties, Ariz., under a continuing contract or contracts with Consolidated Cedar Corporation and its affiliates.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fresno, San Francisco, Calif., or Seattle, Wash.

No. MC 133878 (Sub-No. 2), filed November 18, 1974. Applicant: A. E. TRUCKS, INC., Weston, Pa. 18256. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery and machine parts, and filters*, which because of size or weight require the use of special equipment or handling, from the plantsite of Dorr-Oliver, Inc., located at Fogelsville, Pa., to points in the New York, N.Y. Commercial Zone, as defined by the Commission, points in that part on New York on, south, and east on New York Highway 30, points in those parts of New Jersey, Delaware, and Pennsylvania on and east of U.S. Highway 15, that part of Maryland on and east of U.S. Highway 11 (Intermediate Highway 81), and the District of Columbia; (2) *water treatment and sewage disposal plants, refuse systems, and filtering systems, and all component parts of the above items* (except commodities in bulk), from the plantsite of Dorr-Oliver, Inc., located at Fogelsville, Pa., to points in Delaware, Connecticut, Indiana, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; and (3) *materials, supplies, or equipment used in connection with or incidental to the manufacture of commodities named in (2) above* (except commodities in bulk), from points in the destination states named above to the plantsite of Dorr-Oliver, Inc., located at Fogelsville, Pa., restricted to the transportation of traffic originating at or destined to the plantsite and destination points in (1), (2), and (3) above, and

(2) and (3) further restricted against the transportation of clay products originating at or destined to points in Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Harrisburg, Pa.

No. MC 134142 (Sub-No. 6), filed November 18, 1974. Applicant: BROWN REFRIGERATED EXPRESS, INC., 21st and Sidney, P.O. Box 603, Ft. Scott, Kans. 66701. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *contract 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 F.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Lee's Summit, Mo., to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with R. B. Rice Company, Inc.

NOTE.—Applicant holds common carrier authority in MC 139587 and Sub No. 1 thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 134323 (Sub-No. 65), filed October 30, 1974. Applicant: JAY LINES, INC., 720 North Grand, Amarillo, Tex. 79105. Applicant's representative: Gailyn Larsen, 521 South 14th Street, Lincoln Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail department stores, and equipment, materials, and supplies used in the conduct of such business* (except commodities in bulk), from the facilities of J. C. Penney Company, Inc. located at or near Ridgefield, N.J., to points in Houston and Dallas, Tex., Kansas City and St. Louis, Mo., Denver, Colo., and Memphis, Tenn., under a continuing contract with J. C. Penney Company, Inc.

NOTE.—Applicant has pending contract carrier authority in MC 135070 Sub 4 and 5, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Lincoln, Nebr., or New York, N.Y.

No. MC 134717 (Sub-No. 2), filed November 20, 1974. Applicant: DONALD R. MARSHALL, Route 1, Greer, S.C. 29651. Applicant's representative: Mitchell King, Jr., P.O. Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ground clay*, in containers, from the plantsites of Waverly Mineral Products Co., at or near Meigs, Ga., to points in Delaware, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia; and (2) from the plantsites of Waverly Mineral Products Co., at or near Pinewood, S.C.,

to points in Delaware, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, under continuing contract with Waverly Mineral Products Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 134734 (Sub-No. 19), filed November 22, 1974. Applicant: NATIONAL TRANSPORTATION, INC., 14031 "L" Street, Omaha, Nebr. 68137. Applicant's representative: Lanny N. Fauss, Box 37096, Omaha, Nebr. 68137. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Markham, Wash., to points in Arizona, California, and Nevada, under a continuing contract or contracts with Ocean Spray Cranberries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Seattle or Portland, Wash.

No. MC 134783 (Sub-No. 27), filed November 25, 1974. Applicant: DIRECT SERVICE, INC., P.O. Box 786, Plainview, Tex. 79072. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, beauty aids, hair grooming and conditioning aids, cosmetics soap, shaving cream, shampoo, washing compounds, drugs, medicines, store display racks, store displays, and advertising materials*, (1) from the plantsites and storage facilities of Noxell Corporation, at or near Cockeysville, Md. and Holyoke, Mass., to points in and west of Louisiana, Arkansas, Missouri, Iowa and Minnesota, and points in Georgia, Tennessee, Illinois and Indiana; and (2) between the plantsites and storage facilities of Noxell Corporation at or near Cockeysville, Md. and Holyoke, Mass.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Baltimore, Md.

No. MC 134790 (Sub-No. 4), filed November 22, 1974. Applicant: DANIEL C. HAFNER, and doing business as HAFNER TRUCKING SERVICE, RR #1, Farmington, Iowa 52626. 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: *Buildings, knocked down or in sections, and component parts, materials, supplies and fixtures and accessories* used in the erection and construction of buildings, from the facilities of Mitchell Engineering Company located at or near Mt. Pleasant, Iowa, to points in Nebraska, Wyoming, Montana, Idaho, Utah, Nevada, Arizona, Oregon, Washington, New Mexico, Texas, California, Oklahoma, Arkansas, Louisiana, Missouri, Kansas, South Dakota, North Dakota, Minnesota, and Colorado.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Des Moines, Iowa or Omaha, Nebr.

No. MC 134806 (Sub-No. 31), filed November 20, 1974. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street, NW., Suite 613, Washington, DC. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tanned leather*, from Sheboygan, Wis., to Wilton, Maine, under contract with G. H. Bass & Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 134806 (Sub-No. 32), filed November 20, 1974. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paints* (except in bulk), *supplies and machinery* for tanning leather, from points in Wisconsin and Illinois, to points in San Francisco, Alameda, Napa, Solano, San Mateo, and Santa Cruz Counties, Calif., under contract with West Coast Tanners Production Club.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 135616 (Sub No. 4), filed Nov. 25, 1974. Applicant: PERRYBURG TRUCKING CO., INC., 24982 Thompson Road, Perryburg, Ohio 43551. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St., NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass, and materials, equipment and supplies*, used or useful in the manufacture, production and sale of glass (except commodities in bulk), between Upper Sandusky, Ohio, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract with Guardian Industries Corp., at Carleton, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio, or Detroit, Mich.

No. MC 135725 (Sub No. 15), filed November 25, 1974. Applicant: FRY TRUCKING, INC., 507 W. 5th Street, Wilton, Iowa 52778. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed ingredients, minerals, ground ores, fertilizer ingredients, and pigments*, from Springfield, Ill., to points in the United States (except Alaska and Hawaii) and (2) *materials, equipment, and supplies* used in the manufacture, processing, sale and distribution of the commodities named in (1) above, from points in the United States (except Alaska and Hawaii), to Springfield, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago or Springfield, Ill.

No. MC 136211 (Sub-No. 27), filed November 13, 1974. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., P.O. Box 5067, Oxnard, Calif. 93030. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, furnishings, and appliances*, between Nashville, Tenn., on the one hand, and, on the other, points in that part of Kentucky on and within a line beginning at the junction of the Kentucky-Tennessee State Boundary line and Kentucky Highway 139, thence along Kentucky Highway 139 to junction U.S. Highway 62, thence along U.S. Highway 62 junction U.S. Highway 31-E, thence along U.S. Highway 31-E to the Kentucky-Tennessee State Boundary line, thence along the Kentucky-Tennessee State Boundary line to point of beginning, under a continuing contract or contracts with Morris Furniture Stores.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Nashville, Tenn., or Washington, D.C.

No. MC 136222 (Sub-No. 2), filed November 12, 1974. Applicant: MOVERS PORT SERVICE, INCORPORATED, 7035 Convoy Court, San Diego, Calif. 92138. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, in containers, between points in Los Angeles, Orange, Riverside, Imperial, Kern, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura Counties, Calif.; Cochise, Maricopa, Pima, Pinal, and Yuma Counties, Ariz.; and Hidalgo County, N. Mex., restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized, and further restricted to the performance of packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 136232 (Sub-No. 5), filed November 20, 1974. Applicant: FRALEY'S INCORPORATED, Route 1, Big Stone Gap, Va. 24219. Applicant's representative: Harry J. Jordan, 1000 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Mine roof support bolts*, from Duffield, Va., to points in Kentucky (except those in Harlan and Clay Counties, Ky.), and points in West Virginia (except those in Fayette, Logan, McDowell, Nicholas, Raleigh, Summers, and Wyoming Counties, W.

Va.), under contract with Virginia Birmingham Bolt, Inc., restricted to a transportation service to be performed under a continuing contract, or contracts with Virginia Birmingham Bolt, Inc.; and (b) mining equipment and supplies, from Andover (Appalachia), Va., to points in Virginia and Kentucky, restricted to a transportation service to be performed under a continuing contract, or contracts with Central Supply Company of Virginia, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 136343 (Sub-No. 37), filed November 15, 1974. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Spheres, highway marking strip glass, and ballotine, and glass, crushed, ground and powdered, from the facilities of Potters Industries, Inc., at Pottsdam, N.Y., to points in Connecticut, Rhode Island, Maine, New Hampshire, Vermont, Ohio, Pennsylvania, New York, New Jersey, and Massachusetts; and (2) materials and supplies, used in the manufacture and sale of glass spheres, and glass spheres (except in bulk, in tank vehicles), from points in Massachusetts, New Jersey, New York, Pennsylvania, Ohio, Vermont, New Hampshire, Maine, Rhode Island, and Connecticut, to the facilities of Potters Industries, Inc., at Pottsdam, N.Y.*

NOTE.—Applicant holds contract carrier authority in MC 96098 Sub 46, 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 New York, N.Y., or Washington, D.C.

No. MC 136757 (Sub-No. 3), filed November 21, 1974. Applicant: INTERSTATE ROAD RUNNER INCORPORATED, 74-16 Grand Avenue, Maspeth, N.Y. 11378. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Steel tubing, electrical fittings, electrical conduit, microphone stands, pipe and fittings, lamp and lighting fixtures, parts and accessories, and furniture parts and furniture accessories, bicycles and parts and accessories therefor, and (2) materials, equipment and supplies used in the manufacture and distribution, and sale of the commodities in (1) above (except commodities in bulk), between Martins Ferry, Ohio, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to service to be performed under a continuing contract or contracts with Berger Industries, Inc., of Maspeth, N.Y.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 136757 (Sub-No. 4), filed November 21, 1974. Applicant: INTERSTATE ROAD RUNNER, INCORPORATED, 74-16 Grand Avenue, Maspeth, N.Y. 11378. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street, NW., Washington, D.C. 20001. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting (1) *Steel tubing, electrical fittings, electrical conduit, microphone stands, pipe and fittings, lamp and lighting fixture, parts and accessories, and furniture parts and furniture accessories, bicycles and parts and accessories therefor, and (2) materials, equipment and supplies used in the manufacture and distribution, and sale of the commodities in (1) above (except commodities in bulk), between Atlanta, Ga., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Berger Industries, Inc., of Maspeth, N.Y.*

NOTE.—Applicant states that it can already perform the same identical service on the same commodities to and from the facilities of Berger Industries, Inc., at Maspeth, N.Y., Metuchen, N.J., and Chicago, Ill., and here merely seeks to add the two new facilities of the contracting shipper. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136762 (Sub-No. 3), filed Nov. 20, 1974. Applicant: OSBORNE HIGHWAY EXPRESS, 127 University Avenue, Berkeley, Calif. 94710. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wood particle board, from the plantsite of Fiberboard Corporation, located at Rocklin, Calif., to points in California, Washington, Oregon, Wyoming, Idaho, New Mexico, Utah, Montana, Nevada, Arizona, and Colorado.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 138104 (Sub-No. 18), filed November 18, 1974. Applicant: MOORE TRANSPORTATION CO., INC., 3509 North Grove Street, Fort Worth, Tex. 76106. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers and trailer chassis (except those designed to be drawn by passenger automobiles), trailer converter dollies, containers, and refuse bodies, in initial truckaway service, from the plantsites of Fruehauf Corporation, at or near Omaha, Nebr.; Memphis, Tenn.; Fort Madison, Iowa; and Charlotte, N.C., to points in the United States including Alaska, but excluding Hawaii; and (2) trailers, and trailer chassis (except those designed to be drawn by passenger automobiles), trailer converter dollies, containers, and refuse bodies, in secondary truckaway*

service, between the plants, agencies, dealerships, and branches of Hobbs Traller Company, and Fruehauf Corporation, located at points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich. or Washington, D.C.

No. MC 138336 (Sub-No. 2), filed November 18, 1974. Applicant: CROSSLIN GRADER CORPORATION, 1022 Sixth Avenue North, Nashville, Tenn. 37208. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 N. Main Building, Memphis, Tenn. 38103. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Household articles, household supplies, and nutritional and dietary foods, dealt in by The Drackett Products Company, from Urbana, Ohio, and Franklin, Ky., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming, under contract with The Drackett Products Company.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Louisville, Ky.

No. MC 138719 (Sub-No. 5), filed November 25, 1974. Applicant: PATTEN TRUCKING COMPANY, INC., 145 Princeton Road, Brookline, Mass. 02167. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber and wooden fencing, from points on the International Boundary line between the United States and Canada, in Clinton County, N.Y., and points in Clinton County, N.Y., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, North Carolina, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, under a continuing contract or contracts with Northern Mill and Lumber Co.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa.

No. MC 139196 (Sub-No. 5), filed November 14, 1974. Applicant: RAY WAGNER & SON TRUCKING CO., INC., Box 117, Owen, Wis. 54460. Applicant's representative: F. H. Kroeger, 1745 University Avenue, St. Paul, Minn. 55104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mink feed (except mink feed in liquid, in tank vehicles), from the plantsite and warehouse facilities of Heger Company, at Minneapolis, Minn., to points in McHenry County, Ill., those in the upper peninsula of Michigan, Minnesota, those points in Nebraska on and east of U.S. Highway 83, South Dakota, and Wisconsin (except points in Ashland,*

Brown, Door, Florence, Forest, Iron, Kewaunee, Lincoln, Marathon, Marinette, Oconto, Oneida, Outagamie, Price, Shawano, Taylor, and Vilas Counties).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Paul or Minneapolis, Minn.

No. MC 139425 (Sub-No. 1), filed October 29, 1974. Applicant: HAROLD E. RICH, 14608 Benfield Avenue, Norwalk, Calif. 90650. Applicant's representative: Harold E. Rich (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods (fresh and frozen), bakery racks, advertising material, and bakery goods ingredients*, (1) from points in the Los Angeles, Calif., Commercial and Harbor Zone as defined by the Commission, to Akron, Columbus, and Euclid, Ohio, Albany, Buffalo, and New York, N.Y., Birmingham and Mobile, Ala.; Bismarck and Minot, N. Dak., Boise, Idaho, Boston, Mass., Brentwood, Md., Charleston and Columbia, S.C., Chicago, Ill., Dallas, San Antonio, and Houston, Tex., Denver, Colo., Detroit, Mich., Eugene and Portland, Oreg., Forest Park, Ga., Kansas City and St. Louis, Mo., Las Vegas, Nev., Little Rock, Ark., Louisville, Ky., Memphis and Nashville, Tenn., Miami, Panama, and Tampa, Fla., Milwaukee, Wis., New Orleans, La., Norfolk, Va., Oklahoma City and Tulsa, Okla., Omaha, Nebr., Philadelphia, Pa., Salt Lake City, Utah, Seattle, Wash., Tucson, Ariz., Waterbury, Conn., and Wichita, Kans.; and (2) from Boston, Mass., Cedar Rapids, Iowa, Chicago, Ill., Houston, Tex., Milwaukee, Wis., New York, N.Y., Norfolk, Va., Omaha, Nebr., Philadelphia and Scranton, Pa., and Seattle, Wash., to points in the Los Angeles, Calif., Commercial and Harbor Zone as defined by the Commission, under a continuing contract or contracts with Pogens Family Bakery, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 139495 (Sub-No. 16), filed November 15, 1974. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. 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: *Ice cream*, from the plant-site and storage facilities of Thomas J. Lipton, Inc., located at or near Chicago, Ill., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139566 (Sub-No. 4), filed November 18, 1974. Applicant: FEDERAL ARMORED EXPRESS, INC., P.O. Box 333, Baltimore, Md. 21203. Applicant's representative: Timothy M. Biddle, 1100 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Special nuclear materials*, between Lynchburg, Va., and points in Pike County, Ohio, under a continuing contract or contracts with Edlow International Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 139771 (Sub-No. 2), filed October 17, 1974. Applicant: GAFCO, INC., 1040 West 45th Street, Norfolk, Va. 23508. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic and malt beverages*, in containers, and *tobacco products*, from the facilities of C. H. Peters & Co., Inc., at Norfolk, Va., to the port of entry on the International Boundary line between the United States and Canada at or near Noyes, Minn., under a continuing contract or contracts with C. H. Peters & Co., Inc., restricted to traffic having an immediately subsequent movement in foreign commerce.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139884 (Sub-No. 3), filed November 25, 1974. Applicant: KLIMA, INC., 10650 S.W. Wilsonville Road, Wilsonville, Oreg. 97070. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, Oreg. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy, chewing gum, and bakery goods*, from points in Massachusetts, Pennsylvania, New Jersey, Iowa, and Illinois, to Portland, Oreg., and Seattle, Wash., under contract with Northwest Brokerage Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 139947 (Sub-No. 1), filed November 25, 1974. Applicant: BUFFALO TRUCKING, INC., 411 East Frye Road, P.O. Box 640, Chandler, Ariz. 85224. Applicant's representative: Gene Tackett (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing, roofing products, and commodities*, used in the construction and application of roofing or roofs, from Barstow, Camarillo, Corona, Long Beach, Los Angeles, Oakland, Riverside, San Francisco, San Leandro, Santa Clara, South Gate, and Wilmington, Calif., to points in Arizona, under contract with Southwest Roofing Supply, and A & H Supply Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Phoenix or Tucson, Ariz.

No. MC 140063 (Sub-No. 2), filed November 19, 1974. Applicant: CORA H. MABE, BOBBY L. MABE, AND ERNIE M. MABE, a Partnership, doing business as MABE TRUCKING COMPANY, P.O. Box 121, Saltville, Va. 24370. Applicant's representative: Ernie M. Mabe (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips and lumber, and lumber products*, from Saltville, Va., to points in North Carolina, Tennessee, Kentucky, and West Virginia, under a continuing contract or contracts with McWhorter Lumber Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 140071 (Sub-No. 3), filed November 21, 1974. Applicant: MID-AMERICA CARTAGE, INC., 814 Busse Highway, Park Ridge, Ill. 60068. Applicant's representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpeting, padding, and related floor covering materials*, between Chicago, Ill., on the one hand, and, on the other, points in Illinois.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 140194 (Sub-No. 2), filed November 21, 1974. Applicant: CHARLES F. KEPPLER, P.O. Box 367, Clay City, Ill. 62824. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from points in Clay and Richland Counties, Ill., to Terre Haute, Ind.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 140309 (Sub-No. 1), filed November 13, 1974. Applicant: A-1 MOVERS TRANSFER & STORAGE, INC., Route 3, Box 88, Mineral Wells, Tex. 76067. 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: *Used household goods*, between Mineral Wells, Tex., on the one hand, and, on the other, points in Palo Pinto, Erath, Hood, Parker, and Somervell Counties, Tex., restricted to the transportation of traffic having prior or subsequent movement in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Fort Worth or Dallas, Tex.

No. MC 140382, filed November 7, 1974. Applicant: BRAUN TRUCKING, INC., North Fourth Street, Leoti, Kans. 67861. Applicant's representative: Joseph F. Nigro, 400 Denver Hilton Office Building, 1515 Cleveland Place, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (except feed ingredients in liquid form; soy bean meal; cotton seed meal; alfalfa meal; dehydrated and sun cured, whether in bag, bulk, or pelleted), (1) between points in Dodge and Saunders Counties, Nebr., on the one hand, and, on the other, points in Wichita and Sedgwick Counties, Kans.; (2) between points in Dodge and Saunders Counties, Nebr., and Wichita and Sedgwick Counties, Kans., on the one hand, and, on the other, points in Crowley, Otero, Bent, and Prowers, Rio Grande, Alamosa, Costilla, Conejos, and Saguache Counties, Colo.; (3) between Phoenix and Casa Grande, Ariz., and Lubbock, Tex., on the one hand, and, on the other, points in Crowley, Otero, Bent, Prowers, Rio Grande, Alamosa, Costilla, Conejos, and Saguache Counties, Colo.; and (4) between points in Crowley, Otero, Bent, and Prowers Counties, Colo., on the one hand, and, on the other, points in Potter, Randall, and Smith Counties, Tex., Cimarron, Tex., and points in Beaver County, Okla., and Union and Curry Counties, N. Mex., under a continuing contract or contracts with Vern Braun Harvesting Company and Randall Allmendinger, doing business as Allmendinger Commodities.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Denver, Colo., or Wichita, Kans.

No. MC 140399 (Sub-No. 1), filed November 25, 1974. Applicant: ALBERT RELL PECK, doing business as PECK'S, Burna, Ky. 42028. Applicant's representative: Richard H. Peek, Box 8, Smithland, Ky. 42081. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Limestone and limestone products*, from Smithland, Ky., to Massac, Pope, and Hardin Counties, Ill., Mississippi, Stoddard, Scott, and New Madrid Counties, Mo., and Lake, Obion, Dyer, Weakley, Gibson, Henry, and Carroll Counties, Tenn., and (2) *coal and coke*, from Dawson Springs, Ky., to Humphreys and Shelby Counties, Tenn., and Herculaneum, Mo., under contracts with Three Rivers Rock Co. and Chemical Coke Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 140410, filed November 7, 1974. Applicant: CHARLES ARNETT, a Proprietorship, doing business as GRAIN & PRODUCE, R.R. 2, P.O. Box 367, Corsicana, Tex. 75110. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Room 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities exempt*

from economic regulations under Section 203(b) (6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, 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 either Miami, Fla., or Washington, D.C.

No. MC 140421, filed November 15, 1974. Applicant: ACTION MOTOR EXPRESS, INC., 8303 Old Gentilly Road, P.O. Box 29102, New Orleans, La. 70189. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. 70130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cans and can ends*, from Harvey and New Orleans, La., to Alexandria City, Aliceville, Birmingham, and Mobile, Ala.; Jacksonville, Ark.; Contomment and Pensacola, Fla.; Hattiesburg, Jackson, Morehead, Pascagoula, and Yazoo City, Miss.; and Orange, Port Arthur, Waco, Beaumont, Brownsville, Freeport, Longview, Owentown, and Tyler, Tex.; (2) *pulpboard and corrugated boxes*, knocked down or flat, from Harahan, La., to Alexandria City, Aliceville, Birmingham, and Mobile, Ala.; Jacksonville, Ark.; Contomment and Pensacola, Fla.; Hattiesburg, Jackson, Morehead, Pascagoula, and Yazoo City, Miss.; and Beaumont, Brownsville, Freeport, Longview, Orange, Owentown, Port Arthur, Tyler, and Waco, Tex.; (3) *pulpboard, roll paper, and paper bags*, from Hodge, La., to Alexandria City, Aliceville, Birmingham, and Mobile, Ala.; Jacksonville, Ark.; Contomment and Pensacola, Fla.; Hattiesburg, Jackson, Pascagoula, and Yazoo City, Miss.; and Beaumont, Brownsville, Freeport, Longview, Orange, Owentown, Port Arthur, Tyler, and Waco, Tex.; and (4) *soft drinks*, in cans and bottles, from Gretna and New Orleans, La., to Aliceville, Alexandria City, Mobile, Robertsedale, Tuscaloosa, and Montgomery, Ala.; Panama City, Fla.; Jackson, Ocean Springs, and Pascagoula, Miss.; and Beaumont, Brenham, Corpus Christi, Port Worth, Houston, and Texarkana, Tex., under a continuing contract or contracts with Louisiana Coca-Cola Bottling Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 140422, filed November 15, 1974. Applicant: GENE R. THEODORI AND JERRY M. SMIELL, a Partnership, doing business as THEODORI TRUCKING, Box 45, Waltersburg, Pa. 15488. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery*, between points in Fayette County, Pa., on the one hand, and, on the other, points in West Virginia, New Jersey, New York, Maryland, Ohio, and Indiana; and (2) *coal*, in bulk, in dump vehicles, from points in Monongalia, Preston, and Marion Counties, W. Va., to

points in Fayette, Greene, and Washington Counties, Pa., restricted to a transportation service under a continuing contract or contracts with Betty Louise Coal Company, Inc., and L. B. Smith, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

## APPLICATION(S) OF PASSENGERS

No. MC 124568 (Sub-No. 4), filed October 31, 1974. Applicant: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY, a Crown Corporation, doing business as: PACIFIC STAGE LINES and ROYAL BLUE LINE MOTOR TOURS, 150 Dunsmuir Street, Vancouver, British Columbia, Canada V6B 1W9. Applicant's representative: S. G. Boucher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, (a) in round trip special operations; and (b) in one-way and round trip charter operations between Ports of entry on the International Boundary line between the United States and Canada including Alaska, and Ports of entry which are termini of ferry services operating between the United States and Canada including Alaska, on the one hand, and, on the other, points in the United States, including Alaska (except California, Idaho, Nevada, Oregon, Washington, and Hawaii), restricted to traffic originating in British Columbia, Canada.

NOTE.—Applicant states it intends to tack the requested authority at points along the California, Idaho, Nevada, Oregon, and Washington State Boundary lines and the International Boundary line between the United States and Canada located at the Yukon Territory to extend its service to all points in the United States (except Hawaii). If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 140254 (Correction), filed September 24, 1974, published in the FEDERAL REGISTER issue of October 24, 1974, and republished as corrected this issue. Applicant: APPOMATTOX TOURS, INC., doing business as APPOMATTOX TOURS, RFD #1, Box 49, Dinwiddie, Va. 23841. Applicant's representative: James B. Porter (same address as applicant). 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 round-trip special and charter operations, beginning and ending at points in Dinwiddie and Prince George Counties (including Petersburg, Colonial Heights, and Hopewell), Va., and extending to points in North Carolina, South Carolina, Georgia, Florida, Tennessee, Kentucky, West Virginia, Ohio, Pennsylvania, New York, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

NOTE.—The purpose of this correction is to restrictively amend applicant's territorial description. If a hearing is deemed necessary,

the applicant requests it be held at Petersburg, Va.

#### BROKER APPLICATION(S)

No. MC 130279, filed November 7, 1974. Applicant: **FOUR WINDS TRAVEL, INC.**, 175 Fifth Avenue, New York, N.Y. 10010. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to engage in operation, in interstate or foreign commerce, as a broker at New York, N.Y., to sell or offer to sell, transportation by motor vehicle of *passengers and their baggage*, (1) between Flagstaff, Phoenix, and Tucson, Ariz., Los Angeles, Sacramento, and San Francisco, Calif., Denver and Grand Junction, Colo., Browning, East Glacier, Glacier Park, Great Falls, Livingston, and West Glacier, Mont., Albuquerque and Lamy, New Mex., Las Vegas and Reno, Nev., Portland, Oreg., Ogden, Salt Lake City, and Thompson, Utah, Spokane, and Seattle, Wash., Cheyenne, Jackson, and Rock Springs, Wyo., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Texas, Utah, Washington, and Wyoming; (2) between Mobile, Ala., and New Orleans, La., Meridian, Miss., El Paso, Houston, and San Antonio, Tex., on the one hand, and, on the other, points in Alabama, Arizona, Florida, Georgia, Louisiana, Mississippi, New Mexico, South Carolina, Tennessee, and Texas; (3) between Bar Harbor and Portland, Maine, Boston, Mass., and the District of Columbia, on the one hand, and, on the other, points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia; and (4) between points in the International Boundary line between the United States and Canada in Maine, Montana, Vermont, and Washington, on the one hand, and, on the other, points in Maine, Montana, Vermont, and Washington; and (5) between points on the

International Boundary line between the United States and the Republic of Mexico, on the one hand, and, on the other, points in Arizona, restricted in (1) through (5) above, to the transportation of passengers of passengers having a prior and/or subsequent transportation by air, water, or land facilities, other than motor carriers, which facilities have been arranged by the broker as part of a tour or trip, in interstate or foreign commerce.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Newark, N.J.

No. MC 130280, filed November 19, 1974. Applicant: **THEDA I. REDA AND DAVID R. REDA**, a Partnership, doing business as **THEDA REDA TRAVEL SERVICE**, 811 Third Avenue, New Brighton, Pa. 15066. Applicant's representative: John A. Pillar, 1122 Frick Bldg., Pittsburgh, Pa. 15219. Authority sought to engage in operation, in interstate or foreign commerce, as a broker at New Brighton, Pa., to sell or offer to sell the transportation of *Passengers and their baggage*, in special and charter operations, in round-trip and one way group tours, by motor, air, and rail carriers, between points in Beaver County, Pa., on the one hand, and, on the other, points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

#### FREIGHTER FORWARDER APPLICATION(S)

No. FF-460, filed October 4, 1974. Applicant: **CAST NORTH AMERICA LIMITED**, doing business as **CAST**, One Westmount Square, Montreal, Quebec, Canada H3Z2R8. Applicant's representative: Klaus Gluesing (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 railroad, motor vehicle, water, and express, trans-

porting: *General commodities*, in containers (except household goods as defined by the Commission, unaccompanied baggage, and used motor vehicles), between points in Illinois, Indiana, Michigan, Minnesota, Ohio, Tennessee, West Virginia, and Wisconsin, on the one hand, and, on the other, Montreal, Quebec, Canada (insofar as such transportation takes place within the United States), through points on the International Boundary line between the United States and Canada located in Michigan, Minnesota, New York, and Vermont, restricted to import/export traffic having a prior or subsequent movement by water in applicant's direct water service.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

#### WATER CARRIER APPLICATION(S)

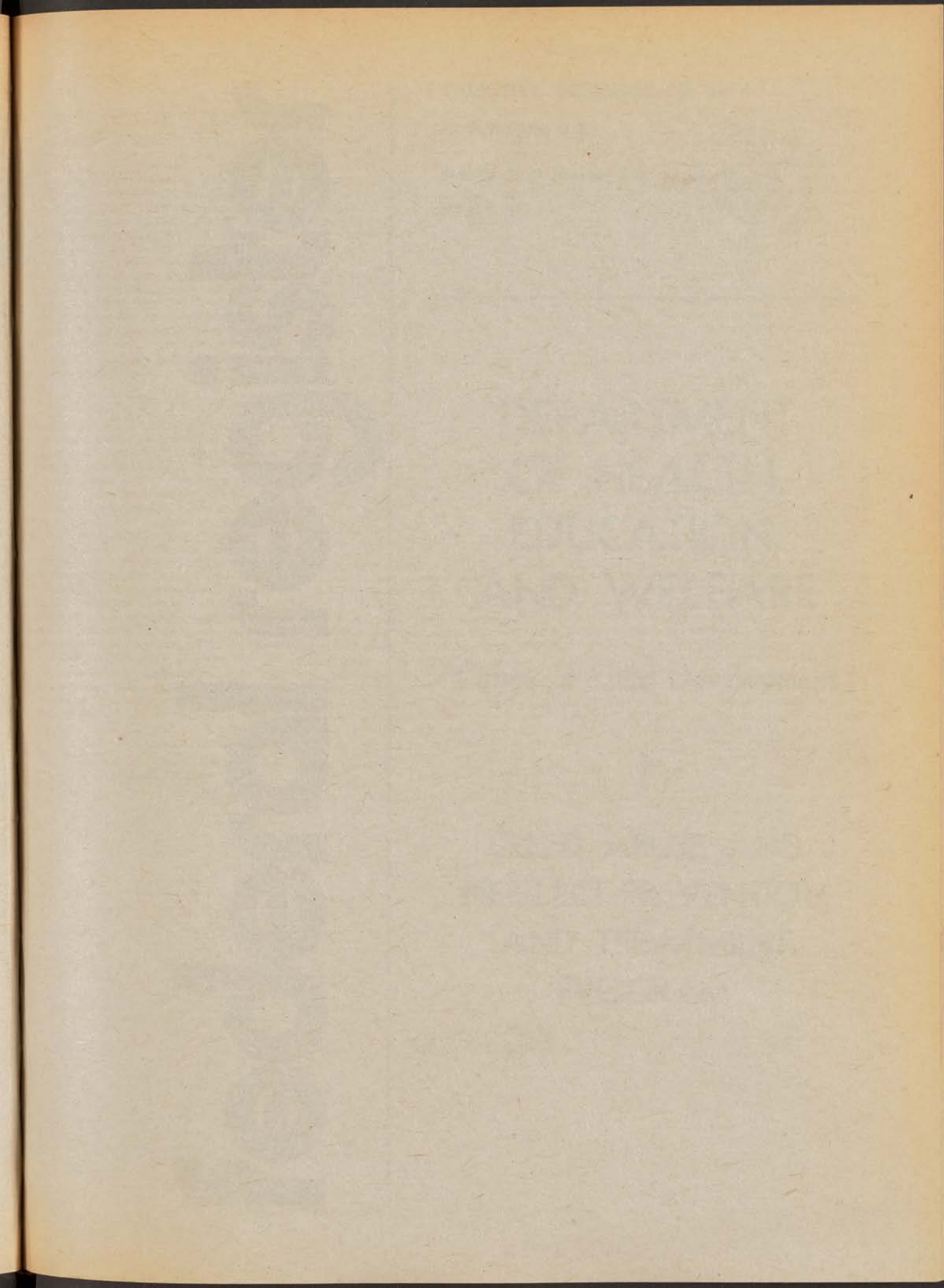
No. W-1283, filed November 18, 1974. Applicant: **AMERICAN CRUISE LINES, INC.**, Steamboat Landing, Haddam, Conn. 06438. Applicant's representative: J. Raymond Clark, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to engage in operation, in interstate or foreign commerce, as a *common carrier* by water in the transportation of *Passengers*, by self-propelled vessel, in one way and round trip scheduled excursion cruises, between Eastport and Boothbay, Maine, Boston, Mass., Haddam, Conn., New York, N.Y., Annapolis and Baltimore, Md., Norfolk and Hampton, Va., Charleston, S.C., Jacksonville, St. Augustine, Daytona Beach, and Ft. Lauderdale, Fla., and the District of Columbia.

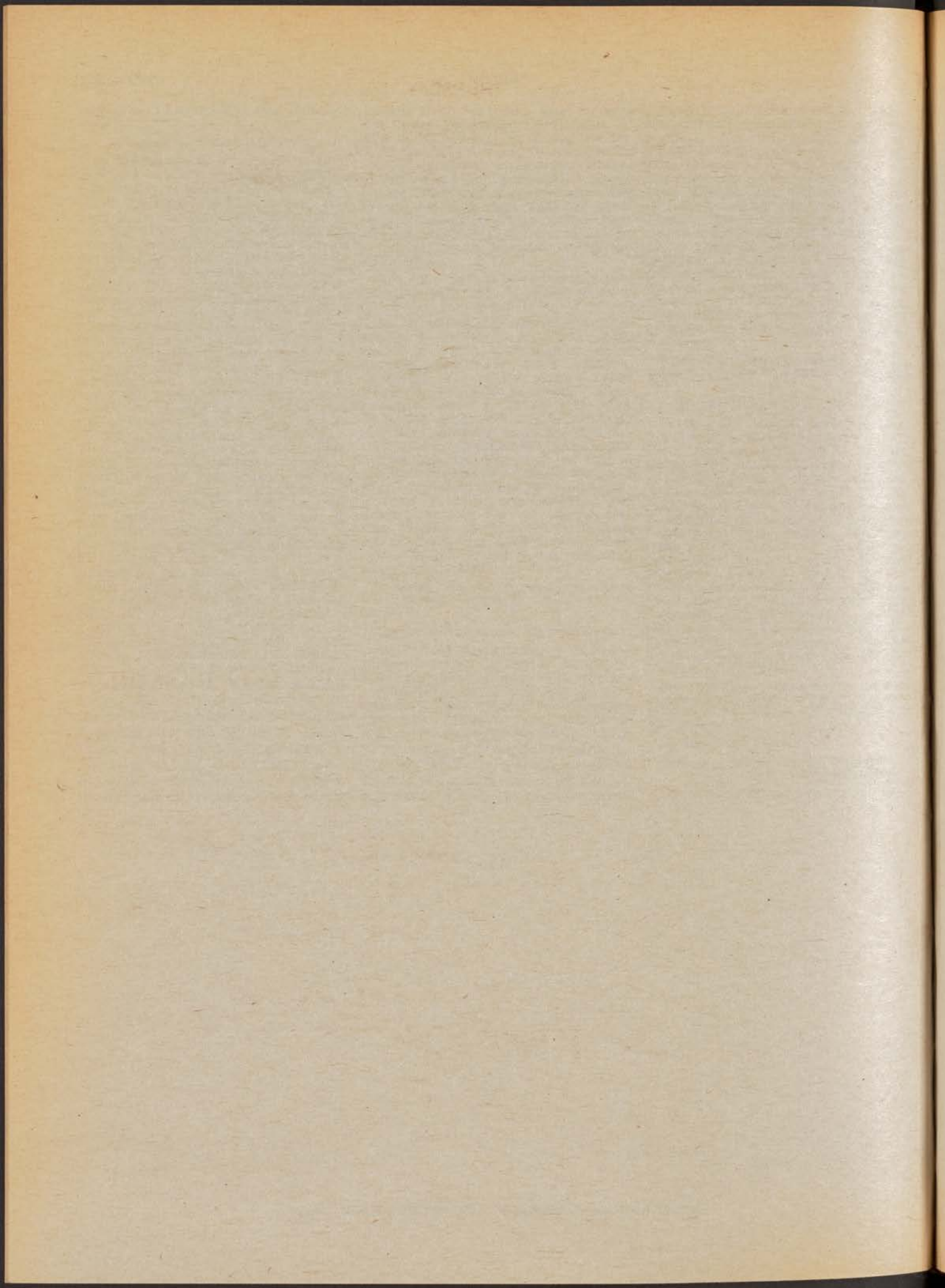
NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Hartford or Middletown, Conn.

By the Commission.

[SEAL] **JOSEPH M. HARRINGTON,**  
Acting Secretary.

[FR Doc.74-29465 Filed 12-18-74;8:45 am]





# **federal register**

THURSDAY, DECEMBER 19, 1974

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PART II



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

**Office of Child Development**

■

### **CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAM**

## Title 45—Public Welfare

## SUBTITLE B—OFFICE OF CHILD DEVELOPMENT, OFFICE OF HUMAN DEVELOPMENT, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## PART 1340—CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAM

In the FEDERAL REGISTER of August 28, 1974 (39 FR 31507), a notice of proposed rulemaking was published, in which the policies, procedures, and requirements necessary for implementation of the Child Abuse Prevention and Treatment Act (Public Law 93-247) were set forth. The notice provided for the filing of comments, suggestions, or objections on or before September 27, 1974. Approximately 60 comments were received from 35 agencies, organizations and individuals. The principal comments and the Department's conclusions are as follows:

A. An objection was made to exempting a parent or guardian from being considered negligent where he does not provide specified medical treatment for a child solely because the parent or guardian is legitimately practicing his religious beliefs. A further question was raised whether this exemption would prohibit courts from ordering such treatment. Finally, a comment sought the same type of exception where poverty was the sole reason for the neglect of the parent or guardian.

The Department, having considered these recommendations, concludes that the exception for medical reasons should remain, as a legitimate exception and as an exception required by the legislative intent of the Congress. Such grounds do not apply to an exception on the grounds of poverty. Courts remain free to make such determinations on the grounds of poverty, however, on a case-by-case basis, under State and local law. Finally, in order to clarify the court's continued authority to grant an exception on the grounds of religion, an amendment has been added to § 1340.1-2(b)(1).

B. Suggestions were made to alter the scope of the regulations. Such comments included: (i) extending "child" to include persons mentally retarded, (ii) extending "persons responsible" to include persons such as day care and day school personnel, and (iii) extending States eligible for State grants to include jurisdictions beyond the 50 States (such as the Commonwealth of Puerto Rico and the District of Columbia). Other additions were suggested as to the eligibility of (i) various Indian groups for State, research and demonstration grants, (ii) colleges and universities for research and demonstration grants, (iii) varying ethnic groups for innovative demonstration grants, and (iv) potential applicants without discrimination on the basis of sex. Finally, a comment asked that the female as well as the male gender be used in the regulations.

The Department, having considered these suggestions, concludes that no extension of the scope of the regulations is permitted by or necessary under the Act as to age, responsible persons, or eligible

applicants for any grants. All public agencies or non-profit private agencies are eligible for research and demonstration grants. Because of their unique position in relationship to States, however, the Indian tribal governments have been explicitly included as potential parties to purchase agreements with States that receive State grants. This amendment has been added to § 1340.3-2(b).

In regard to differentiation on the basis of sex, the policy of the Department prohibits such discrimination in awarding grants. As a clarification, however, of the scope of words of the male gender, a new paragraph (j) has been added to § 1340.1-2.

C. A suggestion was made that the training of professionals and paraprofessionals, which was included in Public Law 93-247, be added to the regulation. The Department agrees and therefore has amended § 1340.2-3 accordingly.

D. Several comments, questions and objections were raised in reference to the impact of the regulation on the program under Title IV-A and IV-B of the Social Security Act, particularly in regard to the "single State agency," the State agency administering or supervising the administration of the State plan under Title IV-A and IV-B of the Social Security Act. One set of recommendations suggested requiring that all research, demonstration and State applications be cleared by or submitted by such agency. Other comments questioned whether this regulation goes beyond the requirements of the Act in regard to (i) which, if any, requirements the single State agency must meet, (ii) whether the detailed requirements may appear in Part 220 of 45 CFR, (iii) whether Title IV-A and IV-B money may be used for State grants under P.L. 93-247, and (iv) whether the date of the effect of the regulations impacting on the Title IV-A and IV-B program is reasonable or should appear as it does, in § 1340.3-4(c).

These recommendations have been considered by the Department, with the conclusion that the requirements imposed with regard to the Title IV-A and IV-B program are legal and in fact are required by § 4(b)(3) of P.L. 93-247, and should not be altered in scope, date of effect, or placement in the regulations. The procedures and requirements for § 4(b)(1) State grants are legal and are imposed on the State, not on an agency. P.L. 93-247 specified no procedures for approving or selecting State or research and demonstration grants, and it is the policy of the Department that neither the Governor, acting on behalf of the State in designating an applicant for a State grant, nor the Department in selecting recipients of demonstration grants, should have preselections made for them. Finally, the funds for State grants under P.L. 93-247 will, of course, be dispersed under that authority, rather than under the Social Security Act.

E. Questions were raised about the meaning and scope of the requirement that the State require and receive reports of known or suspected instances of child abuse and neglect. Such questions

included whether neglect need be reported, and what authority or authorities must be able to receive reports.

These questions have been considered by the Department, with the following conclusions. The language requiring reports of child neglect as well as abuse is sufficiently clear. However, in order to eliminate possible confusion, language has been added to § 1340.3-3(d)(2), enabling the State to receive reports through "one or more duly constituted authorities" capable of receiving such reports at any hour. There need not be one authority that receives all such reports. And, in fact, a second duly constituted authority must receive reports for the acts or omissions of child abuse and neglect committed by a duly constituted authority.

F. Recommendations were made as to the requirement of conducting a "prompt investigation," upon receipt of a report of a known or suspected instance of child abuse and neglect. It was suggested that "prompt" be given a flexible meaning and that certain emergency services be included as suggested "immediate steps," that might be taken upon a finding of an incident of child abuse or neglect.

The Department has considered these comments. It has concluded that no further language is necessary to permit the "flexible" approach suggested. An amendment, however, has been made to § 1340.3-3(d)(3)(ii) to include the other suggested immediate steps.

G. Questions were raised as to the meanings of "effectively" and "throughout the State," in regard to procedures, staff, etc., the State must have in operation as one of the requirements for State grant eligibility.

Having considered these comments, the Department concludes that no changes in the regulation are necessary. The term "effectively" requires the four operational procedures specified; other required procedures will be adjudged on a flexible case-by-case basis, in keeping with the intent of Congress. The term "throughout the State" does require that services be provided everywhere, although they may be supplied from a central rather than a local office.

H. A number of comments addressed the procedure required and the exceptions suggested for preserving the confidentiality of child abuse and neglect records. In particular, the requirement that the State have a law or laws as the means of preserving confidentiality was questioned. Some conflicting suggestions were made as to the persons who might be excepted by the State from confidentiality requirements: Parents, the child, legislators, and researchers were among the exceptions that should not be followed according to one suggestion. Another comment suggested that not only should parents and guardians be excepted and allowed to see the records, but that all other persons be required to state why they wish to see the record and gain the permission of the allegedly abusing parent or guardian.

The suggestions have been considered. The Department has concluded that a

State law(s) is an allowable procedure (no procedure is stated in the law) and in keeping with the importance of confidentiality provides a stronger, more effective safeguard to the rights of children, their parents, or guardians than other methods of protection. On the other hand, to require that all persons seeking access to the records gain the permission of an allegedly abusing or neglecting parent or guardian would drastically hamper the reporting process and the use of information in the record. Finally, all of the exceptions to the confidentiality law are suggested, not required; but they all have a substantial, rational basis and would be beneficial.

I. Requests were made for clarification of some terms in regard to State grants. Among these were: (i) Does the maintenance of effort section apply to (and only to) State support of child abuse and neglect program; and (ii) what is the meaning of the term "preferential treatment," to be accorded by States to parental organizations combatting child abuse and neglect?

These comments have been considered by the Department, with conclusions as follows: (i) It is the State support that must be maintained at the same level as in Federal Fiscal Year 1973, and an amendment to such an effect has been added to § 1340.3-3(d) (8); and (ii) preferential treatment will be judged on a case-by-case basis on the basis of State plans, procedures, and rulings.

**Effective date.** This part shall become effective December 19, 1974; *Provided, however,* That with respect to the requirements imposed upon the single State agency in regard to new or continued eligibility for Federal financial assistance for programs or projects related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act, the effective date shall be July 1, 1975, or the close of the next legislative session, whichever is later.

Dated: December 13, 1974.

CASPAR W. WEINBERGER,  
Secretary.

Subtitle B of 45 CFR Chapter XIII is amended by adding Part 1340 as follows:

**Subpart A—General Provisions**

- Sec.
- 1340.1-1 Purpose of the program.
- 1340.1-2 Definitions.
- 1340.1-3 General administrative requirements.
- 1340.1-4 Application for a grant.
- 1340.1-5 Awards.
- 1340.1-6 Conflict of interest.
- 1340.1-7 Non-allowable costs.
- 1340.1-8 Grant appeals.
- 1340.1-9 Civil rights.
- 1340.1-10 Non-discrimination of handicapped.
- 1340.1-11 Project duration.
- 1340.1-12 Program and project plan amendments.
- 1340.1-13 Protection of human subjects.
- 1340.1-14 Publications and copyright policy.
- 1340.1-15 Reports.

**Subpart B—Demonstrations, Technical Assistance, and Other Activities**

- Sec.
- 1340.2-1 Demonstrations.
- 1340.2-2 Technical assistance.
- 1340.2-3 Training materials and Training.
- 1340.2-4 Research.
- 1340.2-5 Confidential information.

**Subpart C—Child Abuse and Neglect Grants to States Under the Act and Under Title IV of the Social Security Act**

- 1340.3-1 Purpose and eligible applicants.
- 1340.3-2 Establishment of compliance.
- 1340.3-3 Qualification for assistance.
- 1340.3-4 Approval of compliance statements and plan amendments.
- 1340.3-5 Approval of applications, plan amendments, and funds.
- 1340.3-6 Funds available.
- 1340.3-7 Allocation of funds available.
- 1340.3-8 Reallocation of funds available.

**AUTHORITY:** Sec. 3, 88 Stat. 5 (Sec. 3, Pub. L. 93-247); Sec. 4(d), 88 Stat. 7 (Sec. 4(d), Pub. L. 93-247).

**Subpart A—General**

**§ 1340.1-1 Purpose of the program.**

(a) The basic purpose of this program is to assist States and localities, and nonprofit private organizations in carrying out their responsibilities for the protection of children and for the amelioration of their environment, particularly as an integral part of a family unit whose adult member(s) need help in coping with emotional or environmental stresses.

(b) The main thrust of this program effort is to assist State, local, and voluntary agencies and organizations to strengthen their capacities to develop programs that will:

- (1) Prevent child abuse and neglect;
  - (2) Identify abused and neglected children; and
  - (3) Provide necessary ameliorative services to them and their families.
- (c) In order to achieve this purpose, the National Center on Child Abuse and Neglect will:

(1) Develop, gather, analyze, and disseminate information on child abuse and neglect research, public and private programs, training materials, and the national incidence of child abuse and neglect;

(2) Provide technical assistance to public agencies and nonprofit private organizations to assist them in their activities relating to the prevention, identification, and treatment of child abuse and neglect;

(3) Conduct research in order to develop new techniques in identifying, preventing, and treating child abuse and neglect; and

(4) Make grants and enter into contracts for demonstrations and program models designed to develop and establish improved training programs, more effective service delivery vehicles, and for other innovative programs and projects showing promise of successfully preventing or treating child abuse and neglect.

(d) In seeking to directly assist and encourage States to improve their capacity to identify, prevent, and treat child abuse and neglect, the Secretary will:

(1) Provide Federal financial assistance under the Act to States meeting the requirements therefore; such assist-

ance is designed to enable States to develop, strengthen, and carry out activities related to child abuse and neglect and

(2) Require the single State agencies to meet specified requirements in order to receive assistance for activities related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act.

**§ 1340.1-2 Definitions.**

For purposes of this part—

(a) "Act" means the Child Abuse Prevention and Treatment Act, 88 Stat. 4 (Pub. L. 93-247), unless otherwise specified.

(b) "Child abuse and neglect" means harm or threatened harm to a child's health or welfare by a person responsible for the child's health or welfare.

(1) "Harm or threatened harm to a child's health or welfare" can occur through: Non-accidental physical or mental injury; sexual abuse, as defined by State law; or negligent treatment or maltreatment, including the failure to provide adequate food, clothing, or shelter. *Provided,* However, that a parent or guardian legitimately practicing his religious beliefs who thereby does not provide specified medical treatment for a child, for that reason alone shall not be considered a negligent parent or guardian; *However,* such an exception shall not preclude a court from ordering that medical services be provided to the child, where his health requires it.

(2) "Child" means a person under the age of eighteen.

(3) "A person responsible for a child's health or welfare" includes the child's parent, guardian, or other person responsible for the child's health or welfare, whether in the same home as the child, a relative's home, a foster care home, or a residential institution.

(c) "Director" means the Director of the Office of Child Development.

(d) (1) "Facility" means a building or portion thereof used to house programs or services designed to treat or prevent child abuse and neglect such as attention homes; emergency shelters; nurseries or treatment rooms or wards; central reporting registers; hot line services; diagnostic treatment and training centers; hospital emergency rooms and neighborhood health centers; and other services or programs established to deal with the prevention and treatment of child abuse and neglect.

(2) "Repair or minor remodeling or alteration of an existing facility" means the physical modification of the facility, the cost of which must be reasonable in relation to the total proposed cost of the program or project and is consistent with the provisions of Chapter I-44 of the Grants Administration Manual of the Department of Health, Education, and Welfare.

(e) "Non-profit private organization" means a corporation or association, the income of which is exempt from taxation under section 501(c) (3) of the Internal Revenue Code of 1954.

## RULES AND REGULATIONS

(f) "Project period" means the total period of time for which a project is approved for support with Federal funds.

(g) "Secretary" means the Secretary of the Department of Health, Education, and Welfare.

(h) "State" means one of the fifty States.

(i) "The single State agency" means the State agency administering or supervising the administration of the State plan under title IV-A and IV-B of the Social Security Act.

(j) As used in this part, words importing the masculine gender may be applied to female persons or organizations.

#### § 1340.1-3 General administrative requirements.

(a) The provisions of Part 74 of this title shall apply to all grants made under this part to units of State and local government, as defined in Part 74 of this title, and the following subparts of Part 74 shall apply to grants to nonprofit private organizations:

Subpart:	Subject
A -----	General.
B -----	Cash depositories.
C -----	Bonding and insurance.
D -----	Retention and custodial requirements for records.
F -----	Grant-related income.
K -----	Grant payment requirements.
L -----	Budget revision procedures.
M -----	Grant closeout, suspension, and termination.
O -----	Property.
Q -----	Cost principles.

(b) Any contract under this part shall be entered into in accordance with and shall conform to all applicable laws, regulations, and other published Departmental policy.

#### § 1340.1-4 Application for a grant.

(a) An application for a grant under this part shall be submitted by such time and in such form and manner as the Director may prescribe. The application shall contain a budget and narrative plan of the manner in which the applicant intends to conduct the project and carry out the applicable requirements of this part.

(b) The application must be signed by an individual authorized to act for the applicant and to assume for the applicant the obligations imposed by the statute, the applicable regulations of this part, and any additional conditions of the grant.

#### § 1340.1-5 Awards.

All grant awards and contract awards for programs or projects under the Act shall be in writing and shall constitute the encumbrance of the Federal funds awarded. An award shall specify the project period.

#### § 1340.1-6 Conflict of interest.

Employees or individuals participating in a program or project under the Act shall not use their positions for a purpose that is, or gives the appearance of being motivated by a desire for private gain for themselves, or others, particularly

those with whom they have family, business or other ties.

#### § 1340.1-7 Non-allowable costs.

(a) Federal financial assistance is not available under the Act for the construction of facilities.

(b) No Federal financial assistance may be furnished under the Act for the cost of activities for which payment is made under another part of this chapter or under other authority for the same purpose.

#### § 1340.1-8 Grant appeals.

When a post-award dispute arises in the administration of grants under the Act following certain determinations adverse to a grantee, the grantee may apply for a review of such determination in accordance with the provisions of Subtitle A, Part 16, of this title.

#### § 1340.1-9 Civil rights.

Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (78 Stat. 252 (42 U.S.C. 2000d et seq.)) and in particular section 601 of such act, which provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which applies to grants and contracts made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

#### § 1340.1-10 Non-discrimination of handicapped.

No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program, project, or activity assisted under the Act. No otherwise qualified individual shall be denied employment in any program, project, or activity assisted under this part solely because of a physical or mental disability (Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)).

#### § 1340.1-11 Project duration.

Programs and projects may be approved for a period not to exceed five years. Program and project budgets must be submitted and will be reviewed and approved annually.

#### § 1340.1-12 Program and project plan amendments.

(a) The grantee shall submit an amendment describing any material change in the plan of his program or project proposed to be made during the project period. Proposed program or project plan amendments shall be submitted in writing for appropriate review prior to consideration by the Director.

(b) Proposed program and project plan amendments may be initiated by the Director if, on the basis of reports, it appears that Federal funds are being used

for purposes beyond the scope of the approved project application.

#### § 1340.1-13 Protection of human subjects.

The provisions of Part 46 of Subtitle A of this part, the Protection of Human Subjects, shall apply to all grants and contracts assisted under the Act supporting research, development, and related activities in which human subjects at risk, as defined in 45 CFR Subtitle A, § 46.3(b), are involved.

#### § 1340.1-14 Publications and copyright policy.

(a) The results of any activity supported under this part may be published without prior review by the Department: *Provided*, That such publication's preface shall acknowledge the Federal assistance received and stating that interpretations of data do not necessarily represent interpretations of the Department and *Provided, further*, that 35 copies of such publication are furnished to the Department.

(b) Where a project activity leads to the publication of a book or other copyrighted material, the author is free to copyright the work, but the Department reserves royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, all copyrightable or copyrighted material resulting from the grant-supported activity. Any such publication shall contain a notice of such license.

#### § 1340.1-15 Reports.

Reports shall be made to the Director in such form and containing such information as the Director may find necessary to enable the Director to perform his functions under this part.

#### Subpart B—Demonstrations, Technical Assistance, and Other Activities

#### § 1340.2-1 Demonstrations.

(a) *Eligible applicants or contractors.* The Director will make grants to or enter into contracts with public agencies or nonprofit private organizations (or combinations thereof) for demonstration programs and projects.

(b) *Nature of demonstration programs and projects.* (1) Such demonstrations may include, but are not limited to pilot or experimental efforts to provide additional and more effective ways of preventing, identifying or treating child abuse and neglect than are currently available; testing the feasibility of providing child abuse and neglect services in new settings or under new conditions; innovative programs and methods of providing preventive and treatment services in urban and in rural areas; methods of coordinating most effectively the variety of disciplines and agencies involved in child abuse and neglect; the establishment and maintenance of facilities, such as central registers, satellite centers, attention homes, emergency shelters, hospital emergency rooms, neighborhood health centers, and "hot lines"; provision of consultation by teams to small communities; programs

for the prevention and treatment of child abuse related to drug abuse; and, parent self-help projects and programs.

(2) All such demonstrations shall be evaluated, either as a part of the program or project or through a separate contractual effort. All demonstration programs should include provisions for continuing the program within the agency or organization or under other auspices upon the termination of funding under the Act. These provisions should be reasonable and firm commitments rather than hopeful expectations.

(c) *Manner of solicitations.* (1) Grant applications will be solicited through Program Announcements specifying the project goals and objectives for which applications are being solicited, the criteria by which they will be judged, the amount of funds available for such grants, and the deadline for receipt of applications.

(2) Contracts will be awarded in accordance with the procurement regulations of the Department of Health, Education, and Welfare (41 CFR Subtitle A, Part 3).

(d) *Per centum of appropriation.* Not less than 50 per centum of the funds appropriated under the Act for any fiscal year shall be used for carrying out the provisions of subsection 4(a) of the Act.

(e) *Special criterion for selection—equitable distribution.* (1) The formula prescribed in § 1340.3-7, which includes for each State a minimum amount and an additional amount based on the number of children under the age of eighteen, is designed to achieve equitable distribution of assistance among the States.

(2) In the selection of applications submitted under this subpart which are judged to be of approximately equal merit, the Director will take into account the extent to which the selection of one applicant as against the other may achieve equitable distribution of assistance among geographic areas of the Nation and among rural and urban areas.

#### § 1340.2-2 Technical assistance.

Technical assistance authorized in subsection 2(b) (4) of the Act will be furnished by the National Center on Child Abuse and Neglect, directly or by contract, to public agencies and nonprofit private organizations to assist them in planning, improving, developing and carrying out programs and activities relating to the prevention, identification, and treatment of child abuse and neglect.

#### § 1340.2-3 Training materials and Training.

The National Center on Child Abuse and Neglect, directly or through contracts, will develop, compile and publish training materials and conduct training for personnel who are engaged or intend to engage in the prevention, identification, and treatment of child abuse and neglect.

#### § 1340.2-4 Research.

The National Center on Child Abuse and Neglect will conduct research into the causes of child abuse and neglect and

into the prevention, identification, and treatment thereof. Such research will include a complete and full study and investigation of the national incidence of child abuse and neglect, including a determination of the extent to which incidents of child abuse and neglect are increasing in number or severity.

#### § 1340.2-5 Confidential information.

(a) All information including lists of names, addresses, photographs and records of evaluation, obtained as to personal facts about individuals served by any demonstration, research, training or technical assistance project or program assisted under the Act shall be held to be confidential and may not be disclosed except as provided in paragraph (b).

(b) The use of such information and records shall be limited to purposes directly connected with the administration of the program or project, including evaluations thereof conducted under contract from the Department of Health, Education, and Welfare, and such information may not be disclosed, directly or indirectly, other than for such a purpose thereof or pursuant to the requirements of § 1340.3-3(d) (5), unless the written consent of the agency providing the information and the individual to whom the information applies or his representative has been obtained. No report or other documentation of a program or project to be disclosed outside the program or project may contain information that might serve to identify any person without his written consent or that of his representative.

#### Subpart C—Child Abuse and Neglect Grants to States Under the Act and Under Title IV of the Social Security Act

##### § 1340.3-1 Purpose and eligible applicants.

(a) States that qualify under § 1340.3-2, may receive grants to initiate or continue the support of programs or projects of the State or one of its political subdivisions which can be expected to assist the State in developing, strengthening, and carrying out child abuse and neglect prevention and treatment programs. The Act also requires that the single State agency comply with certain requirements in order to begin or continue the receipt of funds for programs or projects related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act.

(b) This subpart describes the process States must follow to establish their compliance and to apply for funds provided under section 4(b) (1) of the Act (Pub. L. 93-247). The process the single State agency must follow to establish compliance under the Act (and under the Social Security Act) is described in 45 CFR Part 220.

##### § 1340.3-2 Establishment of compliance.

(a) (1) In order to be eligible for Federal financial assistance for programs or projects related to child abuse and neglect assisted under section 4(b) (1) of this Act, a State shall provide, in such

form and with such documentation as the Secretary may require, a statement that the State meets the requirements of the Act and of this part, signed by the Governor. All legal opinions shall be certified by the Attorney General of the State.

(2) In order to be eligible for Federal financial assistance for programs or projects related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act, the single State agency shall provide, in such form and with such documentation as the Secretary may require, a statement that it meets the requirements of the Act (Pub. L. 93-247) and the Social Security Act, in accordance with regulations published in 45 CFR Part 220.

(3) For programs or projects funded under section 4(b) (1) of the Act, the requirements are set forth in § 1340.3-3 (d) (1)-(10). For programs or projects funded under Part A or B of Title IV of the Social Security Act, the requirements are set forth in 45 CFR 220.

(b) Whichever State office, agency, or organization is designated by the Governor, may apply for financial assistance under section 4(b) (1) for the payment of reasonable and necessary expenses in developing, strengthening, and carrying out child abuse and neglect prevention and treatment programs. Such State office, agency, or organization need not be limited in its mandate or activities to child abuse and neglect. Such State office, agency, or organization designated by the Governor may enter into purchase agreements with other offices, agencies, or organizations (including Indian Tribal governments) to conduct activities under the grant. The application for such funds shall include a description of the activities presently conducted by the State and its political subdivisions in relation to preventing and treating child abuse and neglect, the activities to be assisted under the grant, a statement of how the proposed activities are expected to develop, strengthen or carry out child abuse prevention and treatment programs, together with a budget in the form and detail and in accordance with the procedures prescribed by the Secretary, and such additional information in such form and with such documentation as the Secretary may require.

##### § 1340.3-3 Qualification for assistance.

(a) The Act enumerates ten elements of a comprehensive system to prevent and treat child abuse and neglect which a State must have in order to qualify for assistance under section 4(b) (1). The enactment of identical laws and procedures in the States is not necessary. Rather, as its purpose, the Act seeks to insure that all States receiving assistance under this subsection (in meeting the ten requirements) must provide what may be grouped into four fundamental child protective capabilities: (1) Detection through third party reporting of children in danger, including mandatory and permissive reporting of suspected child abuse and neglect; (2) child protective services to provide non-criminal

investigations for the verification of reports, to provide immediate protection of children through such means as protective custody, and to provide rehabilitative and ameliorative services; (3) juvenile or family court action to remove a child or to impose treatment services; and (4) law enforcement investigations and criminal court prosecution, when appropriate.

(b) Similarly, it is not necessary for States to adopt language for the definition of "child abuse and neglect" identical to that used in the Act. A State definition which is the same in substance as the one set forth in this part will be sufficient. In addition, nothing in this part is intended to prevent a State from further elaborating on the definition or from providing additional grounds to consider a child abused or neglected. This part takes this approach in recognition of the need to allow and encourage flexibility and innovation in light of the diverse local conditions found from State to State and community to community.

(c) Finally, in order to facilitate compliance, this part makes a distinction between requirements that can be satisfied by a specific State law and those that can be satisfied by a legally authorized and legally binding administrative procedure, if certified by the State's Attorney General.

(d) In order for a State to qualify for assistance under section 4(b)(1) of the Act, the State shall satisfy each of the following ten requirements:

(1) The State must have in effect a child abuse and neglect law which includes provisions for immunity for all persons reporting, whether mandated by law or not, instances of known or reasonably suspected child abuse and neglect, from civil or criminal prosecution under any State or local law, arising out of such reporting. In the absence of a specific statutory provision in an existing child abuse and neglect reporting law, this requirement may be satisfied, but only until July 1, 1975, or the close of the next session of the State legislature, whichever is later, by a legal opinion of the State's Attorney General holding that such immunity exists under State law.

(2) (i) The State must provide for the reporting of known or suspected instances of child abuse and neglect. This requirement shall be deemed satisfied if a State requires specified persons by law, and has a law or administrative procedure which requires, allows, or encourages all other citizens, to report known or suspected instances of child abuse and neglect to one or more properly constituted authorities with the power and responsibility to perform an investigation and take necessary ameliorative and protective steps as required in paragraph (3). A properly constituted authority may include the police, the juvenile court or any agency thereof, or a legally mandated, public or private child protective agency; *Provided*, However, that a properly constituted authority must be an agency other than the agency, institution or facility involved in the acts or

omissions, if the report of child abuse and neglect involves the acts or omissions of a public or private agency or other institution or facility.

(ii) In the absence of a specific statute, the requirements of this subsection may be satisfied by an opinion of the State Attorney General holding that the State administrative procedures in this regard are legally binding.

(3) (i) A State must provide that upon the receipt of a report of known or suspected instance of child abuse or neglect an appropriate investigation by a properly constituted authority shall be initiated promptly to substantiate the accuracy of the report. Such investigation may include contact with central registers, field investigations and interviews, home visits, consultation with other agencies, medical examinations, and psychological and social evaluations.

(ii) The State must provide further that, upon a finding of abuse or neglect, immediate steps, as required by law and/or administrative procedure, shall be taken to protect the health and welfare of the abused or neglected child, as well as that of any other child under the same care who may be in danger of abuse or neglect. Such steps may include multidisciplinary teams, instruction in education for parenthood, protective and preventive social counselling, foster care, emergency caretaker service, emergency homemaker service, emergency shelter care, emergency medical service, and, if appropriate, criminal court or juvenile court action, in order to protect the child and help strengthen the family, help the parents in their child rearing responsibilities, and if necessary, remove the child from a dangerous situation.

(4) The State must demonstrate that there are in effect throughout the State, in connection with the enforcement of child abuse and neglect laws and with the reporting of suspected instances of child abuse and neglect, such administrative procedures, such personnel trained in child abuse and neglect prevention and treatment, such training procedures, such institutional and other facilities (public and private), and such related multidisciplinary programs and services as may be necessary or appropriate to assure that the State has operational procedures and capabilities sufficient to deal effectively with child abuse and neglect cases in the State. Such operational procedures and capabilities shall include: provision for receipt, investigation and verification of reports; provision for the determination of treatment or ameliorative social service and medical needs; provision of such services; and, when necessary, resort to criminal or juvenile court.

(5) The State must provide for methods to preserve the confidentiality of all records concerning reports of child abuse and neglect in order to protect the rights of the child, his parents or guardians. This section shall be satisfied only if a State has a law which makes such records confidential and which makes any person who permits or encourages the unauthorized dissemination of their contents

guilty of a crime. Such law may allow access to such records but only to the following agencies and persons: (i) A legally mandated, public or private child protective agency investigating a report of known or suspected child abuse or neglect or treating a child or family which is the subject of a report or record; (ii) a police or other law enforcement agency investigating a report of known or suspected child abuse or neglect; (iii) a physician who has before him a child whom he reasonably suspects may be abused or neglected; (iv) a person legally authorized to place a child in protective custody when such person has before him a child whom he reasonably suspects may be abused or neglected and such person requires the information in the report or record in order to determine whether to place the child in protective custody; (v) an agency having the legal responsibility or authorization to care for, treat, or supervise a child who is the subject of a report or record, or a parent, guardian, or other person who is responsible for the child's welfare; (vi) any person named in the report or record who is alleged to be abused or neglected; if the person named in the report or record is a minor or is otherwise incompetent, his guardian ad litem; (vii) a parent, guardian, or other person responsible for the welfare of a child named in a report or record, with protection for the identity of reporters and other appropriate persons; (viii) a court, upon its finding that access to such records may be necessary for determination of an issue before such court, but such access shall be limited to in camera inspection, unless the court determines that public disclosure of the information contained therein is necessary for the resolution of an issue then pending before it; (ix) a grand jury upon its determination that access to such records is necessary in the conduct of its official business; (x) any appropriate State or local official responsible for the child protective service or legislation carrying out his official functions; (xi) any person engaged in a bona fide research purpose, provided, however, that no information identifying the subjects of the report shall be made available to the researcher unless it is absolutely essential to the research purpose and the appropriate State official gives prior approval. Nothing in these regulations is intended to affect a State's laws or procedures concerning the confidentiality of its criminal court and its criminal justice system.

(6) The State must provide for the cooperation of law enforcement officials, courts of competent jurisdiction, and all appropriate State agencies providing human services in relation to preventing, identifying and treating child abuse and neglect. Such cooperation may include joint consultation and services, joint planning, joint case management, joint public education and information service, utilization of each other's facilities, and joint staff and other training.

(7) The State must provide that in every case involving an abused or ne-

glected child which results in a judicial proceeding, a guardian ad litem shall be appointed to represent the child in such proceedings. The requirement of this clause may be satisfied by a State law or by a legal opinion of the State's Attorney General holding that such appointments can be made, and by a statement from the Governor that such appointments are made, in all cases. Such guardian ad litem need not be an attorney; however, such representative may be an attorney charged with the presentation in a judicial proceeding of the evidence alleged to amount to the abuse and neglect, so long as his legal responsibility includes representing the rights, interests, welfare, and well-being of the child; where such appointments are made, the legal opinion of the State Attorney General must specify that such attorney has said legal responsibility.

(8) The State must provide that the aggregate of State support for programs or projects related to child abuse and neglect assisted by State funds shall not be reduced below the level provided during Federal fiscal year 1973, and set forth policies and procedures designed to assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practicable, increase the level of State funds which would, in the absence of Federal funds, be available for such programs and projects.

(9) The State must provide for dissemination of information to the general public with respect to the problem of child abuse and neglect and the facilities and the prevention and treatment methods available to combat instances of child abuse and neglect; and

(10) To the extent feasible, the State must insure that parental organizations combating child abuse and neglect, as recognized by the State, receive preferential treatment.

**§ 1340.3-4 Approval of compliance statements and plan amendments.**

(a) The Secretary shall approve a compliance statement submitted under this subpart if he finds that it meets the requirements of this subpart and of the Act.

(b) If a State does not appear to meet the requirements of this subpart, the State will be provided reasonable opportunity to qualify before final action on the application or continued extension of funds is taken by the Secretary.

(c) The requirement that a single State agency must comply with section 4(b)(3) of the Act and 45 CFR Part 220 in order to continue receiving funds for programs or projects related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act shall take effect on July 1, 1975, or the close of the State's next legislative session, whichever is later.

**§ 1340.3-5 Approval of applications, plan amendments, and funds.**

(a) The Secretary shall approve an application for funds under section 4(b)(1) of the Act if he finds: (1) That the State applying for such funds qualifies for such funds under section 4(b)(2) of the Act, (2) that the funds are intended to be used to develop, strengthen, or carry out child abuse or neglect prevention or treatment programs, (3) that the State is otherwise in compliance with these regulations, and (4) that the funds requested are within the State's allocation as determined pursuant to § 1340.3-7.

(b) The Secretary shall approve the initial or continued use of funds for the single State agency's programs or projects related to child abuse and neglect assisted under Part A or B of Title IV of the Social Security Act if he finds that the single State agency qualifies for such funds under the Act (Pub. L. 93-247) and under the Social Security Act, in accordance with the regulations published in 45 CFR Part 220.

**§ 1340.3-6 Funds available.**

Not less than 5 per centum and not more than 20 per centum of the sums appropriated under the Act shall be used by the Secretary for making grants to the States under subsection 4(b)(1) of the Act.

**§ 1340.3-7 Allocation of funds available.**

(a) Funds available for grants to States for a fiscal year under section 4(b)(1) of the Act shall be allocated among the States on the basis of the following criteria:

(1) An amount of \$20,000, or such other amount as the Secretary may determine, for a fiscal year, plus,

(2) An additional amount bearing the same ratio to the total amount made available for this purpose (after providing for the minimum amounts in paragraph (1) as the number of children under the age of eighteen in each State bears to the total number of children under eighteen in all the States. The number of children under the age of eighteen to be used in this allocation shall be the number as determined by official estimates furnished to the Secretary by the Department of Commerce by October 1 of the fiscal year for which Federal grant funds are appropriated.

(b) The Director will announce the allocations available to the States under section 4(b)(1) of the Act and this subpart.

**§ 1340.3-8 Reallocation of funds available.**

If a State has not qualified for assistance under section 4(b)(1) of the Act prior to the date designated by the Secretary in each fiscal year, the amount previously allocated to that State under § 1340.3-7 shall be used by the National Center on Child Abuse and Neglect for such purposes under the Act as the Secretary shall determine.

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PART III



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## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**Office of Low Rent Public  
Housing**



### **HOUSING ASSISTANCE PAYMENTS PROGRAM**

**Fair Market Rents and Contract Rents;  
Automatic Annual Adjustment Factors**

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Low Rent Public Housing

[ 24 CFR Part 1280 ]

[Docket No. R-74-311]

## HOUSING ASSISTANCE PAYMENTS PROGRAM

### Fair Market Rents and Contract Rents Automatic Annual Adjustment Factors

The Department of Housing and Urban Development (HUD) hereby amends Title 24 CFR, Chapter VIII by adding a new Part 1280 which sets forth (1) the HUD-determined "Fair Market Rents" for the section 8 Housing Assistance Payments Program, and (2) the Automatic Annual Adjustment Factors (Adjustment Factors) to be used for the automatic annual adjustment of rents specified in Housing Assistance Payments Contracts for the section 8 New Construction and Substantial Rehabilitation Programs.

Part 1280 includes (1) a Subpart A which sets forth the purpose and applicability, categories, geographic areas and manner of publication for the Fair Market Rents; (2) a Schedule A of Fair Market Rents for the Section 8 New Construction Program, 24 CFR Part 1273, Substantial Rehabilitation Program, 24 CFR Part 1277, and the State Housing Finance and Development Agencies Program, 24 CFR Part 1278; (3) a Schedule B of Fair Market Rents for the section 8 Existing Housing Program 24 CFR Part 1275, and the State Housing Finance and Development Agencies Program, 24 CFR Part 1278 (to be published at a later date); (4) a Subpart B which sets forth the purpose and applicability and manner of publication of the Adjustment Factors; and (5) a Schedule C of Adjustment Factors (to be published at a later date).

The definitions of and policies pertaining to Fair Market Rents will be set forth in the final regulations for the Section 8 Housing Assistance Payments Programs (New Construction, Substantial Rehabilitation, Existing Housing, and State Housing Finance and Development

Agencies), to be effective January 1, 1975. The definition of and policies pertaining to Adjustment Factors will also be set forth in these final regulations.

Interested parties are invited to submit written comments, suggestions and objections regarding the proposed amendment by January 6, 1975, addressed to the Office of Assistant Secretary for Housing Production and Mortgage Credit/FHA Commissioner, Room 6156, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All relevant material will be considered before adoption of the final regulations. A copy of each communication will be available for public inspection during regular business hours at the above address.

Since the regulations to which these Fair Market Rents pertain will be effective January 1, 1975, the Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner has determined it to be reasonable and in the public interest to allow for a 15-day comment period.

It is, therefore, proposed that 24 CFR, Part 1280 be added to read as follows:

#### Subpart A—Fair Market Rents

- Sec.  
1280.101 Fair Market Rents for New Construction and Substantial Rehabilitation.  
1280.102 Fair Market Rents for Existing Housing [Reserved].  
1280.103 Manner of Publication.

#### SCHEDULE A—FAIR MARKET RENTS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION (INCLUDING STATE AGENCIES PROGRAM) [RESERVED]

#### SCHEDULE B—FAIR MARKET RENTS FOR EXISTING HOUSING (INCLUDING STATE AGENCIES PROGRAM) [RESERVED]

#### Subpart B—Contract Rent Automatic Annual Adjustment Factors

- 1280.201 Purpose of Applicability.  
1280.202 Manner of Publication.

#### SCHEDULE C—CONTRACT RENT AUTOMATIC ANNUAL ADJUSTMENT FACTORS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION (INCLUDING STATE AGENCIES PROGRAM) [RESERVED]

AUTHORITY: Section 7(d), Department of Housing and Urban Development Act (42

U.S.C. 3535(d)); section 5(b) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f).

#### Subpart A—Fair Market Rents

##### § 1280.101 Fair Market Rents for New Construction and Substantial Rehabilitation.

(a) *Purpose and Applicability.* Schedule A of this Part sets forth Fair Market Rents, as determined by HUD, for the Section 8 Housing Assistance Payments Program—New Construction, 24 CFR Part 1273, Substantial Rehabilitation, 24 CFR, Part 1277, and State Housing Finance and Development Agencies ("State Agencies"), 24 CFR, Part 1278. (See 24 CFR 1272.102(g), 1276.102(G), and 24 CFR 1278.202(g), respectively, for the definition of "Fair Market Rent".)

(b) *Categories.* (1) These Fair Market Rents are established by unit size (number of bedrooms) and basic structure type (e.g., detached, semi-detached/row houses, walk-up apartments, elevator apartments; mobile homes; housing designed for the elderly or handicapped is a separate type for this purpose).

(2) Fair Market Rents for mobile homes will be established on an area by area basis upon application to any HUD field office demonstrating that there is a need therefor in the geographic area under the jurisdiction of that HUD field office.

(c) *Geographic areas.* The respective geographic market areas to which these Fair Market Rents apply are as specified in Schedule A.

##### § 1280.102 Fair Market Rents for Existing Housing [Reserved].

##### § 1280.103 Manner of Publication.

Schedule A and Schedule B Fair Market Rents will be published in the FEDERAL REGISTER at least annually. Interim revisions may be published as market conditions dictate.

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE: HARTFORD, CONNECTICUT REGION: I BOSTON

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
HARTFORD	DETACHED	-	-	379	424	456	-
	SEMI-DETACHED/ROW	-	319	370	415	447	-
	WALKUP	270	315	366	411	443	-
	ELEVATOR	283	328	379	-	-	-
DANBURY	DETACHED	-	-	385	430	462	-
	SEMI-DETACHED/ROW	-	325	376	421	453	-
	WALKUP	276	321	373	417	450	-
	ELEVATOR	289	334	385	-	-	-
NEW MILFORD	DETACHED	-	-	366	405	437	-
	SEMI-DETACHED/ROW	-	299	357	396	428	-
	WALKUP	257	296	353	392	424	-
	ELEVATOR	270	308	366	-	-	-
NEW HAVEN	DETACHED	-	-	379	424	456	-
	SEMI-DETACHED/ROW	-	319	370	415	447	-
	WALKUP	270	315	366	411	443	-
	ELEVATOR	283	328	379	-	-	-
BRIDGEPORT	DETACHED	-	-	385	430	462	-
	SEMI-DETACHED/ROW	-	325	376	421	453	-
	WALKUP	276	321	373	417	450	-
	ELEVATOR	289	334	385	-	-	-

AREA OFFICE: HARTFORD, CONNECTICUT REGION: I BOSTON CONT'D

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
NEW LONDON	DETACHED	-	-	373	417	450	-
	SEMI-DETACHED/ROW	-	312	364	408	441	-
	WALKUP	264	308	360	405	437	-
	ELEVATOR	276	321	373	-	-	-
MIDDLETOWN	DETACHED	-	-	353	398	430	-
	SEMI-DETACHED/ROW	-	293	344	389	421	-
	WALKUP	244	289	340	385	417	-
	ELEVATOR	257	302	353	-	-	-
STANFORD	DETACHED	-	-	392	437	469	-
	SEMI-DETACHED/ROW	-	332	382	428	460	-
	WALKUP	283	328	379	424	456	-
	ELEVATOR	296	340	392	-	-	-
RIDGEFIELD	DETACHED	-	-	392	437	469	-
	SEMI-DETACHED/ROW	-	332	382	428	460	-
	WALKUP	283	328	379	424	456	-
	ELEVATOR	296	340	392	-	-	-
MORRIS	DETACHED	-	-	373	417	450	-
	SEMI-DETACHED/ROW	-	312	364	408	441	-
	WALKUP	264	308	360	405	437	-
	ELEVATOR	276	321	373	-	-	-

## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

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AREA OFFICE: BOSTON, MASSACHUSETTS REGION: I BOSTON

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
BOSTON	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	334	406	515	566	-
	WALKUP	267	334	385	423	466	-
	ELEVATOR	312	356	426	-	-	-
CAPE COD	DETACHED	-	-	392	421	494	-
	SEMI-DETACHED/ROW	-	-	334	406	450	-
	WALKUP	232	290	319	363	399	-
	ELEVATOR	283	327	377	-	-	-
PITTSFIELD	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	290	377	406	435	-
	WALKUP	240	276	327	377	435	-
	ELEVATOR	-	-	-	-	-	-
SPRINGFIELD	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	273	347	399	450	-
	WALKUP	180	269	319	377	443	-
	ELEVATOR	-	-	-	-	-	-

AREA OFFICE: BOSTON, MASSACHUSETTS REGION: I BOSTON

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
WORCESTER	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	297	377	472	522	-
	WALKUP	269	290	356	462	515	-
	ELEVATOR	-	-	-	-	-	-
FALL RIVER	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	295	385	424	450	-
	WALKUP	262	276	356	395	420	-
	ELEVATOR	-	305	385	-	-	-
LOWELL	DETACHED	-	-	508	580	617	-
	SEMI-DETACHED/ROW	-	327	414	472	515	-
	WALKUP	276	312	377	464	501	-
	ELEVATOR	283	348	421	-	-	-
SALEM	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	312	370	443	530	-
	WALKUP	247	305	356	443	515	-
	ELEVATOR	-	-	-	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_ These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE BOSTON, MASSACHUSETTS		REGION I BOSTON					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
PROVIDENCE, R.I.	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	273	319	371	397	-
	WALKUP	195	260	312	364	390	-
	ELEVATOR	155	280	364	455	-	-
NEWPORT, R.I.	DETACHED	-	-	322	351	381	-
	SEMI-DETACHED/ROW	-	229	270	322	346	-
	WALKUP	164	217	258	293	316	-
	ELEVATOR	194	246	281	-	-	-
WESTLEY, R.I.	DETACHED	-	-	403	456	482	-
	SEMI-DETACHED/ROW	-	258	324	377	403	-
	WALKUP	205	245	317	370	396	-
	ELEVATOR	231	258	324	-	-	-
PAWTUCKET, R.I.	DETACHED	-	-	-	-	-	-
	SEMI-DETACHED/ROW	-	241	286	338	364	-
	WALKUP	189	228	280	332	358	-
	ELEVATOR	195	260	332	423	-	-
WOONSOCKET, R.I.	DETACHED	-	-	315	365	390	-
	SEMI-DETACHED/ROW	-	227	264	315	359	-
	WALKUP	183	214	264	290	315	-
	ELEVATOR	-	-	-	-	-	-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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AREA OFFICE MANCHESTER, NEW HAMPSHIRE		REGION I BOSTON					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
AUGUSTA, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-
BANGOR, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-
BRUNSWICK, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-
CALAIS, ME.	DETACHED	-	287	323	383	463	-
	SEMI-DETACHED/ROW	229	273	313	376	451	-
	WALKUP	200	246	286	337	390	-
	ELEVATOR	277	322	414	-	-	-

AREA OFFICE MANCHESTER, NEW HAMPSHIRE		REGION I BOSTON					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
LEWISTON, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-
PORTLAND, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-
WATERVILLE, ME.	DETACHED	-	311	342	410	492	-
	SEMI-DETACHED/ROW	250	293	333	403	480	-
	WALKUP	213	266	306	360	418	-
	ELEVATOR	298	351	446	-	-	-

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

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AREA OFFICE MANCHESTER, NEW HAMPSHIRE REGION I BOSTON

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
CONCORD, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-
DOVER, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-
KEENE, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-
MANCHESTER, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-
NASHUA, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-
PORTSMOUTH, N.H.	DETACHED	-	289	313	369	444
	SEMI-DETACHED/ROW	225	282	300	343	411
	WALKUP	200	256	275	330	385
	ELEVATOR	260	304	385	-	-

AREA OFFICE MANCHESTER, NEW HAMPSHIRE REGION I BOSTON

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
BENNINGTON, VT.	DETACHED	-	287	329	363	439
	SEMI-DETACHED/ROW	243	278	316	359	428
	WALKUP	229	250	288	339	389
	ELEVATOR	291	300	383	-	-
BRATTLEBORO, VT.	DETACHED	-	287	329	363	439
	SEMI-DETACHED/ROW	243	278	316	359	428
	WALKUP	229	250	288	339	389
	ELEVATOR	291	300	383	-	-
BURLINGTON, VT.	DETACHED	-	287	329	363	439
	SEMI-DETACHED/ROW	243	278	316	359	428
	WALKUP	229	250	288	339	389
	ELEVATOR	291	300	383	-	-
MONTPELIER, VT.	DETACHED	-	287	329	363	439
	SEMI-DETACHED/ROW	243	278	316	359	428
	WALKUP	229	250	288	339	389
	ELEVATOR	291	300	383	-	-
RUTLAND, VT.	DETACHED	-	287	329	363	439
	SEMI-DETACHED/ROW	243	278	316	359	428
	WALKUP	229	250	288	339	389
	ELEVATOR	291	300	383	-	-

## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: . These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - bedroom units of the same type.

AREA OFFICE CAMDEN, NEW JERSEY REGION II - NEW YORK

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
CAMDEN	DETACHED	-	-	362	432	460
	SEMI-DETACHED/ROW	-	306	348	386	414
	WALKUP	218	238	305	359	399
	ELEVATOR	252	281	347	-	-
ATLANTIC CITY	DETACHED	-	-	368	421	448
	SEMI-DETACHED/ROW	-	310	353	390	420
	WALKUP	221	241	294	358	398
	ELEVATOR	277	327	407	-	-
BURLINGTON	DETACHED	-	-	382	432	460
	SEMI-DETACHED/ROW	-	306	341	387	414
	WALKUP	216	236	309	360	400
	ELEVATOR	252	281	347	-	-
GLOUCESTER	DETACHED	-	-	382	432	460
	SEMI-DETACHED/ROW	-	306	348	386	414
	WALKUP	218	238	305	359	399
	ELEVATOR	255	281	347	-	-
TRENTON	DETACHED	-	-	392	443	471
	SEMI-DETACHED/ROW	-	317	361	397	427
	WALKUP	239	259	338	380	420
	ELEVATOR	286	336	460	-	-
VINELAND	DETACHED	-	-	350	401	430
	SEMI-DETACHED/ROW	-	292	339	370	401
	WALKUP	206	226	272	326	376
	ELEVATOR	232	261	327	-	-

AREA OFFICE NEWARK, NEW JERSEY REGION II - NEW YORK

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
NEWARK	DETACHED	-	-	441	498	543
	SEMI-DETACHED/ROW	-	317	396	447	488
	WALKUP	273	292	370	418	457
	ELEVATOR	333	356	451	-	-
ASBURY PARK	DETACHED	-	-	428	484	530
	SEMI-DETACHED/ROW	-	310	383	436	476
	WALKUP	246	290	361	407	453
	ELEVATOR	299	354	460	-	-
NORTH BERGEN	DETACHED	-	-	483	536	614
	SEMI-DETACHED/ROW	-	340	434	501	551
	WALKUP	281	317	406	467	515
	ELEVATOR	342	386	493	-	-
FREEHOLD	DETACHED	-	-	448	504	548
	SEMI-DETACHED/ROW	-	306	402	453	493
	WALKUP	260	286	376	423	461
	ELEVATOR	318	349	459	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments ProgramSchedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)  
Effective Date \_\_\_\_\_ These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE NEW YORK CITY, NEW YORK		REGION II - NEW YORK					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF MORE
		0	1	2	3	4	
SUFFOLK	DETACHED	-	-	431	534	627	
	SEMI-DETACHED/ROW	299	326	383	476	559	
	WALKUP	271	297	359	445	522	
	ELEVATOR	333	365	441	547	-	
WESTCHESTER	DETACHED	-	-	515	596	682	
	SEMI-DETACHED/ROW	-	391	470	543	623	
	WALKUP	320	372	448	518	593	
	ELEVATOR	377	432	510	635	-	
ORANGE	DETACHED	-	-	422	491	575	
	SEMI-DETACHED/ROW	-	310	377	435	513	
	WALKUP	245	289	352	410	480	
	ELEVATOR	319	356	448	521	-	
ROCKLAND	DETACHED	-	-	475	565	650	
	SEMI-DETACHED/ROW	-	343	423	503	579	
	WALKUP	276	321	396	471	542	
	ELEVATOR	350	406	501	-	-	
ALBANY	DETACHED	-	-	358	434	496	
	SEMI-DETACHED/ROW	-	257	319	386	447	
	WALKUP	222	241	299	361	414	
	ELEVATOR	288	311	388	-	-	
GLENN FALLS	DETACHED	-	-	329	413	474	
	SEMI-DETACHED/ROW	-	236	318	369	423	
	WALKUP	177	200	274	345	395	
	ELEVATOR	224	250	344	-	-	

AREA OFFICE NEW YORK CITY, NEW YORK		REGION II - NEW YORK					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF MORE
		0	1	2	3	4	
YASSENA	DETACHED	-	-	275	332	394	
	SEMI-DETACHED/ROW	-	178	245	296	351	
	WALKUP	153	167	229	277	329	
	ELEVATOR	193	209	287	-	-	
PLATTSBURGH	DETACHED	-	-	277	333	396	
	SEMI-DETACHED/ROW	-	180	246	298	354	
	WALKUP	155	168	230	279	331	
	ELEVATOR	194	210	289	-	-	
SYRACUSE	DETACHED	-	-	362	396	478	
	SEMI-DETACHED/ROW	-	250	323	353	426	
	WALKUP	216	234	302	331	399	
	ELEVATOR	280	305	392	430	-	
POUGHKEEPSIE	DETACHED	-	-	347	407	472	
	SEMI-DETACHED/ROW	-	257	310	364	422	
	WALKUP	199	241	290	340	394	
	ELEVATOR	259	313	377	-	-	
WATERTOWN	DETACHED	-	-	293	367	431	
	SEMI-DETACHED/ROW	-	235	262	328	384	
	WALKUP	196	221	265	307	359	
	ELEVATOR	253	285	318	-	-	
SCHENECTADY	DETACHED	-	-	324	414	467	
	SEMI-DETACHED/ROW	-	233	288	369	417	
	WALKUP	200	218	269	346	390	
	ELEVATOR	261	286	349	-	-	

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ALBANY OFFICE NEW YORK CITY, NEW YORK		REGION II					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF DATE
		0	1	2	3	4	
BINGHAMTON	DETACHED	-	-	340	403	475	
	SEMI-DETACHED/ROW	-	251	303	359	423	
	WALKUP	211	235	284	336	396	
	ELEVATOR	273	304	367	-	-	
ITHACA	DETACHED	-	-	321	400	472	
	SEMI-DETACHED/ROW	-	237	285	356	421	
	WALKUP	196	221	267	334	393	
	ELEVATOR	253	286	346	-	-	
UTICA - ROCHESTER	DETACHED	-	-	337	433	489	
	SEMI-DETACHED/ROW	-	244	301	386	436	
	WALKUP	210	228	281	362	408	
	ELEVATOR	273	297	365	-	-	
NEW YORK	DETACHED	-	-	535	618	702	
	SEMI-DETACHED/ROW	-	390	468	541	614	
	WALKUP	322	371	446	515	585	
	ELEVATOR	446	539	622	705	-	
NASSAU	DETACHED	-	-	470	565	658	
	SEMI-DETACHED/ROW	-	338	418	504	587	
	WALKUP	293	316	391	471	546	
	ELEVATOR	360	388	481	579	-	
PUTNAM	DETACHED	-	-	422	491	575	
	SEMI-DETACHED/ROW	-	310	377	435	513	
	WALKUP	245	289	352	410	480	
	ELEVATOR	319	356	448	-	-	

AREA OFFICE BUFFALO, NEW YORK		REGION II - NEW YORK					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF MORE
		0	1	2	3	4	
BUFFALO	DETACHED	-	-	362	428	467	
	SEMI-DETACHED/ROW	-	327	357	409	452	
	WALKUP	243	267	320	367	407	
	ELEVATOR	335	375	467	-	-	
ROCHESTER	DETACHED	-	-	380	448	499	
	SEMI-DETACHED/ROW	307	320	354	422	473	
	WALKUP	238	269	322	363	417	
	ELEVATOR	347	384	463	-	-	
JAMESTOWN	DETACHED	-	-	367	421	484	
	SEMI-DETACHED/ROW	-	327	362	414	475	
	WALKUP	237	275	340	372	405	
	ELEVATOR	340	385	478	-	-	
ELMIRA	DETACHED	-	-	382	437	510	
	SEMI-DETACHED/ROW	302	347	380	432	472	
	WALKUP	248	303	348	413	446	
	ELEVATOR	326	383	452	-	-	

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

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AREA OFFICE: SAN JUAN, PUERTO RICO REGION II - NEW YORK

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
SAN JUAN	DETACHED	-	-	367	384	477	-
	SEMI-DETACHED/ROW	-	273	306	353	439	-
	WALKUP	203	243	278	321	364	-
	ELEVATOR	257	284	325	384	443	-
PONCE	DETACHED	-	-	271	346	431	-
	SEMI-DETACHED/ROW	-	232	261	320	396	-
	WALKUP	160	199	230	279	334	-
	ELEVATOR	278	306	330	414	465	-
MAYAGUEZ	DETACHED	-	-	271	331	409	-
	SEMI-DETACHED/ROW	-	223	250	306	372	-
	WALKUP	152	188	218	265	316	-
	ELEVATOR	225	246	334	382	429	-
ARECIBO	DETACHED	-	-	271	331	409	-
	SEMI-DETACHED/ROW	-	223	250	306	372	-
	WALKUP	152	188	218	265	316	-
	ELEVATOR	-	-	-	-	-	-

AREA OFFICE: SAN JUAN, PUERTO RICO REGION II - NEW YORK

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
ST. THOMAS, V.I.	DETACHED	-	-	520	668	726	-
	SEMI-DETACHED/ROW	-	386	506	574	593	-
	WALKUP	229	308	397	436	454	-
	ELEVATOR	-	-	-	-	-	-
ST. CROIX, V.I.	DETACHED	-	-	446	492	514	-
	SEMI-DETACHED/ROW	-	338	436	479	499	-
	WALKUP	213	269	347	380	397	-
	ELEVATOR	-	-	-	-	-	-
CHARLOTTE AMALIE, V.I.	DETACHED	-	-	520	668	726	-
	SEMI-DETACHED/ROW	-	386	506	575	593	-
	WALKUP	229	308	397	436	454	-
	ELEVATOR	-	-	-	-	-	-

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INSURING OFFICE: WILMINGTON, DELAWARE REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
WILMINGTON	DETACHED	-	-	366	413	461	-
	SEMI-DETACHED/ROW	-	-	353	399	443	-
	WALKUP	208	257	280	334	-	-
	ELEVATOR	225	276	408	550	-	-
DOVER	DETACHED	-	-	351	399	446	-
	SEMI-DETACHED/ROW	-	-	338	386	430	-
	WALKUP	208	241	273	326	-	-
	ELEVATOR	225	264	408	550	-	-

AREA OFFICE: WASHINGTON, D. C. REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
WASHINGTON, D.C.	DETACHED	-	-	-	484	576	-
	SEMI-DETACHED/ROW	-	-	380	447	518	-
	WALKUP	184	283	348	410	437	-
	ELEVATOR	244	308	374	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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AREA OFFICE BALTIMORE		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
BALTIMORE	DETACHED	-	-	369	418	571	-
	SEMI-DETACHED/ROW	-	248	299	364	490	-
	WALKUP	211	239	291	354	472	-
	ELEVATOR	220	262	353	-	-	-
ABERDEEN	DETACHED	-	-	350	394	540	-
	SEMI-DETACHED/ROW	-	235	284	346	464	-
	WALKUP	200	227	276	336	448	-
	ELEVATOR	209	248	335	-	-	-
BAGERSTOWN	DETACHED	-	-	300	333	446	-
	SEMI-DETACHED/ROW	-	240	280	320	426	-
	WALKUP	207	227	266	306	399	-
	ELEVATOR	220	247	286	-	-	-
SALISBURY	DETACHED	-	-	300	360	479	-
	SEMI-DETACHED/ROW	-	247	286	346	426	-
	WALKUP	213	240	280	326	413	-
	ELEVATOR	227	253	320	-	-	-

AREA OFFICE BALTIMORE		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ANNAPOLIS	DETACHED	-	-	377	423	583	-
	SEMI-DETACHED/ROW	-	254	306	373	501	-
	WALKUP	216	244	298	361	483	-
	ELEVATOR	225	268	361	-	-	-
CAMBRIDGE	DETACHED	-	-	300	360	479	-
	SEMI-DETACHED/ROW	-	247	286	346	426	-
	WALKUP	213	240	280	326	413	-
	ELEVATOR	227	253	320	-	-	-
CUMBERLAND	DETACHED	-	-	300	333	446	-
	SEMI-DETACHED/ROW	-	240	280	320	426	-
	WALKUP	207	227	267	306	399	-
	ELEVATOR	220	247	286	-	-	-
FREDERICK	DETACHED	-	-	300	360	479	-
	SEMI-DETACHED/ROW	-	253	293	353	433	-
	WALKUP	213	247	280	340	399	-
	ELEVATOR	227	253	314	-	-	-

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AREA OFFICE PHILADELPHIA		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
PHILADELPHIA	DETACHED	-	-	323	433	473	-
	SEMI-DETACHED/ROW	-	-	310	419	458	-
	WALKUP	200	226	265	400	439	-
	ELEVATOR	232	258	355	419	-	-
ALLENSTOWN	DETACHED	-	-	337	406	468	-
	SEMI-DETACHED/ROW	-	-	324	390	450	-
	WALKUP	179	224	278	331	403	-
	ELEVATOR	-	245	324	403	-	-
BELLEFONTE	DETACHED	-	-	384	439	480	-
	SEMI-DETACHED/ROW	-	-	370	423	463	-
	WALKUP	185	215	311	390	430	-
	ELEVATOR	199	218	318	397	-	-
HARRISBURG	DETACHED	-	-	305	363	383	-
	SEMI-DETACHED/ROW	-	-	291	335	374	-
	WALKUP	184	218	251	322	368	-
	ELEVATOR	186	231	277	-	-	-
LANCASTER	DETACHED	-	-	325	394	445	-
	SEMI-DETACHED/ROW	-	-	310	378	427	-
	WALKUP	182	208	277	341	380	-
	ELEVATOR	211	243	337	-	-	-
YORK	DETACHED	-	-	290	374	415	-
	SEMI-DETACHED/ROW	-	-	263	357	398	-
	WALKUP	184	219	250	310	364	-
	ELEVATOR	-	224	274	321	-	-

AREA OFFICE PHILADELPHIA		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
POITTSVOM	DETACHED	-	-	310	366	394	-
	SEMI-DETACHED/ROW	-	-	297	351	378	-
	WALKUP	155	216	250	256	277	-
	ELEVATOR	229	270	371	405	-	-
READING	DETACHED	-	-	312	368	396	-
	SEMI-DETACHED/ROW	-	-	299	353	380	-
	WALKUP	158	217	251	258	278	-
	ELEVATOR	231	272	373	407	-	-
SCRANTON	DETACHED	-	-	318	400	451	-
	SEMI-DETACHED/ROW	-	-	305	386	436	-
	WALKUP	213	251	267	324	425	-
	ELEVATOR	230	277	422	-	-	-
BETHLEHEM	DETACHED	-	-	339	408	471	-
	SEMI-DETACHED/ROW	-	-	325	393	452	-
	WALKUP	180	225	280	333	406	-
	ELEVATOR	-	246	326	406	-	-
TIOGA COUNTY	DETACHED	-	-	246	273	296	-
	SEMI-DETACHED/ROW	-	-	232	257	277	-
	WALKUP	158	169	198	227	250	-
	ELEVATOR	-	-	-	-	-	-

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

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AREA OFFICE PITTSBURGH, PA.

REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
NEW CASTLE	DETACHED	-	-	274	335	382	
	SEMI-DETACHED/ROW	-	223	262	320	367	
	WALKUP	171	201	249	286	328	
	ELEVATOR	195	231	328	-	-	
PITTSBURGH	DETACHED	-	-	306	384	439	
	SEMI-DETACHED/ROW	-	249	294	370	424	
	WALKUP	188	228	267	370	412	
	ELEVATOR	226	261	311	-	-	
ERIE	DETACHED	-	-	277	342	384	
	SEMI-DETACHED/ROW	-	238	275	322	360	
	WALKUP	203	220	262	305	342	
	ELEVATOR	234	268	346	-	-	
SHARON	DETACHED	-	-	274	335	382	
	SEMI-DETACHED/ROW	-	223	262	320	367	
	WALKUP	171	201	249	286	328	
	ELEVATOR	195	231	328	-	-	
ALTOONA	DETACHED	-	-	305	338	379	
	SEMI-DETACHED/ROW	-	249	292	323	365	
	WALKUP	195	220	259	299	334	
	ELEVATOR	214	244	354	-	-	
JOHNSTOWN	DETACHED	-	-	250	338	387	
	SEMI-DETACHED/ROW	-	208	238	323	372	
	WALKUP	183	195	232	281	323	
	ELEVATOR	214	244	354	-	-	

AREA OFFICE PITTSBURGH

REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
CHARLESTON, W. VA.	DETACHED	-	-	329	383	428	
	SEMI-DETACHED/ROW	-	269	328	368	413	
	WALKUP	158	202	233	275	310	
	ELEVATOR	213	271	323	-	-	
BECKLEY, W. VA.	DETACHED	-	-	265	318	347	
	SEMI-DETACHED/ROW	-	194	252	302	332	
	WALKUP	171	194	220	245	270	
	ELEVATOR	207	245	297	-	-	
BLUEFIELD, W. VA.	DETACHED	-	-	265	318	347	
	SEMI-DETACHED/ROW	-	194	252	302	332	
	WALKUP	171	194	220	245	270	
	ELEVATOR	207	245	297	-	-	
HUNTINGTON, W. VA.	DETACHED	-	-	265	318	347	
	SEMI-DETACHED/ROW	-	194	252	302	332	
	WALKUP	137	181	238	287	315	
	ELEVATOR	207	245	297	-	-	
PARKERSBURG, W. VA.	DETACHED	-	-	234	271	297	
	SEMI-DETACHED/ROW	-	189	221	255	281	
	WALKUP	159	182	215	241	267	
	ELEVATOR	202	241	293	-	-	
WHEELING, W. VA.	DETACHED	-	-	236	292	320	
	SEMI-DETACHED/ROW	-	190	223	280	318	
	WALKUP	160	184	217	272	296	
	ELEVATOR	204	243	295	-	-	

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Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE PITTSBURGH

REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
MARTINSBURG, W. VA.	DETACHED	-	-	305	362	403	
	SEMI-DETACHED/ROW	-	238	292	346	387	
	WALKUP	173	211	258	304	334	
	ELEVATOR	231	271	326	-	-	
FAIRMONT, W. VA.	DETACHED	-	-	293	347	386	
	SEMI-DETACHED/ROW	-	228	280	332	371	
	WALKUP	165	202	247	291	320	
	ELEVATOR	221	260	312	-	-	
POINT PLEASANT, W. VA.	DETACHED	-	-	233	269	294	
	SEMI-DETACHED/ROW	-	187	220	253	279	
	WALKUP	158	181	213	239	265	
	ELEVATOR	200	239	291	-	-	

AREA OFFICE RICHMOND

REGION III - PHILADELPHIA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
RICHMOND	DETACHED	-	-	288	334	373	
	SEMI-DETACHED/ROW	-	243	275	318	355	
	WALKUP	185	221	250	302	339	
	ELEVATOR	198	232	262	-	-	
HOPKINS	DETACHED	-	-	270	320	359	
	SEMI-DETACHED/ROW	-	237	257	305	342	
	WALKUP	179	214	233	290	325	
	ELEVATOR	197	226	244	-	-	
VIRGINIA BEACH	DETACHED	-	-	270	320	359	
	SEMI-DETACHED/ROW	-	237	257	305	342	
	WALKUP	179	214	233	290	325	
	ELEVATOR	197	226	244	-	-	
PORTSMOUTH	DETACHED	-	-	270	320	359	
	SEMI-DETACHED/ROW	-	237	257	305	342	
	WALKUP	179	214	233	290	325	
	ELEVATOR	197	226	244	-	-	
CHESAPEAKE	DETACHED	-	-	270	320	359	
	SEMI-DETACHED/ROW	-	237	257	305	342	
	WALKUP	179	214	233	290	325	
	ELEVATOR	197	226	244	-	-	
SUFFOLK	DETACHED	-	-	270	320	359	
	SEMI-DETACHED/ROW	-	237	257	305	342	
	WALKUP	179	214	233	290	325	
	ELEVATOR	197	226	244	-	-	

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## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE: RICHMOND		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ROANOKE	DETACHED	-	-	281	329	368	
	SEMI-DETACHED/ROW	-	216	267	314	350	
	WALKUP	163	195	242	299	334	
	ELEVATOR	179	205	255	-	-	
LYNCHBURG	DETACHED	-	-	277	324	362	
	SEMI-DETACHED/ROW	-	212	263	309	345	
	WALKUP	160	192	238	294	329	
	ELEVATOR	176	202	251	-	-	
DANVILLE	DETACHED	-	-	279	326	365	
	SEMI-DETACHED/ROW	-	214	265	311	348	
	WALKUP	161	194	240	296	331	
	ELEVATOR	178	204	253	-	-	
NEWPORT NEWS	DETACHED	-	-	287	348	382	
	SEMI-DETACHED/ROW	-	229	273	331	364	
	WALKUP	183	208	248	315	347	
	ELEVATOR	202	218	261	-	-	
FREDERICKSBURG	DETACHED	-	-	281	328	370	
	SEMI-DETACHED/ROW	-	218	267	312	353	
	WALKUP	161	198	242	297	336	
	ELEVATOR	178	208	255	-	-	
WARRENTON	DETACHED	-	-	258	285	330	
	SEMI-DETACHED/ROW	-	212	246	272	314	
	WALKUP	155	192	223	259	299	
	ELEVATOR	171	202	234	-	-	

AREA OFFICE: RICHMOND		REGION III - PHILADELPHIA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
HARRISONBURG	DETACHED	-	-	258	285	330	
	SEMI-DETACHED/ROW	-	212	246	272	314	
	WALKUP	155	192	223	259	299	
	ELEVATOR	171	202	234	-	-	
BRISTOL	DETACHED	-	-	208	253	304	
	SEMI-DETACHED/ROW	-	138	198	241	289	
	WALKUP	81	125	180	230	275	
	ELEVATOR	90	132	188	-	-	
HAMPTON	DETACHED	-	-	287	348	382	
	SEMI-DETACHED/ROW	-	229	273	331	364	
	WALKUP	183	208	248	315	347	
	ELEVATOR	203	218	261	-	-	

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Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

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AREA OFFICE: BIRMINGHAM, ALABAMA		REGION IV ATLANTA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
BIRMINGHAM	DETACHED	-	-	320	390	412	
	SEMI-DETACHED/ROW	-	222	277	368	377	
	WALKUP	134	158	200	253	270	
	ELEVATOR	263	304	370	-	-	
DOTHAN	DETACHED	-	-	307	364	394	
	SEMI-DETACHED/ROW	-	226	265	329	358	
	WALKUP	124	161	191	233	256	
	ELEVATOR	256	306	355	-	-	
FLORENCE	DETACHED	-	-	303	377	412	
	SEMI-DETACHED/ROW	-	188	260	341	377	
	WALKUP	114	132	187	244	270	
	ELEVATOR	240	270	335	-	-	
HUNTSVILLE	DETACHED	-	-	290	363	391	
	SEMI-DETACHED/ROW	-	215	248	327	355	
	WALKUP	172	201	233	306	334	
	ELEVATOR	263	299	355	-	-	

AREA OFFICE: BIRMINGHAM, ALABAMA		REGION IV ATLANTA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
MOBILE	DETACHED	-	-	309	363	395	
	SEMI-DETACHED/ROW	-	222	266	330	360	
	WALKUP	127	158	192	234	257	
	ELEVATOR	262	304	365	-	-	
MONTGOMERY	DETACHED	-	-	311	368	398	
	SEMI-DETACHED/ROW	-	225	269	332	363	
	WALKUP	127	160	194	236	259	
	ELEVATOR	260	310	360	-	-	
TUSCALOOSA	DETACHED	-	-	294	341	370	
	SEMI-DETACHED/ROW	-	191	252	305	334	
	WALKUP	150	177	238	285	313	
	ELEVATOR	240	276	341	-	-	

# PROPOSED RULES

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ASSA OFFICE JACKSONVILLE, FLORIDA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
JACKSONVILLE	DETACHED	-	-	283	339	357	
	SEMI-DETACHED/ROW	-	213	253	319	334	
	WALKUP	194	207	257	313	328	
	ELEVATOR	213	259	330	-	-	
FORT WALTON BEACH	DETACHED	-	-	271	326	343	
	SEMI-DETACHED/ROW	-	-	204	253	307	321
	WALKUP	187	198	247	300	315	
	ELEVATOR	204	259	318	-	-	
GAINESVILLE	DETACHED	-	-	281	336	354	
	SEMI-DETACHED/ROW	-	-	211	260	316	331
	WALKUP	193	205	255	310	325	
	ELEVATOR	211	257	327	-	-	
PANAMA CITY	DETACHED	-	-	270	324	340	
	SEMI-DETACHED/ROW	-	-	203	250	304	319
	WALKUP	185	197	244	298	313	
	ELEVATOR	203	247	313	-	-	
PENSACOLA	DETACHED	-	-	271	326	343	
	SEMI-DETACHED/ROW	-	-	204	253	307	321
	WALKUP	187	198	247	300	315	
	ELEVATOR	204	249	318	-	-	
TALLAHASSEE	DETACHED	-	-	278	333	351	
	SEMI-DETACHED/ROW	-	-	209	258	314	329
	WALKUP	191	203	252	308	323	
	ELEVATOR	209	255	325	-	-	

INSURING OFFICE CORAL GABLES, FLORIDA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
MIAMI	DETACHED	-	-	197	496	558	
	SEMI-DETACHED/ROW	-	286	385	459	496	
	WALKUP	193	232	303	362	383	
	ELEVATOR	200	244	324	-	-	
FORT LAUDERDALE	DETACHED	-	-	360	459	534	
	SEMI-DETACHED/ROW	-	-	267	341	434	472
	WALKUP	193	216	275	357	378	
	ELEVATOR	230	255	323	-	-	
FORT MYERS	DETACHED	-	-	298	348	397	
	SEMI-DETACHED/ROW	-	-	235	288	335	365
	WALKUP	214	230	287	323	373	
	ELEVATOR	217	236	273	-	-	
KEY WEST	DETACHED	-	-	383	472	534	
	SEMI-DETACHED/ROW	-	-	273	360	427	496
	WALKUP	183	218	287	350	376	
	ELEVATOR	195	227	296	-	-	
WEST PALM BEACH	DETACHED	-	-	348	439	532	
	SEMI-DETACHED/ROW	-	-	261	341	434	472
	WALKUP	190	211	281	357	378	
	ELEVATOR	224	248	335	-	-	

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INSURING OFFICE TAMPA, FLORIDA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
TAMPA	DETACHED	-	-	244	318	335	
	SEMI-DETACHED/ROW	-	195	226	307	329	
	WALKUP	171	190	215	296	324	
	ELEVATOR	176	199	227	-	-	
COCOA	DETACHED	-	-	240	304	322	
	SEMI-DETACHED/ROW	-	-	190	223	269	293
	WALKUP	141	155	198	230	259	
	ELEVATOR	132	176	211	-	-	
DAYTONA BEACH	DETACHED	-	-	232	322	340	
	SEMI-DETACHED/ROW	-	-	205	240	316	334
	WALKUP	170	196	227	304	325	
	ELEVATOR	176	199	234	-	-	
FORT PIERCE	DETACHED	-	-	232	322	340	
	SEMI-DETACHED/ROW	-	-	205	240	316	334
	WALKUP	170	196	227	304	322	
	ELEVATOR	176	199	234	-	-	

INSURING OFFICE TAMPA, FLORIDA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LAKELAND	DETACHED	-	-	242	312	329	
	SEMI-DETACHED/ROW	-	-	196	231	295	316
	WALKUP	168	185	218	278	295	
	ELEVATOR	173	196	231	-	-	
ORLANDO	DETACHED	-	-	244	311	327	
	SEMI-DETACHED/ROW	-	-	198	233	305	321
	WALKUP	164	191	215	295	312	
	ELEVATOR	172	194	233	-	-	
SARASOTA	DETACHED	-	-	230	289	312	
	SEMI-DETACHED/ROW	-	-	192	233	278	300
	WALKUP	156	180	210	268	289	
	ELEVATOR	173	195	234	-	-	
ST. PETERSBURG	DETACHED	-	-	250	325	342	
	SEMI-DETACHED/ROW	-	-	198	232	309	323
	WALKUP	160	184	214	286	303	
	ELEVATOR	170	192	221	-	-	

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AREA OFFICE ATLANTA, GEORGIA		REGION IV ATLANTA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ATLANTA	DETACHED	-	-	280	335	367	
	SEMI-DETACHED/ROW	-	199	224	255	304	
	WALKUP	174	186	211	248	298	
	ELEVATOR	199	236	298	-	-	
ALBANY	DETACHED	-	-	261	317	348	
	SEMI-DETACHED/ROW	-	199	236	286	323	
	WALKUP	166	193	224	273	316	
	ELEVATOR	186	224	286	-	-	
AUGUSTA	DETACHED	-	-	261	341	342	
	SEMI-DETACHED/ROW	-	193	241	298	333	
	WALKUP	168	193	221	280	323	
	ELEVATOR	186	211	273	-	-	
BRUNSWICK	DETACHED	-	-	257	305	335	
	SEMI-DETACHED/ROW	-	185	203	263	287	
	WALKUP	167	180	197	233	281	
	ELEVATOR	180	215	275	-	-	
COLUMBUS	DETACHED	-	-	261	298	342	
	SEMI-DETACHED/ROW	-	166	230	280	323	
	WALKUP	168	186	224	267	304	
	ELEVATOR	186	175	273	-	-	
MACON	DETACHED	-	-	248	286	329	
	SEMI-DETACHED/ROW	-	193	236	248	292	
	WALKUP	153	171	227	245	282	
	ELEVATOR	193	230	286	-	-	

AREA OFFICE ATLANTA, GEORGIA		REGION IV ATLANTA				
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
ROME	DETACHED	-	-	257	305	335
	SEMI-DETACHED/ROW	-	185	203	227	263
	WALKUP	167	180	195	221	257
	ELEVATOR	180	215	275	-	-
SAVANNAH	DETACHED	-	-	257	311	335
	SEMI-DETACHED/ROW	-	173	209	245	281
	WALKUP	150	167	203	239	275
	ELEVATOR	185	215	275	-	-
VALDOSTA	DETACHED	-	-	261	305	335
	SEMI-DETACHED/ROW	-	185	215	269	293
	WALKUP	154	172	206	256	286
	ELEVATOR	180	203	263	-	-

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AREA OFFICE		LOUISVILLE, KENTUCKY		REGION		ATLANTA	
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF MORE
		0	1	2	3	4	
LOUISVILLE	DETACHED	-	-	281	342	391	
	SEMI-DETACHED/ROW	-	213	269	330	379	
	WALKUP	184	211	263	324	373	
	ELEVATOR	196	220	275	-	-	
ASHLAND	DETACHED	-	-	276	332	393	
	SEMI-DETACHED/ROW	-	221	264	319	381	
	WALKUP	191	215	258	313	362	
	ELEVATOR	200	221	270	-	-	
BOWLING GREEN	DETACHED	-	-	277	386	387	
	SEMI-DETACHED/ROW	-	215	264	313	375	
	WALKUP	185	209	246	307	368	
	ELEVATOR	191	221	270	-	-	
CORBIN	DETACHED	-	-	276	332	387	
	SEMI-DETACHED/ROW	-	215	264	319	381	
	WALKUP	184	209	258	313	362	
	ELEVATOR	197	221	270	-	-	
COVINGTON	DETACHED	-	-	282	343	392	
	SEMI-DETACHED/ROW	-	227	270	337	380	
	WALKUP	196	221	260	323	368	
	ELEVATOR	200	227	276	-	-	
FRANKFORT	DETACHED	-	-	276	332	381	
	SEMI-DETACHED/ROW	-	214	264	325	375	
	WALKUP	183	209	258	319	368	
	ELEVATOR	197	221	270	-	-	

AREA OFFICE LOUISVILLE, KENTUCKY		REGION IV ATLANTA					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
HOPKINSVILLE	DETACHED	-	-	277	319	381	
	SEMI-DETACHED/ROW	-	215	264	313	375	
	WALKUP	184	209	246	307	369	
	ELEVATOR	191	221	270	-	-	
LEXINGTON	DETACHED	-	-	287	344	387	
	SEMI-DETACHED/ROW	-	215	270	332	381	
	WALKUP	184	211	258	325	368	
	ELEVATOR	197	221	276	-	-	
MIDDLESBORO	DETACHED	-	-	276	332	387	
	SEMI-DETACHED/ROW	-	215	264	319	381	
	WALKUP	183	209	258	313	362	
	ELEVATOR	197	221	270	-	-	
MURRAY	DETACHED	-	-	276	319	381	
	SEMI-DETACHED/ROW	-	215	258	313	375	
	WALKUP	184	209	246	307	369	
	ELEVATOR	194	221	270	-	-	
NEWPORT	DETACHED	-	-	282	343	392	
	SEMI-DETACHED/ROW	-	227	270	337	380	
	WALKUP	196	221	261	322	368	
	ELEVATOR	200	227	276	-	-	
OWENSBORO	DETACHED	-	-	281	336	379	
	SEMI-DETACHED/ROW	-	214	269	312	361	
	WALKUP	184	208	263	306	349	
	ELEVATOR	190	220	275	-	-	

# PROPOSED RULES

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AREA OFFICE <u>LOUISVILLE, KENTUCKY</u> REGION <u>IV ATLANTA</u>		NUMBER OF BEDROOMS						
MARKET AREA	STRUCTURE TYPE	0	1	2	3	4	or more	
RADCLIFF	DETACHED	-	-	276	332	393		
	SEMI-DETACHED/ROW	-	215	264	325	387		
	WALKUP	191	209	258	319	368		
	ELEVATOR	200	221	270	-	-		

AREA OFFICE <u>JACKSON, MISSISSIPPI</u> REGION <u>IV ATLANTA</u>		NUMBER OF BEDROOMS						
MARKET AREA	STRUCTURE TYPE	0	1	2	3	4	or more	
JACKSON	DETACHED	-	-	284	309	328		
	SEMI-DETACHED/ROW	-	178	233	290	302		
	WALKUP	151	170	227	277	290		
	ELEVATOR	202	232	290	-	-		
BILGEE	DETACHED	-	-	290	315	334		
	SEMI-DETACHED/ROW	-	183	245	296	309		
	WALKUP	158	176	239	283	296		
	ELEVATOR	208	238	296	-	-		
CORINTH	DETACHED	-	-	284	309	328		
	SEMI-DETACHED/ROW	-	178	233	290	302		
	WALKUP	151	170	227	277	290		
	ELEVATOR	202	232	290	-	-		
GREENVILLE	DETACHED	-	-	277	302	321		
	SEMI-DETACHED/ROW	-	170	227	284	296		
	WALKUP	145	164	221	271	284		
	ELEVATOR	195	246	284	-	-		
GREENWOOD	DETACHED	-	-	277	302	321		
	SEMI-DETACHED/ROW	-	170	227	284	296		
	WALKUP	145	164	221	271	284		
	ELEVATOR	195	246	284	-	-		
GULFPORT	DETACHED	-	-	290	315	334		
	SEMI-DETACHED/ROW	-	183	245	296	309		
	WALKUP	158	176	239	283	296		
	ELEVATOR	208	238	296	-	-		

AREA OFFICE <u>JACKSON, MISSISSIPPI</u> REGION <u>IV ATLANTA</u>		NUMBER OF BEDROOMS						
MARKET AREA	STRUCTURE TYPE	0	1	2	3	4	or more	
HATTIESBURG	DETACHED	-	-	284	309	328		
	SEMI-DETACHED/ROW	-	178	233	290	302		
	WALKUP	151	170	227	277	290		
	ELEVATOR	202	232	290	-	-		
SOUTHAVEN	DETACHED	-	-	277	302	321		
	SEMI-DETACHED/ROW	-	178	227	258	284		
	WALKUP	151	170	221	252	277		
	ELEVATOR	195	246	283	-	-		
TUPELO	DETACHED	-	-	277	302	321		
	SEMI-DETACHED/ROW	-	170	227	284	296		
	WALKUP	145	164	221	271	284		
	ELEVATOR	195	246	283	-	-		

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_ These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE <u>GREENSBORO, NORTH CAROLINA</u> REGION <u>IV ATLANTA</u>		NUMBER OF BEDROOMS						
MARKET AREA	STRUCTURE TYPE	0	1	2	3	4	or more	
GREENSBORO	DETACHED	-	-	238	312	336		
	SEMI-DETACHED/ROW	130	175	220	276	332		
	WALKUP	132	168	214	270	320		
	ELEVATOR	184	215	278	-	-		
ASHEVILLE	DETACHED	-	-	264	320	343		
	SEMI-DETACHED/ROW	139	179	254	300	329		
	WALKUP	133	173	228	294	317		
	ELEVATOR	189	221	287	-	-		
CHARLOTTE	DETACHED	-	-	238	312	336		
	SEMI-DETACHED/ROW	130	168	207	267	326		
	WALKUP	124	162	201	261	314		
	ELEVATOR	184	215	279	-	-		
DURHAM	DETACHED	-	-	237	311	333		
	SEMI-DETACHED/ROW	148	167	214	287	332		
	WALKUP	142	161	207	281	320		
	ELEVATOR	183	214	277	-	-		
GREENVILLE	DETACHED	-	-	251	301	323		
	SEMI-DETACHED/ROW	129	168	215	260	311		
	WALKUP	123	162	209	254	299		
	ELEVATOR	179	209	271	-	-		
RALEIGH	DETACHED	-	-	234	307	333		
	SEMI-DETACHED/ROW	127	165	221	272	332		
	WALKUP	121	159	213	266	320		
	ELEVATOR	183	214	277	-	-		

AREA OFFICE <u>GREENSBORO, NORTH CAROLINA</u> REGION <u>IV ATLANTA</u>		NUMBER OF BEDROOMS						
MARKET AREA	STRUCTURE TYPE	0	1	2	3	4	or more	
WILKINGTON	DETACHED	-	-	234	307	329		
	SEMI-DETACHED/ROW	132	168	218	277	311		
	WALKUP	126	162	212	271	299		
	ELEVATOR	182	214	277	-	-		
WINSTON-SALEM	DETACHED	-	-	238	312	336		
	SEMI-DETACHED/ROW	130	157	214	276	332		
	WALKUP	124	151	207	270	320		
	ELEVATOR	183	214	277	-	-		
FAYETTEVILLE	DETACHED	-	-	238	312	336		
	SEMI-DETACHED/ROW	142	167	218	254	309		
	WALKUP	135	161	212	248	296		
	ELEVATOR	183	215	278	-	-		

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: . These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE COLUMBIA, SOUTH CAROLINA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
COLUMBIA	DETACHED	-	-	263	312	336	
	SEMI-DETACHED/ROW	190	202	232	281	312	
	WALKUP	190	202	232	281	312	
	ELEVATOR	226	244	287	-	-	
AIKEN	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	
ANDERSON	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	
BEAUFORT	DETACHED	-	-	257	305	324	
	SEMI-DETACHED/ROW	165	177	226	275	299	
	WALKUP	165	177	226	275	299	
	ELEVATOR	202	220	281	-	-	
CHARLESTON	DETACHED	-	-	263	299	318	
	SEMI-DETACHED/ROW	190	202	232	269	293	
	WALKUP	190	202	232	269	293	
	ELEVATOR	226	244	287	-	-	
FLORENCE	DETACHED	-	-	257	305	324	
	SEMI-DETACHED/ROW	165	177	226	275	299	
	WALKUP	165	177	226	275	299	
	ELEVATOR	202	220	281	-	-	

AREA OFFICE COLUMBIA, SOUTH CAROLINA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
GREENVILLE	DETACHED	-	-	257	299	330	
	SEMI-DETACHED/ROW	183	196	226	269	305	
	WALKUP	183	196	226	269	305	
	ELEVATOR	220	238	281	-	-	
GREENWOOD	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	
MYRTLE BEACH	DETACHED	-	-	263	299	318	
	SEMI-DETACHED/ROW	190	202	232	269	293	
	WALKUP	190	202	232	269	293	
	ELEVATOR	226	244	287	-	-	
NORTH AUGUSTA	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	
ORANGEBURG	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	
ROCKHILL	DETACHED	-	-	251	299	318	
	SEMI-DETACHED/ROW	159	171	220	269	293	
	WALKUP	159	171	220	269	293	
	ELEVATOR	196	214	275	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

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NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE COLUMBIA, SOUTH CAROLINA REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SPARTANBURG	DETACHED	-	-	257	299	330	
	SEMI-DETACHED/ROW	184	196	226	269	305	
	WALKUP	184	196	226	269	305	
	ELEVATOR	220	238	280	-	-	

AREA OFFICE KNOXVILLE, TENNESSEE REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
KNOXVILLE	DETACHED	-	-	300	360	399	
	SEMI-DETACHED/ROW	-	227	273	333	369	
	WALKUP	187	213	260	320	346	
	ELEVATOR	227	260	313	-	-	
CHATTANOOGA	DETACHED	-	-	306	366	406	
	SEMI-DETACHED/ROW	-	233	280	340	366	
	WALKUP	193	220	266	326	353	
	ELEVATOR	227	260	313	-	-	
JOHNSON CITY	DETACHED	-	-	390	383	393	
	SEMI-DETACHED/ROW	-	220	266	326	353	
	WALKUP	180	207	253	313	340	
	ELEVATOR	227	260	313	-	-	
KINGSPORT	DETACHED	-	-	293	353	393	
	SEMI-DETACHED/ROW	-	220	266	326	353	
	WALKUP	180	207	253	313	340	
	ELEVATOR	227	260	313	-	-	
OAKRIDGE	DETACHED	-	-	300	360	399	
	SEMI-DETACHED/ROW	-	227	273	333	360	
	WALKUP	187	213	260	320	346	
	ELEVATOR	227	260	313	-	-	

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

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INSURING OFFICE: NASHVILLE, TENNESSEE REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
NASHVILLE	DETACHED	-	-	262	309	337	
	SEMI-DETACHED/ROW	-	191	227	286	316	
	WALKUP	155	179	215	275	302	
	ELEVATOR	167	206	256	-	-	
CLARKSVILLE	DETACHED	-	-	262	309	337	
	SEMI-DETACHED/ROW	-	191	227	286	316	
	WALKUP	155	179	215	274	298	
	ELEVATOR	167	206	256	-	-	
COLUMBIA	DETACHED	-	-	256	304	331	
	SEMI-DETACHED/ROW	-	191	227	286	316	
	WALKUP	149	179	209	268	298	
	ELEVATOR	161	203	250	-	-	

INSURING OFFICE: MEMPHIS, TENNESSEE REGION IV ATLANTA

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
MEMPHIS	DETACHED	-	-	284	346	403	
	SEMI-DETACHED/ROW	-	218	252	305	352	
	WALKUP	174	202	236	265	298	
	ELEVATOR	209	240	286	-	-	
JACKSON	DETACHED	-	-	286	349	403	
	SEMI-DETACHED/ROW	-	221	255	303	356	
	WALKUP	175	203	238	267	300	
	ELEVATOR	212	242	289	-	-	
UNION CITY	DETACHED	-	-	289	352	407	
	SEMI-DETACHED/ROW	-	222	257	312	358	
	WALKUP	178	206	240	270	303	
	ELEVATOR	213	245	291	-	-	

## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

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AREA OFFICE: CHICAGO, ILLINOIS REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
CHICAGO	DETACHED	-	-	398	466	562	
	SEMI-DETACHED/ROW	-	331	385	433	486	
	WALKUP	209	265	324	406	442	
	ELEVATOR	338	393	489	-	-	
MOLINE	DETACHED	-	-	265	315	365	
	SEMI-DETACHED/ROW	-	235	265	315	365	
	WALKUP	180	235	265	315	365	
	ELEVATOR	200	240	290	-	-	
ROCKFORD	DETACHED	-	-	338	365	425	
	SEMI-DETACHED/ROW	-	297	324	351	392	
	WALKUP	196	236	297	317	-	
	ELEVATOR	209	270	297	-	-	
ROCK ISLAND	DETACHED	-	-	265	315	365	
	SEMI-DETACHED/ROW	-	235	265	315	365	
	WALKUP	180	235	265	315	365	
	ELEVATOR	200	240	290	-	-	
STERLING	DETACHED	-	-	257	305	336	
	SEMI-DETACHED/ROW	-	212	244	277	317	
	WALKUP	169	212	225	270	-	
	ELEVATOR	176	228	277	-	-	

AREA OFFICE: DETROIT, MICHIGAN REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
DETROIT	DETACHED	-	-	304	352	393	
	SEMI-DETACHED/ROW	-	264	292	328	369	
	WALKUP	203	238	286	316	357	
	ELEVATOR	209	304	381	-	-	
ANN ARBOR	DETACHED	-	-	304	352	393	
	SEMI-DETACHED/ROW	-	244	292	328	369	
	WALKUP	203	238	286	316	357	
	ELEVATOR	209	304	381	-	-	
FLINT	DETACHED	-	-	298	346	387	
	SEMI-DETACHED/ROW	-	238	286	322	363	
	WALKUP	197	233	280	310	352	
	ELEVATOR	203	298	375	-	-	
SAGINAW	DETACHED	-	-	298	346	387	
	SEMI-DETACHED/ROW	-	238	286	322	363	
	WALKUP	197	233	280	310	352	
	ELEVATOR	203	298	375	-	-	
YPSILANTI	DETACHED	-	-	304	352	393	
	SEMI-DETACHED/ROW	-	244	292	328	369	
	WALKUP	203	238	286	316	357	
	ELEVATOR	209	304	381	-	-	

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

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INSURING OFFICE SPRINGFIELD, ILLINOIS REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
SPRINGFIELD	DETACHED	-	-	240	290	333	-
	SEMI-DETACHED/ROW	-	188	218	280	308	-
	WALKUP	154	183	217	276	297	-
	ELEVATOR	210	236	298	-	-	-
BELLEVILLE	DETACHED	-	-	277	332	367	-
	SEMI-DETACHED/ROW	-	201	237	289	326	-
	WALKUP	172	195	237	285	322	-
	ELEVATOR	232	260	320	-	-	-
CARBONDALE	DETACHED	-	-	259	341	373	-
	SEMI-DETACHED/ROW	-	180	249	339	369	-
	WALKUP	147	179	244	335	362	-
	ELEVATOR	225	251	318	-	-	-
CHAMPAIGN	DETACHED	-	-	227	271	324	-
	SEMI-DETACHED/ROW	-	193	225	270	309	-
	WALKUP	141	164	211	258	281	-
	ELEVATOR	206	228	290	-	-	-
DANVILLE	DETACHED	-	-	234	335	365	-
	SEMI-DETACHED/ROW	-	184	249	328	358	-
	WALKUP	144	175	243	321	345	-
	ELEVATOR	222	249	316	-	-	-
EAST ST. LOUIS	DETACHED	-	-	214	271	306	-
	SEMI-DETACHED/ROW	-	163	203	262	299	-
	WALKUP	146	178	192	251	297	-
	ELEVATOR	238	249	368	-	-	-

INSURING OFFICE SPRINGFIELD, ILLINOIS REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
LA SALLE	DETACHED	-	-	264	315	378	-
	SEMI-DETACHED/ROW	-	173	218	294	376	-
	WALKUP	152	163	218	283	362	-
	ELEVATOR	223	307	319	-	-	-
PEORIA	DETACHED	-	-	262	323	336	-
	SEMI-DETACHED/ROW	-	166	246	316	331	-
	WALKUP	148	179	233	306	330	-
	ELEVATOR	232	261	329	-	-	-
QUINCY	DETACHED	-	-	257	337	369	-
	SEMI-DETACHED/ROW	-	186	238	313	355	-
	WALKUP	-	178	220	308	353	-
	ELEVATOR	210	235	298	-	-	-

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AREA OFFICE INDIANAPOLIS, INDIANA REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
INDIANAPOLIS	DETACHED	-	-	369	438	503	-
	SEMI-DETACHED/ROW	-	222	265	336	360	-
	WALKUP	196	222	265	324	-	-
	ELEVATOR	181	218	337	-	-	-
BLOOMINGTON	DETACHED	-	-	340	397	462	-
	SEMI-DETACHED/ROW	-	188	248	306	329	-
	WALKUP	139	188	243	306	-	-
	ELEVATOR	165	222	344	-	-	-
EVANSVILLE	DETACHED	-	-	346	436	505	-
	SEMI-DETACHED/ROW	-	201	249	335	360	-
	WALKUP	175	201	266	324	-	-
	ELEVATOR	199	250	310	-	-	-
FORT WAYNE	DETACHED	-	-	371	431	512	-
	SEMI-DETACHED/ROW	-	204	267	331	365	-
	WALKUP	181	204	255	325	-	-
	ELEVATOR	193	213	273	-	-	-
GARY	DETACHED	-	-	419	541	623	-
	SEMI-DETACHED/ROW	221	248	301	415	444	-
	WALKUP	193	219	286	353	-	-
	ELEVATOR	222	270	416	-	-	-

AREA OFFICE INDIANAPOLIS, INDIANA REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
MADISON	DETACHED	-	-	419	541	623	-
	SEMI-DETACHED/ROW	-	248	301	415	444	-
	WALKUP	193	219	264	353	-	-
	ELEVATOR	226	263	406	-	-	-
LAFAYETTE	DETACHED	-	-	359	408	473	-
	SEMI-DETACHED/ROW	-	201	258	314	337	-
	WALKUP	183	201	256	311	-	-
	ELEVATOR	209	250	388	-	-	-
SOUTH BEND	DETACHED	-	-	384	433	499	-
	SEMI-DETACHED/ROW	-	219	285	332	355	-
	WALKUP	173	219	276	332	-	-
	ELEVATOR	206	260	389	-	-	-
TERRE HAUTE	DETACHED	-	-	346	417	494	-
	SEMI-DETACHED/ROW	-	189	249	318	343	-
	WALKUP	168	189	243	318	-	-
	ELEVATOR	210	255	393	-	-	-
JEFFERSONVILLE- NEW ALBANY	DETACHED	-	-	284	357	413	-
	SEMI-DETACHED/ROW	-	174	209	274	294	-
	WALKUP	136	174	209	240	-	-
	ELEVATOR	204	245	379	-	-	-

# PROPOSED RULES

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INSURING OFFICE GRAND RAPIDS, MICHIGAN REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
GRAND RAPIDS	DETACHED	-	-	268	309	354	-
	SEMI-DETACHED/ROW	-	203	238	284	319	-
	WALKUP	157	192	228	274	-	-
	ELEVATOR	188	233	289	-	-	-
BATTLE CREEK	DETACHED	-	-	263	314	343	-
	SEMI-DETACHED/ROW	-	217	240	303	320	-
	WALKUP	166	212	234	274	-	-
	ELEVATOR	197	243	299	-	-	-
BENTON HARBOR	DETACHED	-	-	252	314	354	-
	SEMI-DETACHED/ROW	-	217	240	286	320	-
	WALKUP	160	206	234	274	-	-
	ELEVATOR	208	248	304	-	-	-
JACKSON	DETACHED	-	-	263	320	354	-
	SEMI-DETACHED/ROW	-	217	246	297	326	-
	WALKUP	160	212	246	286	-	-
	ELEVATOR	203	248	304	-	-	-
KALAMAZOO	DETACHED	-	-	252	297	332	-
	SEMI-DETACHED/ROW	-	177	217	263	303	-
	WALKUP	160	172	217	263	-	-
	ELEVATOR	193	238	294	-	-	-

INSURING OFFICE GRAND RAPIDS, MICHIGAN REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LANSING	DETACHED	-	-	309	360	389	-
	SEMI-DETACHED/ROW	-	212	286	332	354	-
	WALKUP	172	200	246	314	-	-
	ELEVATOR	198	243	299	-	-	-
MARQUETTE	DETACHED	-	-	252	286	332	-
	SEMI-DETACHED/ROW	-	177	229	274	314	-
	WALKUP	132	166	200	274	-	-
	ELEVATOR	149	172	223	-	-	-
MUSKEGON	DETACHED	-	-	263	297	354	-
	SEMI-DETACHED/ROW	-	193	234	292	337	-
	WALKUP	153	186	218	286	-	-
	ELEVATOR	188	233	289	-	-	-
TRAVERSE CITY	DETACHED	-	-	314	366	394	-
	SEMI-DETACHED/ROW	-	217	280	332	360	-
	WALKUP	183	206	252	320	-	-
	ELEVATOR	206	240	280	-	-	-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE MPLS - ST. PAUL, MINNESOTA REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
MINNEAPOLIS	DETACHED	-	-	348	420	471	-
	SEMI-DETACHED/ROW	-	298	344	397	420	-
	WALKUP	216	246	289	394	-	-
	ELEVATOR	225	258	319	-	-	-
DULUTH	DETACHED	-	-	324	390	442	-
	SEMI-DETACHED/ROW	-	259	317	350	372	-
	WALKUP	193	215	272	302	-	-
	ELEVATOR	236	275	347	-	-	-
MANKATO	DETACHED	-	-	293	344	400	-
	SEMI-DETACHED/ROW	-	226	289	333	355	-
	WALKUP	181	193	248	286	-	-
	ELEVATOR	232	253	334	-	-	-
ROCHESTER	DETACHED	-	-	309	374	426	-
	SEMI-DETACHED/ROW	-	248	297	373	395	-
	WALKUP	192	211	255	321	-	-
	ELEVATOR	242	274	284	-	-	-

AREA OFFICE MPLS - ST. PAUL, MINNESOTA REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ST. CLOUD	DETACHED	-	-	315	406	430	-
	SEMI-DETACHED/ROW	-	257	309	338	411	-
	WALKUP	196	219	265	334	-	-
	ELEVATOR	251	286	336	-	-	-
ST. PAUL	DETACHED	-	-	348	420	471	-
	SEMI-DETACHED/ROW	-	298	344	397	420	-
	WALKUP	216	246	289	394	-	-
	ELEVATOR	225	258	319	-	-	-
WORTHINGTON	DETACHED	-	-	300	352	388	-
	SEMI-DETACHED/ROW	-	240	283	331	353	-
	WALKUP	189	205	242	285	-	-
	ELEVATOR	242	276	337	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section B. Housing Assistance Payments Program

## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

INSURING OFFICE CLEVELAND, OHIO		REGION V - CHICAGO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
CLEVELAND, OHIO	DETACHED	-	-	329	364	393	-
	SEMI-DETACHED/ROW	-	256	293	329	363	-
	WALKUP	213	239	277	312	-	-
	ELEVATOR	231	258	309	-	-	-
AKRON, OHIO	DETACHED	-	-	314	348	383	-
	SEMI-DETACHED/ROW	-	239	276	311	354	-
	WALKUP	198	224	261	293	-	-
	ELEVATOR	223	249	292	-	-	-
FINDLAY, OHIO	DETACHED	-	-	290	323	358	-
	SEMI-DETACHED/ROW	-	204	238	271	312	-
	WALKUP	168	192	228	261	-	-
	ELEVATOR	198	223	268	-	-	-
LOKAIN, OHIO	DETACHED	-	-	312	346	384	-
	SEMI-DETACHED/ROW	-	232	267	303	344	-
	WALKUP	193	218	254	289	-	-
	ELEVATOR	209	235	283	-	-	-

INSURING OFFICE CLEVELAND, OHIO		REGION V - CHICAGO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
MANSFIELD, OHIO	DETACHED	-	-	310	340	370	-
	SEMI-DETACHED/ROW	-	212	246	281	321	-
	WALKUP	175	199	235	268	-	-
	ELEVATOR	206	232	279	-	-	-
TOLEDO, OHIO	DETACHED	-	-	301	335	372	-
	SEMI-DETACHED/ROW	-	242	278	314	357	-
	WALKUP	191	217	255	289	-	-
	ELEVATOR	217	243	291	-	-	-
YOUNGSTOWN, OHIO	DETACHED	-	-	310	340	372	-
	SEMI-DETACHED/ROW	-	238	272	308	349	-
	WALKUP	168	212	249	282	-	-
	ELEVATOR	215	241	288	-	-	-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section B. Housing Assistance Payments Program

## Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date \_\_\_\_\_. These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE COLUMBUS, OHIO		REGION V - CHICAGO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
COLUMBUS	DETACHED	-	-	321	353	391	-
	SEMI-DETACHED/ROW	-	237	277	320	378	-
	WALKUP	158	227	271	315	372	-
	ELEVATOR	194	277	332	-	-	-
ATHENS	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	349	-
	ELEVATOR	194	277	332	-	-	-
LIMA	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-
CINCINNATI	DETACHED	-	-	283	323	363	-
	SEMI-DETACHED/ROW	-	229	256	289	323	-
	WALKUP	175	195	229	283	310	-
	ELEVATOR	195	229	262	-	-	-
DAYTON	DETACHED	-	-	283	323	363	-
	SEMI-DETACHED/ROW	-	229	256	316	350	-
	WALKUP	188	202	249	303	330	-
	ELEVATOR	195	229	262	-	-	-
PARLIETTA	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-

AREA OFFICE COLUMBUS, OHIO		REGION V - CHICAGO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	5 or more
MEXARK	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-
SPRINGFIELD	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-
TROY	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-
ZANESVILLE	DETACHED	-	-	315	340	378	-
	SEMI-DETACHED/ROW	-	233	273	321	365	-
	WALKUP	158	227	258	315	347	-
	ELEVATOR	194	277	332	-	-	-

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

### Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

#### AREA OFFICE MILWAUKEE, WISCONSIN REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
MILWAUKEE	DETACHED	-	-	322	378	443	-
	SEMI-DETACHED/ROW	-	263	315	367	434	-
	WALKUP	193	240	280	323	-	-
	ELEVATOR	230	273	331	-	-	-
EAU CLAIRE	DETACHED	-	-	307	360	426	-
	SEMI-DETACHED/ROW	-	246	299	351	414	-
	WALKUP	173	210	256	297	-	-
	ELEVATOR	221	262	319	-	-	-
GREEN BAY	DETACHED	-	-	290	340	400	-
	SEMI-DETACHED/ROW	-	235	281	329	386	-
	WALKUP	179	213	259	300	-	-
	ELEVATOR	207	248	303	-	-	-
MADISON	DETACHED	-	-	321	373	443	-
	SEMI-DETACHED/ROW	-	259	270	314	371	-
	WALKUP	189	225	275	317	-	-
	ELEVATOR	229	271	331	-	-	-

#### AREA OFFICE MILWAUKEE, WISCONSIN REGION V - CHICAGO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
REXSVILLE	DETACHED	-	-	309	362	426	-
	SEMI-DETACHED/ROW	-	252	301	353	415	-
	WALKUP	178	215	258	302	-	-
	ELEVATOR	213	246	301	-	-	-
SUPERIOR	DETACHED	-	-	295	349	412	-
	SEMI-DETACHED/ROW	-	240	284	339	402	-
	WALKUP	178	214	264	307	-	-
	ELEVATOR	221	261	304	-	-	-
WAUSAU	DETACHED	-	-	299	352	417	-
	SEMI-DETACHED/ROW	-	241	291	341	404	-
	WALKUP	170	203	248	289	-	-
	ELEVATOR	218	258	304	-	-	-

## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

### Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

#### AREA OFFICE NEW ORLEANS REGION VI - DALLAS

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
SHREVEPORT	DETACHED	-	-	256	303	365	-
	SEMI-DETACHED/ROW	-	194	240	289	345	-
	WALKUP	137	173	219	257	300	-
	ELEVATOR	249	290	367	-	-	-
ALEXANDRIA	DETACHED	-	-	230	272	326	-
	SEMI-DETACHED/ROW	-	174	216	256	307	-
	WALKUP	123	155	195	231	269	-
	ELEVATOR	224	261	327	-	-	-
NEW ORLEANS	DETACHED	-	-	228	270	327	-
	SEMI-DETACHED/ROW	-	174	217	259	309	-
	WALKUP	124	156	197	233	268	-
	ELEVATOR	239	276	351	-	-	-
LAKE CHARLES	DETACHED	-	-	245	293	354	-
	SEMI-DETACHED/ROW	-	188	235	279	334	-
	WALKUP	134	169	213	250	290	-
	ELEVATOR	257	299	379	-	-	-
LAFAYETTE	DETACHED	-	-	236	281	341	-
	SEMI-DETACHED/ROW	-	183	225	268	324	-
	WALKUP	129	162	205	242	280	-
	ELEVATOR	248	287	365	-	-	-
BATON ROUGE	DETACHED	-	-	204	242	293	-
	SEMI-DETACHED/ROW	-	156	196	233	278	-
	WALKUP	112	145	177	209	241	-
	ELEVATOR	210	245	310	-	-	-

#### AREA OFFICE NEW ORLEANS REGION VI - DALLAS

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
MONROE	DETACHED	-	-	211	250	301	-
	SEMI-DETACHED/ROW	-	161	199	240	286	-
	WALKUP	114	142	181	214	247	-
	ELEVATOR	214	247	315	-	-	-
BUNRAE	DETACHED	-	-	231	276	337	-
	SEMI-DETACHED/ROW	-	180	223	264	318	-
	WALKUP	127	160	199	237	279	-
	ELEVATOR	242	279	357	-	-	-
HOUMA	DETACHED	-	-	225	270	326	-
	SEMI-DETACHED/ROW	-	174	216	256	309	-
	WALKUP	123	156	196	231	269	-
	ELEVATOR	237	275	349	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: . . . . . These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

INSURING OFFICE ALBUQUERQUE		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF RENT
		0	1	2	3	4	
ALBUQUERQUE	DETACHED	-	-	263	313	378	
	SEMI-DETACHED/ROW	-	237	253	302	358	
	WALKUP	163	202	228	270	313	
	ELEVATOR	205	240	303	-	-	
ALAMOGORDO	DETACHED	-	-	276	327	394	
	SEMI-DETACHED/ROW	-	235	261	313	375	
	WALKUP	169	210	238	281	325	
	ELEVATOR	192	224	283	-	-	
ARRESTA	DETACHED	-	-	276	327	396	
	SEMI-DETACHED/ROW	-	235	264	316	376	
	WALKUP	173	211	238	285	327	
	ELEVATOR	194	229	288	-	-	
CARLSBAD	DETACHED	-	-	281	334	403	
	SEMI-DETACHED/ROW	-	241	268	320	382	
	WALKUP	171	216	244	291	333	
	ELEVATOR	194	228	289	-	-	
CLOVIS	DETACHED	-	-	276	327	396	
	SEMI-DETACHED/ROW	-	235	264	316	376	
	WALKUP	173	211	238	285	327	
	ELEVATOR	194	225	283	-	-	
FORT SUMNER	DETACHED	-	-	288	344	413	
	SEMI-DETACHED/ROW	-	247	275	327	392	
	WALKUP	177	220	248	292	340	
	ELEVATOR	202	234	296	-	-	

INSURING OFFICE ALBUQUERQUE		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF RENT
		0	1	2	3	4	
GALLUP	DETACHED	-	-	296	352	424	
	SEMI-DETACHED/ROW	-	254	283	337	403	
	WALKUP	182	226	255	303	330	
	ELEVATOR	208	241	304	-	-	
HOBBS	DETACHED	-	-	276	327	396	
	SEMI-DETACHED/ROW	-	235	264	316	376	
	WALKUP	173	211	238	285	327	
	ELEVATOR	194	225	283	-	-	
LAG CROCK	DETACHED	-	-	276	327	396	
	SEMI-DETACHED/ROW	-	235	264	316	376	
	WALKUP	173	211	238	285	327	
	ELEVATOR	194	225	283	-	-	
LAS VEGAS	DETACHED	-	-	289	342	413	
	SEMI-DETACHED/ROW	-	248	276	330	394	
	WALKUP	177	220	248	294	340	
	ELEVATOR	202	234	296	-	-	
LOS ALAMOS	DETACHED	-	-	295	349	423	
	SEMI-DETACHED/ROW	-	254	283	337	404	
	WALKUP	183	226	255	302	349	
	ELEVATOR	206	240	304	-	-	
MAYON	DETACHED	-	-	289	342	413	
	SEMI-DETACHED/ROW	-	248	276	330	394	
	WALKUP	177	220	249	294	340	
	ELEVATOR	202	234	296	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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INSURING OFFICE ALBUQUERQUE		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF RENT
		0	1	2	3	4	
DOLORES	DETACHED	-	-	274	325	392	
	SEMI-DETACHED/ROW	-	234	262	312	373	
	WALKUP	168	209	235	280	324	
	ELEVATOR	181	223	281	-	-	
HUIDOBRO	DETACHED	-	-	296	352	424	
	SEMI-DETACHED/ROW	-	254	283	337	403	
	WALKUP	181	226	255	303	351	
	ELEVATOR	206	240	304	-	-	
DULCE	DETACHED	-	-	301	358	432	
	SEMI-DETACHED/ROW	-	258	289	345	411	
	WALKUP	185	230	259	308	356	
	ELEVATOR	234	273	344	-	-	
ISLETA	DETACHED	-	-	268	319	384	
	SEMI-DETACHED/ROW	-	231	258	306	366	
	WALKUP	164	205	232	275	318	
	ELEVATOR	210	244	308	-	-	
JENSEN	DETACHED	-	-	276	328	395	
	SEMI-DETACHED/ROW	-	237	264	316	377	
	WALKUP	169	211	238	282	327	
	ELEVATOR	214	249	316	-	-	
LAGUNA	DETACHED	-	-	281	334	403	
	SEMI-DETACHED/ROW	-	241	260	321	383	
	WALKUP	173	214	242	288	333	
	ELEVATOR	219	255	323	-	-	

INSURING OFFICE ALBUQUERQUE		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF RENT
		0	1	2	3	4	
SANTA FE	DETACHED	-	-	285	342	413	
	SEMI-DETACHED/ROW	-	248	276	330	394	
	WALKUP	177	220	249	294	340	
	ELEVATOR	202	234	296	-	-	
SILVER CITY	DETACHED	-	-	292	348	420	
	SEMI-DETACHED/ROW	-	252	280	334	399	
	WALKUP	180	224	253	298	347	
	ELEVATOR	205	239	302	-	-	
TRUTH OR CONSEQUENCES	DETACHED	-	-	274	325	392	
	SEMI-DETACHED/ROW	-	234	262	312	373	
	WALKUP	168	209	235	280	324	
	ELEVATOR	191	223	281	-	-	
FARMINGTON	DETACHED	-	-	296	352	424	
	SEMI-DETACHED/ROW	-	254	283	337	403	
	WALKUP	181	226	255	303	351	
	ELEVATOR	208	241	304	-	-	
TERRA AMARILLO	DETACHED	-	-	296	352	424	
	SEMI-DETACHED/ROW	-	254	283	337	403	
	WALKUP	181	226	255	303	351	
	ELEVATOR	206	240	304	-	-	
TAOS	DETACHED	-	-	298	353	427	
	SEMI-DETACHED/ROW	-	256	287	340	408	
	WALKUP	184	228	258	305	353	
	ELEVATOR	209	242	306	-	-	

# PROPOSED RULES

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U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 - Housing Assistance Payments Program

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INSURING OFFICE		REGION VI - DALLAS				
ALBUQUERQUE						
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
RESOLINO	DETACHED	-	-	289	344	413
	SEMI-DETACHED/ROW	-	248	276	330	394
	WALKUP	177	221	249	295	341
PENARCO	DETACHED	-	-	294	349	420
	SEMI-DETACHED/ROW	-	252	281	335	401
	WALKUP	180	224	253	299	348
POYOMQUE	DETACHED	-	-	288	344	413
	SEMI-DETACHED/ROW	-	248	276	330	394
	WALKUP	177	221	249	295	341
	ELEVATOR	225	261	331	-	-

AREA OFFICE		REGION VI - DALLAS				
LITTLE ROCK						
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
FAIRVIEWVILLE	DETACHED	-	-	246	291	353
	SEMI-DETACHED/ROW	-	190	234	279	336
	WALKUP	143	166	209	247	287
LITTLE ROCK	DETACHED	-	-	254	300	361
	SEMI-DETACHED/ROW	-	195	241	286	344
	WALKUP	154	170	215	254	295
TEXARKANA (ARK. & TEXAS)	DETACHED	-	-	250	296	358
	SEMI-DETACHED/ROW	-	193	238	282	341
	WALKUP	146	169	215	254	296
FORT SMITH	DETACHED	-	-	241	284	344
	SEMI-DETACHED/ROW	-	188	234	276	334
	WALKUP	139	162	205	242	280
JONESBORO	DETACHED	-	-	258	305	366
	SEMI-DETACHED/ROW	-	202	250	295	354
	WALKUP	148	171	210	250	298
	ELEVATOR	224	261	330	-	-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 - Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

AREA OFFICE		REGION VI - DALLAS				
OKLAHOMA CITY						
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
OKLAHOMA CITY	DETACHED	-	-	330	331	382
	SEMI-DETACHED/ROW	170	197	219	316	363
	WALKUP	145	165	198	284	317
ADA	DETACHED	-	-	246	324	370
	SEMI-DETACHED/ROW	168	189	216	308	352
	WALKUP	142	166	191	277	308
ANDERSON	DETACHED	-	-	233	264	310
	SEMI-DETACHED/ROW	172	200	222	251	295
	WALKUP	147	176	201	226	257
ENID	DETACHED	-	-	281	341	390
	SEMI-DETACHED/ROW	183	209	267	325	370
	WALKUP	155	185	242	293	325
GUTHRIE	DETACHED	-	-	238	302	351
	SEMI-DETACHED/ROW	151	180	228	287	335
	WALKUP	128	159	205	258	291
LAWTON	DETACHED	-	-	227	287	333
	SEMI-DETACHED/ROW	155	182	217	273	317
	WALKUP	131	160	197	246	276
	ELEVATOR	216	243	300	-	-

AREA OFFICE		REGION VI - DALLAS				
OKLAHOMA CITY						
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
SHARRETT	DETACHED	-	-	219	255	302
	SEMI-DETACHED/ROW	156	184	208	244	287
	WALKUP	134	163	188	219	250
STILLWATER	DETACHED	-	-	245	303	350
	SEMI-DETACHED/ROW	177	203	233	290	333
	WALKUP	151	180	210	260	291
WOODWARD	DETACHED	-	-	242	302	352
	SEMI-DETACHED/ROW	133	163	230	289	335
	WALKUP	113	143	208	260	293
	ELEVATOR	190	221	326	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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INSURING OFFICE		TULSA		REGION VI - DALLAS			
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					OF ROWS
		0	1	2	3	4	
TULSA	DETACHED	-	-	200	264	308	
	SEMI-DETACHED/ROW	-	131	191	252	293	
	WALKUP	91	116	172	226	255	
	ELEVATOR	147	176	262	-	-	
BARTLESVILLE	DETACHED	-	-	223	277	321	
	SEMI-DETACHED/ROW	-	164	213	264	306	
	WALKUP	120	145	192	238	266	
	ELEVATOR	194	220	292	-	-	
MC ALISTER	DETACHED	-	-	151	206	248	
	SEMI-DETACHED/ROW	-	123	144	196	236	
	WALKUP	76	105	130	176	206	
	ELEVATOR	110	141	196	-	-	
MUSKOGEE	DETACHED	-	-	182	237	324	
	SEMI-DETACHED/ROW	-	139	174	226	308	
	WALKUP	93	122	156	203	232	
	ELEVATOR	118	154	238	-	-	

AREA OFFICE		DALLAS		REGION		VI - DALLAS	
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					PT. BOPS.
		0	1	2	3	4	
DALLAS	DETACHED	-	192	250	298	351	
	SEMI-DETACHED/ROW	132	172	225	267	321	
	WALKUP	124	154	203	252	279	
	ELEVATOR	238	304	363	-	-	
SHERMAN	DETACHED	-	194	242	288	347	
	SEMI-DETACHED/ROW	144	172	214	254	306	
	WALKUP	123	147	193	229	267	
	ELEVATOR	247	278	353	-	-	
TYLER	DETACHED	-	192	242	288	347	
	SEMI-DETACHED/ROW	-	169	214	254	306	
	WALKUP	120	150	193	243	266	
	ELEVATOR	234	274	351	-	-	
WACO	DETACHED	-	200	247	295	356	
	SEMI-DETACHED/ROW	146	176	218	261	314	
	WALKUP	125	151	198	235	274	
	ELEVATOR	252	285	361	-	-	
MARSHALL	DETACHED	-	183	229	274	330	
	SEMI-DETACHED/ROW	-	161	203	242	290	
	WALKUP	114	142	183	231	252	
	ELEVATOR	223	260	333	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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INSURING OFFICE		FORT WORTH		REGION VI - DALLAS			
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
FORT WORTH	DETACHED	-	-	216	294	342	
	SEMI-DETACHED/ROW	145	165	206	280	325	
	WALKUP	125	147	187	253	285	
	ELEVATOR	231	254	324	-	-	
ARLINGTON	DETACHED	-	-	227	289	333	
	SEMI-DETACHED/ROW	138	168	216	274	318	
	WALKUP	118	151	197	247	277	
	ELEVATOR	220	259	314	-	-	
SAN ANGELO	DETACHED	-	-	194	263	299	
	SEMI-DETACHED/ROW	124	148	184	250	285	
	WALKUP	103	132	168	226	249	
	ELEVATOR	162	227	290	-	-	
WICHITA FALLS	DETACHED	-	-	240	291	344	
	SEMI-DETACHED/ROW	146	182	228	277	329	
	WALKUP	126	162	207	250	287	
	ELEVATOR	234	280	359	-	-	

INSURING OFFICE		HOUSTON		REGION VI - DALLAS			
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
HOUSTON	DETACHED	-	-	250	285	345	
	SEMI-DETACHED/ROW	-	187	228	271	328	
	WALKUP	130	165	208	244	285	
	ELEVATOR	247	286	367	-	-	
BEAUMONT	DETACHED	-	-	251	296	359	
	SEMI-DETACHED/ROW	-	193	238	284	341	
	WALKUP	137	171	216	255	296	
	ELEVATOR	258	299	379	-	-	
BRYAN	DETACHED	-	-	263	314	378	
	SEMI-DETACHED/ROW	-	184	229	272	326	
	WALKUP	130	164	207	246	283	
	ELEVATOR	246	286	361	-	-	
EL PASO	DETACHED	-	-	270	320	386	
	SEMI-DETACHED/ROW	-	192	236	280	335	
	WALKUP	134	168	212	253	291	
	ELEVATOR	253	293	372	-	-	
LUFKIN	DETACHED	-	-	232	278	335	
	SEMI-DETACHED/ROW	-	182	222	264	318	
	WALKUP	127	160	202	238	277	
	ELEVATOR	240	278	353	-	-	
TEXAS CITY	DETACHED	-	-	246	293	355	
	SEMI-DETACHED/ROW	-	193	235	280	337	
	WALKUP	135	169	214	253	293	
	ELEVATOR	254	295	374	-	-	

# PROPOSED RULES

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INSURING OFFICE LUBBOCK		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LUBBOCK	DETACHED	-	-	247	308	371	-
	SEMI-DETACHED/ROW	-	178	222	277	335	-
	WALKUP	127	159	201	250	291	-
	ELEVATOR	183	213	269	-	-	-
AMARILLO	DETACHED	-	-	247	308	371	-
	SEMI-DETACHED/ROW	-	178	222	277	335	-
	WALKUP	127	159	201	250	291	-
	ELEVATOR	183	213	269	-	-	-
EL PASO	DETACHED	-	-	247	308	371	-
	SEMI-DETACHED/ROW	-	178	222	277	335	-
	WALKUP	127	159	201	250	291	-
	ELEVATOR	183	213	269	-	-	-
MIDLAND	DETACHED	-	-	247	308	371	-
	SEMI-DETACHED/ROW	-	178	222	277	335	-
	WALKUP	127	159	201	250	291	-
	ELEVATOR	183	213	269	-	-	-
ODessa	DETACHED	-	-	247	308	371	-
	SEMI-DETACHED/ROW	-	178	222	277	335	-
	WALKUP	127	159	201	250	291	-
	ELEVATOR	183	213	269	-	-	-

AREA OFFICE SAN ANTONIO		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SAN ANTONIO	DETACHED	-	-	229	301	340	-
	SEMI-DETACHED/ROW	-	176	217	287	324	-
	WALKUP	138	166	209	274	300	-
	ELEVATOR	244	272	347	-	-	-
AUSTIN	DETACHED	-	-	233	286	322	-
	SEMI-DETACHED/ROW	-	177	221	272	307	-
	WALKUP	142	165	210	257	281	-
	ELEVATOR	243	259	334	-	-	-
CORPUS CHRISTI	DETACHED	-	-	221	278	313	-
	SEMI-DETACHED/ROW	-	170	210	263	299	-
	WALKUP	139	159	202	249	273	-
	ELEVATOR	235	249	319	-	-	-
EAGLE PASS	DETACHED	-	-	241	319	358	-
	SEMI-DETACHED/ROW	-	186	229	304	339	-
	WALKUP	149	165	207	273	298	-
	ELEVATOR	237	272	347	-	-	-
HARLINGEN	DETACHED	-	-	268	348	394	-
	SEMI-DETACHED/ROW	-	181	237	316	358	-
	WALKUP	119	164	204	271	297	-
	ELEVATOR	215	253	342	-	-	-
JUNCTION	DETACHED	-	-	240	318	357	-
	SEMI-DETACHED/ROW	-	186	229	303	339	-
	WALKUP	149	165	207	273	298	-
	ELEVATOR	237	273	345	-	-	-

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AREA OFFICE SAN ANTONIO		REGION VI - DALLAS					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LAREDO	DETACHED	-	-	241	320	357	-
	SEMI-DETACHED/ROW	-	186	229	305	339	-
	WALKUP	149	165	207	273	296	-
	ELEVATOR	237	274	347	-	-	-
VICTORIA	DETACHED	-	-	230	309	349	-
	SEMI-DETACHED/ROW	-	174	218	294	333	-
	WALKUP	133	154	197	265	290	-
	ELEVATOR	238	256	329	-	-	-
DEL RIO	DETACHED	-	-	241	320	357	-
	SEMI-DETACHED/ROW	-	186	229	305	339	-
	WALKUP	149	165	207	273	296	-
	ELEVATOR	237	274	347	-	-	-

AREA OFFICE ST. LOUIS, MO.		REGION VII - KANSAS CITY, MO.					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ST. LOUIS	DETACHED	-	-	328	392	436	-
	SEMI-DETACHED/ROW	-	252	312	373	447	-
	WALKUP	182	229	289	342	398	-
	ELEVATOR	229	259	332	-	-	-
CAFE GIRARDEAU	DETACHED	-	-	241	294	355	-
	SEMI-DETACHED/ROW	-	193	239	285	341	-
	WALKUP	145	160	227	270	314	-
	ELEVATOR	208	242	305	-	-	-
COLUMBIA	DETACHED	-	-	278	332	400	-
	SEMI-DETACHED/ROW	-	215	267	319	382	-
	WALKUP	165	205	259	307	357	-
	ELEVATOR	224	260	330	-	-	-
KIRKSVILLE	DETACHED	-	-	296	340	409	-
	SEMI-DETACHED/ROW	-	205	253	302	362	-
	WALKUP	154	193	243	288	334	-
	ELEVATOR	215	250	316	-	-	-
ROLLA	DETACHED	-	-	242	288	347	-
	SEMI-DETACHED/ROW	-	194	240	285	343	-
	WALKUP	143	178	225	267	311	-
	ELEVATOR	204	236	298	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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INSURING OFFICE		REGION VII - KANSAS CITY				
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
DES MOINES	DETACHED	-	-	318	379	456
	SEMI-DETACHED/ROW	-	248	304	362	435
	WALKUP	183	230	288	343	397
	ELEVATOR	244	293	370	-	-
SEITENDORF	DETACHED	-	-	311	371	431
	SEMI-DETACHED/ROW	-	242	292	340	416
	WALKUP	187	224	284	335	388
	ELEVATOR	249	299	380	-	-
CEDAR RAPIDS	DETACHED	-	-	302	359	431
	SEMI-DETACHED/ROW	-	229	287	342	410
	WALKUP	171	212	274	337	390
	ELEVATOR	251	300	381	-	-
COUNCIL BLUFFS	DETACHED	-	-	311	359	432
	SEMI-DETACHED/ROW	-	232	287	343	412
	WALKUP	173	216	274	328	376
	ELEVATOR	229	276	348	-	-
DAVENPORT	DETACHED	-	-	311	371	431
	SEMI-DETACHED/ROW	-	242	292	340	416
	WALKUP	187	224	284	335	388
	ELEVATOR	249	299	380	-	-
DOBUQUE	DETACHED	-	-	317	377	440
	SEMI-DETACHED/ROW	-	247	310	360	423
	WALKUP	183	228	289	356	411
	ELEVATOR	248	298	377	-	-

INSURING OFFICE		REGION VII - KANSAS CITY				
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
MASON CITY	DETACHED	-	-	315	370	438
	SEMI-DETACHED/ROW	-	247	303	353	424
	WALKUP	180	223	283	345	402
	ELEVATOR	248	298	378	-	-
SIOUX CITY	DETACHED	-	-	296	351	422
	SEMI-DETACHED/ROW	-	237	282	335	402
	WALKUP	176	220	270	332	383
	ELEVATOR	253	304	385	-	-
WATERLOO	DETACHED	-	-	294	363	425
	SEMI-DETACHED/ROW	-	233	288	351	440
	WALKUP	160	194	242	310	346
	ELEVATOR	248	298	377	-	-

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AREA OFFICE		REGION VII - KANSAS CITY, MO.				
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
KANSAS CITY	DETACHED	-	-	270	330	380
	SEMI-DETACHED/ROW	-	232	284	332	387
	WALKUP	170	216	258	300	324
	ELEVATOR	192	228	304	-	-
JOPLIN, MO.	DETACHED	-	-	264	300	324
	SEMI-DETACHED/ROW	-	198	240	282	306
	WALKUP	167	179	221	260	289
	ELEVATOR	180	234	306	-	-
ST. JOSEPH, MO.	DETACHED	-	-	270	312	348
	SEMI-DETACHED/ROW	-	216	252	300	330
	WALKUP	170	198	240	288	318
	ELEVATOR	181	247	300	-	-
SEDALIA, MO.	DETACHED	-	-	264	306	336
	SEMI-DETACHED/ROW	-	204	246	282	318
	WALKUP	152	180	222	270	286
	ELEVATOR	169	247	300	-	-
SPRINGFIELD, MO.	DETACHED	-	-	264	306	336
	SEMI-DETACHED/ROW	-	204	246	282	318
	WALKUP	138	180	216	270	294
	ELEVATOR	168	239	256	-	-

INSURING OFFICE		REGION VII - KANSAS CITY, MO.				
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
TOPEKA	DETACHED	-	-	330	380	452
	SEMI-DETACHED/ROW	-	268	306	366	396
	WALKUP	122	208	286	335	372
	ELEVATOR	196	267	327	-	-
GARDEN CITY	DETACHED	-	-	318	362	378
	SEMI-DETACHED/ROW	-	228	288	348	365
	WALKUP	185	208	284	311	331
	ELEVATOR	196	267	327	-	-
PITTSBURG	DETACHED	-	-	290	334	363
	SEMI-DETACHED/ROW	-	233	276	327	362
	WALKUP	166	215	286	322	343
	ELEVATOR	190	258	320	-	-
SALINA	DETACHED	-	-	298	336	385
	SEMI-DETACHED/ROW	-	240	290	327	350
	WALKUP	126	210	285	324	347
	ELEVATOR	196	267	327	-	-
WICHITA	DETACHED	-	-	326	361	386
	SEMI-DETACHED/ROW	-	227	289	338	375
	WALKUP	167	206	285	332	359
	ELEVATOR	196	267	327	-	-

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AREA OFFICE OMAHA, NEB.

REGION VII - KANSAS CITY, MO.

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
OMAHA	DETACHED	-	-	243	292	319	
	SEMI-DETACHED/ROW	-	178	236	286	314	
	WALKUP	135	162	205	259	292	
	ELEVATOR	178	198	243	-	-	
GRAND ISLAND	DETACHED	-	-	244	291	332	
	SEMI-DETACHED/ROW	-	176	233	279	320	
	WALKUP	129	168	214	269	284	
	ELEVATOR	199	220	270	-	-	
LINCOLN	DETACHED	-	-	276	329	347	
	SEMI-DETACHED/ROW	-	182	247	300	329	
	WALKUP	141	176	223	282	311	
	ELEVATOR	182	264	289	-	-	
NORFOLK	DETACHED	-	-	257	308	337	
	SEMI-DETACHED/ROW	-	191	252	307	325	
	WALKUP	131	148	185	234	265	
	ELEVATOR	189	210	259	-	-	

AREA OFFICE OMAHA, NEB.

REGION VII - KANSAS CITY, MO.

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
NORTH PLATTE	DETACHED	-	-	271	323	340	
	SEMI-DETACHED/ROW	-	190	253	288	317	
	WALKUP	150	181	242	269	296	
	ELEVATOR	191	212	262	-	-	
O'NEILL	DETACHED	-	-	271	323	340	
	SEMI-DETACHED/ROW	-	190	253	288	317	
	WALKUP	150	181	210	269	296	
	ELEVATOR	191	212	262	-	-	
SCOTT'S BLUFF	DETACHED	-	-	265	320	337	
	SEMI-DETACHED/ROW	-	188	240	285	308	
	WALKUP	126	171	217	274	302	
	ELEVATOR	192	211	260	-	-	

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INSURING OFFICE DENVER, CO. 80202

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
DENVER	DETACHED	-	-	252	318	370	
	SEMI-DETACHED/ROW	168	191	232	288	347	
	WALKUP	162	184	229	283	329	
	ELEVATOR	162	191	246	289	-	
COLORADO SPRINGS	DETACHED	-	-	226	268	300	
	SEMI-DETACHED/ROW	145	161	182	219	246	
	WALKUP	139	155	181	214	241	
	ELEVATOR	165	161	187	219	-	
DURANGO	DETACHED	-	-	228	274	291	
	SEMI-DETACHED/ROW	154	171	200	240	257	
	WALKUP	143	161	196	228	245	
	ELEVATOR	148	165	200	240	-	
GRAND JUNCTION	DETACHED	-	-	255	319	371	
	SEMI-DETACHED/ROW	168	186	232	278	296	
	WALKUP	163	183	226	273	290	
	ELEVATOR	168	186	232	278	-	
GREELEY	DETACHED	-	-	237	289	306	
	SEMI-DETACHED/ROW	156	173	196	248	272	
	WALKUP	150	164	193	245	260	
	ELEVATOR	156	168	196	248	-	
FUEBLO	DETACHED	-	-	212	260	277	
	SEMI-DETACHED/ROW	158	175	203	232	249	
	WALKUP	153	169	200	226	243	
	ELEVATOR	158	170	203	232	-	

INSURING OFFICE HELENA, MONTANA

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	OF MORE
HELENA	DETACHED	-	-	288	333	365	
	SEMI-DETACHED/ROW	-	218	282	326	358	
	WALKUP	166	211	275	320	352	
	ELEVATOR	179	224	288	-	-	
JACONDA	DETACHED	-	-	256	309	339	
	SEMI-DETACHED/ROW	-	214	250	304	333	
	WALKUP	179	208	244	298	327	
	ELEVATOR	190	226	262	-	-	
BILLINGS	DETACHED	-	-	254	310	340	
	SEMI-DETACHED/ROW	-	200	248	304	334	
	WALKUP	157	194	242	298	328	
	ELEVATOR	169	206	254	-	-	
BOZEMAN	DETACHED	-	-	287	336	366	
	SEMI-DETACHED/ROW	-	244	281	329	360	
	WALKUP	195	238	275	323	354	
	ELEVATOR	207	244	281	-	-	
BUTTE	DETACHED	-	-	256	309	339	
	SEMI-DETACHED/ROW	-	214	250	304	333	
	WALKUP	179	208	244	298	327	
	ELEVATOR	190	226	262	-	-	
BILLON	DETACHED	-	-	232	280	309	
	SEMI-DETACHED/ROW	-	161	226	274	304	
	WALKUP	119	155	220	268	298	
	ELEVATOR	-	-	-	-	-	

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)  
Effective Date \_\_\_\_\_ These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

INSURING OFFICE: HELENA, MONTANA

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
GRAND CAY	DETACHED	-	-	238	287	317	
	SEMI-DETACHED/ROW	-	165	232	281	311	
	WALKUP	122	159	226	275	305	
	ELEVATOR	-	-	-	-	-	
GLENDALE	DETACHED	-	-	226	287	317	
	SEMI-DETACHED/ROW	-	165	220	281	311	
	WALKUP	134	159	214	275	305	
	ELEVATOR	-	-	-	-	-	
GREAT FALLS	DETACHED	-	-	248	309	339	
	SEMI-DETACHED/ROW	-	188	262	303	333	
	WALKUP	145	182	224	297	327	
	ELEVATOR	176	194	236	-	-	
HAYES	DETACHED	-	-	228	275	304	
	SEMI-DETACHED/ROW	-	158	222	269	298	
	WALKUP	117	152	217	263	293	
	ELEVATOR	140	187	234	-	-	
KALISPELL	DETACHED	-	-	273	330	362	
	SEMI-DETACHED/ROW	-	197	267	324	356	
	WALKUP	159	191	260	318	349	
	ELEVATOR	178	203	273	-	-	
LAUREL	DETACHED	-	-	254	310	340	
	SEMI-DETACHED/ROW	-	200	248	304	334	
	WALKUP	157	194	242	298	328	
	ELEVATOR	-	-	-	-	-	

INSURING OFFICE: HELENA, MONTANA

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LIBBY	DETACHED	-	-	235	292	337	
	SEMI-DETACHED/ROW	-	165	229	286	318	
	WALKUP	117	159	222	280	311	
	ELEVATOR	-	-	-	-	-	
MILES CITY	DETACHED	-	-	226	287	317	
	SEMI-DETACHED/ROW	-	165	220	281	311	
	WALKUP	134	159	214	275	305	
	ELEVATOR	167	171	238	-	-	
MISSOULA	DETACHED	-	-	248	309	339	
	SEMI-DETACHED/ROW	-	194	262	303	333	
	WALKUP	157	188	236	297	327	
	ELEVATOR	169	200	248	-	-	
SUPERIOR	DETACHED	-	-	220	274	304	
	SEMI-DETACHED/ROW	-	155	214	268	298	
	WALKUP	119	149	208	262	292	
	ELEVATOR	-	-	-	-	-	
BROWNING	DETACHED	-	-	232	281	311	
	SEMI-DETACHED/ROW	-	189	226	275	305	
	WALKUP	146	183	220	268	299	
	ELEVATOR	-	-	-	-	-	
HARLEN	DETACHED	-	-	232	281	311	
	SEMI-DETACHED/ROW	-	189	226	275	305	
	WALKUP	146	183	220	268	299	
	ELEVATOR	-	-	-	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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INSURING OFFICE: HELENA, MONTANA

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
WOLF POINT	DETACHED	-	-	232	281	311	
	SEMI-DETACHED/ROW	-	189	226	275	305	
	WALKUP	146	183	220	268	299	
	ELEVATOR	-	-	-	-	-	
LODGE GRASS	DETACHED	-	-	232	281	311	
	SEMI-DETACHED/ROW	-	189	226	275	305	
	WALKUP	146	183	220	268	299	
	ELEVATOR	-	-	-	-	-	

INSURING OFFICE: SALT LAKE CITY

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SALT LAKE CITY	DETACHED	-	-	259	285	324	
	SEMI-DETACHED/ROW	-	224	238	246	275	
	WALKUP	129	161	194	200	224	
	ELEVATOR	175	227	259	-	-	
PROVO	DETACHED	-	-	227	259	298	
	SEMI-DETACHED/ROW	-	181	200	227	259	
	WALKUP	143	175	194	220	253	
	ELEVATOR	-	-	-	-	-	
VERNAL	DETACHED	-	-	270	317	356	
	SEMI-DETACHED/ROW	-	220	263	311	350	
	WALKUP	136	178	214	254	286	
	ELEVATOR	-	-	-	-	-	

INSURING OFFICE: FARGO, NORTH DAKOTA

REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
FARGO	DETACHED	-	-	214	262	299	366
	SEMI-DETACHED/ROW	-	201	232	281	336	
	WALKUP	165	198	220	268	317	
	ELEVATOR	189	229	266	-	-	
BISMARCK	DETACHED	-	-	214	256	305	354
	SEMI-DETACHED/ROW	-	201	244	293	336	
	WALKUP	146	199	234	289	323	
	ELEVATOR	177	219	260	-	-	
DICKINSON	DETACHED	-	-	201	244	293	336
	SEMI-DETACHED/ROW	-	195	226	275	305	
	WALKUP	153	192	216	256	293	
	ELEVATOR	183	213	248	-	-	
GRAND FORKS	DETACHED	-	-	226	268	317	366
	SEMI-DETACHED/ROW	-	214	262	305	354	
	WALKUP	165	207	244	293	329	
	ELEVATOR	189	229	271	-	-	
MINOT	DETACHED	-	-	207	238	305	348
	SEMI-DETACHED/ROW	-	189	220	293	329	
	WALKUP	146	183	220	275	311	
	ELEVATOR	177	213	252	-	-	

# PROPOSED RULES

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## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

### Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: . These Fair Market Rents include projection for construction time through Dec. 31, 1976.

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#### INSURING OFFICE SIOUX FALLS, SOUTH DAKOTA REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SIOUX FALLS	DETACHED	-	-	293	312	338	
	SEMI-DETACHED/ROW	-	247	273	299	325	
	WALKUP	208	234	260	286	312	
	ELEVATOR	215	241	267	293	-	
ABERDEEN	DETACHED	-	-	286	312	338	
	SEMI-DETACHED/ROW	-	247	273	299	325	
	WALKUP	208	234	260	286	312	
	ELEVATOR	-	-	-	-	-	
BLACK HILLS	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	254	280	306	338	
	WALKUP	211	239	268	296	325	
	ELEVATOR	217	246	274	303	-	
MIDDELL	DETACHED	-	-	286	306	325	
	SEMI-DETACHED/ROW	-	243	273	295	312	
	WALKUP	204	230	256	282	299	
	ELEVATOR	-	-	-	-	-	
PIERRE	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	250	280	306	338	
	WALKUP	208	237	265	294	322	
	ELEVATOR	-	-	-	-	-	
RAPID CITY	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	254	280	306	338	
	WALKUP	211	237	268	297	325	
	ELEVATOR	217	246	274	303	-	

#### INSURING OFFICE SIOUX FALLS, SOUTH DAKOTA REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
PINE RIDGE	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	254	280	306	338	
	WALKUP	211	237	268	297	325	
	ELEVATOR	217	246	274	303	-	
WIMMER	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	250	280	306	338	
	WALKUP	208	237	265	294	322	
	ELEVATOR	-	-	-	-	-	
STEPHAN	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	250	280	306	338	
	WALKUP	208	237	265	294	322	
	ELEVATOR	-	-	-	-	-	
ISABEL	DETACHED	-	-	293	319	351	
	SEMI-DETACHED/ROW	-	250	280	306	338	
	WALKUP	208	237	265	294	322	
	ELEVATOR	-	-	-	-	-	

## U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Section 8 Housing Assistance Payments Program

### Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

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#### INSURING OFFICE CASPER, WYOMING REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
CASPER	DETACHED	-	-	282	334	368	
	SEMI-DETACHED/ROW	-	190	224	263	288	
	WALKUP	155	178	219	253	276	
	ELEVATOR	178	201	242	-	-	
CHEYENNE	DETACHED	-	-	270	321	357	
	SEMI-DETACHED/ROW	-	201	247	270	293	
	WALKUP	173	196	242	263	288	
	ELEVATOR	196	219	265	-	-	
LUDY	DETACHED	-	-	270	328	351	
	SEMI-DETACHED/ROW	-	178	224	263	288	
	WALKUP	150	173	219	259	282	
	ELEVATOR	173	196	242	-	-	
GILLETTE	DETACHED	-	-	288	328	368	
	SEMI-DETACHED/ROW	-	201	253	293	316	
	WALKUP	167	173	247	288	311	
	ELEVATOR	201	219	270	-	-	
JACKSON	DETACHED	-	-	299	357	391	
	SEMI-DETACHED/ROW	-	201	247	276	305	
	WALKUP	173	196	242	270	299	
	ELEVATOR	196	219	264	-	-	
LARAMIE	DETACHED	-	-	282	328	362	
	SEMI-DETACHED/ROW	-	196	230	276	299	
	WALKUP	167	190	224	270	293	
	ELEVATOR	190	213	247	-	-	

#### INSURING OFFICE CASPER, WYOMING REGION VIII - DENVER

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
FOWELL	DETACHED	-	-	270	328	351	
	SEMI-DETACHED/ROW	-	178	224	263	288	
	WALKUP	150	173	219	259	282	
	ELEVATOR	173	196	242	-	-	
XIVERTON	DETACHED	-	-	270	322	351	
	SEMI-DETACHED/ROW	-	178	224	263	288	
	WALKUP	150	173	219	259	282	
	ELEVATOR	173	196	242	-	-	
ROCK SPRINGS	DETACHED	-	-	288	345	380	
	SEMI-DETACHED/ROW	-	190	247	288	316	
	WALKUP	155	180	247	288	316	
	ELEVATOR	178	213	270	-	-	

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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INSURING OFFICE PHOENIX		REGION IX SAN FRANCISCO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
PHOENIX	DETACHED	-	-	234	274	329	
	SEMI-DETACHED/ROW	-	214	239	295	337	
	WALKUP	176	191	237	276	305	
	ELEVATOR	-	-	-	-	-	
CASA GRANDE	DETACHED	-	-	-	-	-	
	SEMI-DETACHED/ROW	-	169	204	244	388	
	WALKUP	-	-	-	-	-	
	ELEVATOR	-	-	-	-	-	
FLAGSTAFF	DETACHED	-	-	-	-	-	
	SEMI-DETACHED/ROW	-	205	232	284	323	
	WALKUP	-	193	217	261	292	
	ELEVATOR	-	-	-	-	-	
TUCSON	DETACHED	-	-	238	273	330	
	SEMI-DETACHED/ROW	-	-	-	-	-	
	WALKUP	-	198	232	269	300	
	ELEVATOR	-	-	-	-	-	
YUMA	DETACHED	-	-	223	265	307	
	SEMI-DETACHED/ROW	-	-	219	257	294	
	WALKUP	-	-	-	-	-	
	ELEVATOR	-	-	-	-	-	

AREA OFFICE LOS ANGELES		REGION IX SAN FRANCISCO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
LOS ANGELES	DETACHED	-	-	402	483	522	
	SEMI-DETACHED/ROW	-	301	376	451	488	
	WALKUP	169	225	281	338	365	
	ELEVATOR	260	342	410	-	-	
BAKERSFIELD	DETACHED	-	-	321	402	442	
	SEMI-DETACHED/ROW	-	-	301	376	413	
	WALKUP	-	205	273	342	376	
	ELEVATOR	-	-	-	-	-	
LANCASTER	DETACHED	-	-	361	442	483	
	SEMI-DETACHED/ROW	-	263	338	413	451	
	WALKUP	-	239	308	376	410	
	ELEVATOR	-	-	-	-	-	
OXNARD	DETACHED	-	-	361	442	483	
	SEMI-DETACHED/ROW	-	263	338	413	451	
	WALKUP	141	197	253	310	338	
	ELEVATOR	-	-	-	-	-	
SAN BERNARDINO	DETACHED	-	-	276	330	395	
	SEMI-DETACHED/ROW	-	202	258	309	369	
	WALKUP	167	198	246	293	338	
	ELEVATOR	327	358	450	-	-	
SANTA BARBARA	DETACHED	-	-	361	402	442	
	SEMI-DETACHED/ROW	-	263	338	376	413	
	WALKUP	-	239	308	376	410	
	ELEVATOR	-	-	-	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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AREA OFFICE LOS ANGELES		REGION IX SAN FRANCISCO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
Santa MARIA	DETACHED	-	-	288	321	361	
	SEMI-DETACHED/ROW	-	187	263	301	338	
	WALKUP	-	171	239	273	308	
	ELEVATOR	-	-	-	-	-	
VENTURA	DETACHED	-	-	361	442	483	
	SEMI-DETACHED/ROW	-	263	338	413	451	
	WALKUP	141	197	253	310	338	
	ELEVATOR	-	-	-	-	-	
SANTA ANA	DETACHED	-	-	309	366	443	
	SEMI-DETACHED/ROW	-	249	290	343	413	
	WALKUP	180	226	267	316	365	
	ELEVATOR	293	340	406	-	-	
SAN DIEGO	DETACHED	-	-	297	338	410	
	SEMI-DETACHED/ROW	-	226	262	311	343	
	WALKUP	200	207	234	305	331	
	ELEVATOR	209	258	297	-	-	
EL CASON	DETACHED	-	-	263	329	363	
	SEMI-DETACHED/ROW	-	199	249	294	323	
	WALKUP	181	194	229	275	303	
	ELEVATOR	209	220	252	-	-	

INSURING OFFICE SACRAMENTO		REGION IX SAN FRANCISCO					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SACRAMENTO	DETACHED	-	-	273	323	354	
	SEMI-DETACHED/ROW	-	230	261	311	342	
	WALKUP	180	217	248	298	329	
	ELEVATOR	255	292	323	-	-	
CHICO	DETACHED	-	-	261	311	342	
	SEMI-DETACHED/ROW	-	217	248	298	329	
	WALKUP	168	205	236	286	317	
	ELEVATOR	-	-	-	-	-	
DAVIS	DETACHED	-	-	273	323	354	
	SEMI-DETACHED/ROW	-	230	261	311	342	
	WALKUP	180	217	248	298	329	
	ELEVATOR	-	-	-	-	-	
PLACERVILLE	DETACHED	-	-	261	311	342	
	SEMI-DETACHED/ROW	-	217	248	298	329	
	WALKUP	168	205	236	286	317	
	ELEVATOR	-	-	-	-	-	
REDDING	DETACHED	-	-	261	311	342	
	SEMI-DETACHED/ROW	-	217	248	298	329	
	WALKUP	168	205	236	286	317	
	ELEVATOR	-	-	-	-	-	
STOCKTON	DETACHED	-	-	273	323	354	
	SEMI-DETACHED/ROW	-	230	261	311	342	
	WALKUP	180	217	248	298	329	
	ELEVATOR	255	292	323	-	-	

# PROPOSED RULES

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U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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INSURING OFFICE SACRAMENTO

REGION IX SAN FRANCISCO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
YREKA	DETACHED	-	-	261	311	342	-
	SEMI-DETACHED/ROW	-	217	248	298	329	-
	WALKUP	168	205	236	286	317	-
	ELEVATOR	-	-	-	-	-	-

INSURING OFFICE RENO, NEVADA

REGION IX SAN FRANCISCO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
RENO	DETACHED	-	-	373	419	459	-
	SEMI-DETACHED/ROW	-	293	346	392	439	-
	WALKUP	200	240	319	386	412	-
	ELEVATOR	259	319	379	-	-	-
LAS VEGAS	DETACHED	-	-	333	439	459	-
	SEMI-DETACHED/ROW	-	273	299	419	452	-
	WALKUP	220	266	293	333	386	-
	ELEVATOR	-	-	-	-	-	-

AREA OFFICE SAN FRANCISCO

REGION IX SAN FRANCISCO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SAN FRANCISCO	DETACHED	-	-	446	536	595	-
	SEMI-DETACHED/ROW	-	274	351	452	482	-
	WALKUP	244	268	309	369	446	-
	ELEVATOR	280	345	387	-	-	-
FRESNO	DETACHED	-	-	247	285	318	-
	SEMI-DETACHED/ROW	-	197	230	279	307	-
	WALKUP	176	192	230	279	301	-
	ELEVATOR	219	269	301	-	-	-
MODESTO	DETACHED	-	-	247	296	312	-
	SEMI-DETACHED/ROW	-	197	236	279	307	-
	WALKUP	176	192	225	277	301	-
	ELEVATOR	219	269	301	-	-	-
SAN JOSE	DETACHED	-	-	301	359	400	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	214	232	261	330	382	-
	ELEVATOR	255	289	326	-	-	-
SAN RAFAEL	DETACHED	-	-	336	423	515	-
	SEMI-DETACHED/ROW	-	261	318	405	469	-
	WALKUP	220	249	290	342	417	-
	ELEVATOR	261	324	365	-	-	-

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: . These Fair Market Rents include projection for construction time through Dec. 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 and rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single-room occupancy dwelling units are those for 0 - Bedroom units of the same type.

INSURING OFFICE HONOLULU, HAWAII

REGION IX - San Francisco

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
HONOLULU	DETACHED	-	-	336	571	607	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	262	309	369	428	488	-
	ELEVATOR	298	339	387	-	-	-
GUAM	DETACHED	-	-	-	436	493	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	-	306	363	419	476	-
	ELEVATOR	-	-	-	-	-	-
HILO	DETACHED	-	-	312	366	425	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	204	250	272	306	340	-
	ELEVATOR	-	-	-	-	-	-
KAAHI	DETACHED	-	-	363	399	434	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	190	232	262	296	333	-
	ELEVATOR	-	-	-	-	-	-

INSURING OFFICE HONOLULU, HAWAII

REGION IX - SAN FRANCISCO

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
KONA	DETACHED	-	-	295	402	442	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	187	250	295	329	363	-
	ELEVATOR	-	-	-	-	-	-
MAUI	DETACHED	-	-	431	486	523	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	215	277	308	344	381	-
	ELEVATOR	-	-	-	-	-	-
TRUST TERRITORY	DETACHED	-	-	445	470	530	-
	SEMI-DETACHED/ROW	-	-	-	-	-	-
	WALKUP	-	-	-	-	-	-
	ELEVATOR	-	-	-	-	-	-

## PROPOSED RULES

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

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AREA OFFICE SEATTLE		REGION X SEATTLE					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SEATTLE	DETACHED	-	-	272	311	350	
	SEMI-DETACHED/ROW	-	227	259	298	337	
	WALKUP	175	214	246	285	324	
	ELEVATOR	240	298	350	-	-	
PORT ANGELES	DETACHED	-	-	271	320	355	
	SEMI-DETACHED/ROW	-	205	248	294	329	
	WALKUP	175	201	244	287	317	
	ELEVATOR	207	235	278	-	-	
LONGVIEW	DETACHED	-	-	246	291	330	
	SEMI-DETACHED/ROW	-	201	227	272	311	
	WALKUP	162	188	214	259	298	
	ELEVATOR	201	227	259	-	-	
ABERDEEN	DETACHED	-	-	253	298	337	
	SEMI-DETACHED/ROW	-	201	240	285	324	
	WALKUP	155	181	227	272	311	
	ELEVATOR	-	-	-	-	-	

AREA OFFICE SEATTLE		REGION X SEATTLE					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
BELLINGHAM	DETACHED	-	-	253	298	337	
	SEMI-DETACHED/ROW	-	207	240	279	317	
	WALKUP	168	194	227	259	299	
	ELEVATOR	-	-	-	-	-	
OLYMPIA	DETACHED	-	-	253	298	337	
	SEMI-DETACHED/ROW	-	207	240	279	317	
	WALKUP	168	194	227	259	299	
	ELEVATOR	-	-	-	-	-	
YAKIMA	DETACHED	-	-	253	298	337	
	SEMI-DETACHED/ROW	-	214	240	285	324	
	WALKUP	162	188	220	272	311	
	ELEVATOR	-	-	-	-	-	

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
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AREA OFFICE Seattle (Alaska)		REGION X SEATTLE					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ANCHORAGE	DETACHED	-	-	460	499	544	
	SEMI-DETACHED/ROW	-	395	440	479	525	
	WALKUP	285	324	369	421	466	
	ELEVATOR	363	427	479	-	-	
FAIRBANKS	DETACHED	-	-	486	531	583	
	SEMI-DETACHED/ROW	-	415	466	525	570	
	WALKUP	363	395	447	505	557	
	ELEVATOR	-	-	-	-	-	
JUNEAU	DETACHED	-	-	479	525	570	
	SEMI-DETACHED/ROW	-	408	453	499	544	
	WALKUP	330	370	415	466	512	
	ELEVATOR	395	473	525	-	-	
KETCHIKAN	DETACHED	-	-	369	445	460	
	SEMI-DETACHED/ROW	-	305	350	395	440	
	WALKUP	246	285	330	376	421	
	ELEVATOR	-	-	-	-	-	

INSULING OFFICE SPOKANE		REGION X SEATTLE					
MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
SPOKANE, WA.	DETACHED	-	-	297	329	361	
	SEMI-DETACHED/ROW	-	251	284	316	348	
	WALKUP	168	200	239	284	316	
	ELEVATOR	187	239	290	-	-	
CRENEY, WA.	DETACHED	-	-	271	316	348	
	SEMI-DETACHED/ROW	-	213	251	297	329	
	WALKUP	161	193	232	277	309	
	ELEVATOR	-	-	-	-	-	
KENNEWICK, WA.	DETACHED	-	-	303	335	367	
	SEMI-DETACHED/ROW	-	258	290	322	355	
	WALKUP	174	206	245	290	322	
	ELEVATOR	-	-	-	-	-	
PULLMAN, WA.	DETACHED	-	-	277	322	355	
	SEMI-DETACHED/ROW	-	219	258	303	335	
	WALKUP	174	206	245	290	322	
	ELEVATOR	-	-	-	-	-	
COEUR D'ALENE, IDA.	DETACHED	-	-	271	316	348	
	SEMI-DETACHED/ROW	-	213	251	297	329	
	WALKUP	161	193	232	277	309	
	ELEVATOR	-	-	-	-	-	
LEWISTON, IDA.	DETACHED	-	-	284	322	355	
	SEMI-DETACHED/ROW	-	239	271	309	342	
	WALKUP	168	200	232	284	316	
	ELEVATOR	-	-	-	-	-	

# PROPOSED RULES

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U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Section 8 Housing Assistance Payments Program

Schedule A - Fair Market Rents for New Construction and Substantial Rehabilitation (Including State Agencies Program)

Effective Date: These Fair Market Rents include projection for construction time through Dec. 31, 1976.

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AREA OFFICE: PORTLAND, ORE. REGION: X SEATTLE

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
ONTARIO	DETACHED	-	-	280	318	356	
	SEMI-DETACHED/ROW	-	223	261	305	343	
	WALKUP	172	210	249	299	337	
	ELEVATOR	-	-	-	-	-	
PORTLAND	DETACHED	-	-	254	293	331	
	SEMI-DETACHED/ROW	-	216	248	280	312	
	WALKUP	172	204	235	267	299	
	ELEVATOR	215	285	317	-	-	
BEND	DETACHED	-	-	240	286	324	
	SEMI-DETACHED/ROW	-	210	242	274	305	
	WALKUP	166	197	229	260	293	
	ELEVATOR	199	242	281	-	-	
COOS BAY	DETACHED	-	-	254	286	318	
	SEMI-DETACHED/ROW	-	210	242	274	305	
	WALKUP	166	197	229	261	293	
	ELEVATOR	-	-	-	-	-	
EUGENE	DETACHED	-	-	254	286	318	
	SEMI-DETACHED/ROW	-	204	242	274	305	
	WALKUP	159	191	229	261	293	
	ELEVATOR	223	274	324	-	-	
REDFORD	DETACHED	-	-	261	293	324	
	SEMI-DETACHED/ROW	-	216	248	280	312	
	WALKUP	172	204	235	267	299	
	ELEVATOR	-	-	-	-	-	

AREA OFFICE: PORTLAND, ORE. REGION: X SEATTLE

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS					
		0	1	2	3	4	or more
WEST SALEM	DETACHED	-	-	248	280	318	
	SEMI-DETACHED/ROW	-	197	235	267	305	
	WALKUP	153	185	223	261	293	
	ELEVATOR	-	-	-	-	-	
BOISE, IDA.	DETACHED	-	-	306	345	384	
	SEMI-DETACHED/ROW	-	235	273	310	350	
	WALKUP	176	215	253	306	345	
	ELEVATOR	222	273	325	-	-	
IDAH0 FALLS, IDA.	DETACHED	-	-	273	312	351	
	SEMI-DETACHED/ROW	-	215	254	299	338	
	WALKUP	156	195	234	286	325	
	ELEVATOR	-	-	-	-	-	
MC CALL, IDA.	DETACHED	-	-	306	345	384	
	SEMI-DETACHED/ROW	-	234	273	319	358	
	WALKUP	176	215	254	306	345	
	ELEVATOR	-	-	-	-	-	
POCATELLO, IDA.	DETACHED	-	-	324	365	405	
	SEMI-DETACHED/ROW	-	257	297	338	378	
	WALKUP	189	230	270	324	365	
	ELEVATOR	194	238	282	-	-	
TWIN FALLS, IDA.	DETACHED	-	-	293	332	371	
	SEMI-DETACHED/ROW	-	234	273	319	358	
	WALKUP	176	215	254	306	345	
	ELEVATOR	-	-	-	-	-	

## SCHEDULE B—FAIR MARKET RENTS FOR EXISTING HOUSING (INCLUDING STATE AGENCIES PROGRAM)

[SCHEDULE B FAIR MARKET RENTS WILL BE PUBLISHED AT A LATER DATE]

### Subpart B—Contract Rent Automatic Annual Adjustment Factors

#### § 1280.201 Purpose and Applicability.

Schedule C of this Part sets forth the Automatic Annual Adjustment Factors as determined by HUD for the Section 8

Housing Assistance Payments Program—New Construction, Substantial Rehabilitation, and State Agencies (see 24 CFR 1273.103(h)(2), 1277.103(h)(2), and 1278.203(e)(2), respectively).

#### § 1280.202 Manner of Publication.

Schedule C Adjustment Factors will be published in the FEDERAL REGISTER at least annually. Interim revisions may be published as market conditions dictate.

## SCHEDULE C—CONTRACT RENT AUTOMATIC ANNUAL RENT ADJUSTMENT FACTORS

[SCHEDULE C ADJUSTMENT FACTORS WILL BE PUBLISHED AT A LATER DATE]

Issued at Washington, D.C., December 12, 1974.

DAVID M. DEWILDE,  
Acting Assistant Secretary for  
Housing Production and  
Mortgage Credit/FHA Commissioner.

[FR Doc. 74-29464 Filed 12-18-74; 8:45 am]



Editorial

# NUCLEAR ENERGY AND THE FUTURE

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# **federal register**

THURSDAY, DECEMBER 19, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 245



PART IV

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## **FEDERAL ENERGY ADMINISTRATION**

■

### **NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION**

January 1975 Supplier Percentage Notice

**FEDERAL ENERGY ADMINISTRATION  
NATIONAL UTILITY RESIDUAL FUEL OIL  
ALLOCATION**

**Supplier Percentage Notice for January,  
1975**

Pursuant to the provisions of 10 CFR 211.163(b)(3), 211.165 and 211.166(d)(2), the Federal Energy Administration (FEA) hereby provides notice of the volumes of residual fuel oil allocated to each utility for January, 1975, and the percentage of such volumes required to be supplied by each supplier for delivery in January. This information is set forth in the Appendix to this notice. Adjustments of certain supplier base period percentages have been made at the request of affected utilities, pursuant to the criteria of 10 CFR 205.25 and are reflected in the Appendix.

The utility allocations were determined after review of the impact of available fuel supplies between utility and non-utility uses of residual fuel oil. In calculating the allocation level for each utility the FEA considered all of the factors enumerated in 10 CFR 211.163(b)(3) and also the following other factors:

1. The data contained in the Federal Power Commission (FPC) Forms 23 and 23A submitted by utilities;
2. Reduced utility coal reserves;
3. Natural gas curtailments;
4. FEA's prediction that the supply level of residual fuel oil is expected to generally equate to the total demand.

The amounts shown in the Appendix are the quantities of residual fuel oil to be delivered to the utilities listed during the month of January, 1975. Some utilities will not receive any allocation for this month. This is due to the fact that these utilities burn other fuels primarily and use residual fuel oil only for standby purposes.

The Appendix provides the names of the suppliers obligated to supply each utility and each supplier's percentage and volume of each month's allocation to a utility. The first column of the Appendix lists each utility with its suppliers. The second column sets forth the recommended FEA burn level for January. The third and fourth columns provide each supplier's respective percentage and volume share of a utility's allocated volume of residual fuel oil. The fifth column provides the total volume of residual fuel oil for each utility from all suppliers. Following the name of certain suppliers, an additional supplier is shown in parentheses. The supplier in parentheses is presumed, on the basis of the best information available, to be the supplier of the utility's supplier. This information is provided for the convenience of such suppliers and the FEA requests that any additions or corrections in this regard be forwarded to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

FEA will consider special circumstances such as unexpected outages which may cause fuel consumption to exceed FEA burn levels in any month. Adjustments have been made in the allocation levels of certain utilities to reflect necessary corrections in the delivery levels authorized in previous months. It is contemplated that corrections or adjustments to delivery levels for certain utilities may be required during the month of January to avoid undue hardship. Such corrections or adjustments may be made pursuant to Subparts B and C of 10 CFR Part 205.

FEA expects the utilities to consume supplies at or below FEA burn levels, which are based on the utilities' proposed burn levels less adjustments for projected growth exceeding historic averages.

The utility residual fuel oil allocation program is based in part on the data derived from utilities' filings of FPC Forms 23 and 23A. Thus, the timely submission of these forms will be a necessary prerequisite to receiving future allocation notices.

Reports should be addressed to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

Issued in Washington, D.C., December 16, 1974.

ROBERT E. MONTGOMERY, JR.,  
General Counsel.

## NOTICES

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## RESIDUAL FUEL OIL ALLOCATIONS TO UTILITIES FOR THE MONTH OF JANUARY 1975

RECOMMENDED  
FEO BURN

PCT

BY SUPPLIER  
(BARRELS)PAGE 1  
TOTAL  
(BARRELS)

## 1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)

## CONNECTICUT

NORTHEAST UTILITIES	2,147,000			2,147,000
AMERADA HESS CORP		68.0	1,459,960	
TAO JONES CO (GULF)		21.0	450,870	
WYATT INC (EXXON)		10.0	214,700	
H N HARTWELL & SON INC		1.0	21,470	
UNITED ILLUMINATING CO	741,150			741,150
ILXACO		87.0	644,801	
WYATT INC (EXXON)		13.0	96,350	

## MAINE

BANGOR HYDRO ELEC. CO.	29,010			29,010
SPRAGUE		100.0	29,010	
CENTRAL MAINE POWER CO.	322,410			322,410
ILXACO		100.0	322,410	
MAINE PUBLIC SERVICE CO.	19,500			19,500
DEAD RIV. CO. (SPRAGUE)		100.0	19,500	

## MASSACHUSETTS

BOSTON EDISON CO.	1,285,995			1,285,995
WHITE FUEL (TEXACO)		46.0	591,558	
EXXON		42.0	540,118	
SPRAGUE		12.0	154,319	
BRAINIERE ELEC. LT. DEPT.	17,691			17,691
CK SMITH (GOLD EAGLE)		100.0	17,691	
E. UTIL. ASSOC. (MONTAUP & BLACKS)	338,000			338,000
ILXACO		100.0	338,000	
FITCHBURG GAS & EL.	21,901			21,901
NORTHEAST PETROLEUM		100.0	21,901	
HOLYOKE GAS AND ELECTRIC	25,404			25,404
WYATT INC (EXXON)		100.0	25,404	
NEW ENG. ELEC	1,263,481			1,263,481
ASIATIC PETRO CORP		60.0	758,089	
GOLD EAGLE		39.9	504,129	
PRULASE		.1	1,263	

NEW ENG. G & F	674,000			674,000
NEW ENGLAND PETRO		84.8	571,552	
WHITE FUEL (TEXACO)		15.2	102,448	
PLEABODY ELECTRIC LT DEPT	1,465			1,465
PICKERING (NEPCO)		100.0	1,465	
TAUNTON MUN. LT.	104,844			104,844
QUINCY OIL CO (EXXON)		100.0	104,844	
NEW HAMPSHIRE				
-----				
PUB SER OF N.H.	465,000			465,000
SPRAGUE		26.3	122,295	
CONOCO		73.7	342,705	
NEW YORK				
-----				
CENTRAL HUDSON GAS & ELEC CO	1,330,886			1,330,886
AMERADA HESS CORP		100.0	1,330,886	
CONSOL EDISON OF NY	4,015,078			4,015,078
NEW ENGLAND PETRO		45.5	1,826,860	
EXXON		20.8	835,136	
AMERADA HESS CORP		22.3	895,362	
TEXACO		11.4	457,719	
FREEPORT, VILLAGE OF	22,500			22,500
BURNS BROS O. (NEPCO)		100.0	22,500	
LONG ISLAND LIGHT CO.	1,797,000			1,797,000
NEW ENGLAND PETRO		100.0	1,797,000	
NIAGARA MOHAWK POWER CO.	449,048			449,048
NEW ENGLAND PETRO		100.0	449,048	
ORANGE & ROCKLAND UTILITIES	1,125,137			1,125,137
NEW ENGLAND PETRO		31.6	355,543	
HOWARD FUEL CORP		68.4	769,594	

## NOTICES

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ROCHESTER GAS & ELECTRIC	147,764			147,764
ALLIED O		29.7	43,886	
MONOCO OIL COMPANY		70.3	103,878	

## RHODE ISLAND

NEWPORT ELECTRIC CORP	9,030			9,030
CK SMITH		100.0	9,030	

## 2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)

## DELAWARE

DELMARVA PWR & LT	563,000			563,000
STUART PETROLEUM CO		22.0	123,860	
TEXACO		5.0	28,150	
GULF		8.0	45,040	
CONOCO		65.0	365,950	
DOVER, CITY OF	34,819			34,819
TEXACO		100.0	34,819	

## DISTRICT OF COLUMBIA

POTOMAC ELEC. PWR.	1,368,000			1,368,000
ASIATIC PETRO CORP		79.0	1,080,720	
STUART PETROLEUM CO		21.0	287,280	

## MARYLAND

BALTIMORE GAS & ELECTRIC	999,082			999,082
AMERADA HESS CORP		52.7	526,516	
EXXON		47.3	472,566	

## NEW JERSEY

ATLANTIC CITY ELECTRIC COMPA	381,054			381,054
AMERADA HESS CORP		60.0	228,632	
CONOCO		40.0	152,422	
GPU INTEGRATED SYSTEM	441,186			441,186
AMERADA HESS CORP		94.0	414,715	
SWANN OIL INC		5.0	22,059	
SHIPLEY-HUMBLE		1.0	4,412	

PUBLIC SERVICE ELECTRIC	1,666,000			1,666,000
AMERADA HESS CORP		78.0	1,299,480	
EXXON		22.0	366,520	
VINELAND, CITY OF ELEC.	41,859			41,859
SWANN OIL INC		100.0	41,859	

## PENNSYLVANIA

PENNSYLVANIA PWR & LT	0			0
PHILADELPHIA ELECTRIC CO.	1,224,400			1,224,400
ARCO		28.5	348,954	
AMERADA HESS CORP		21.5	263,246	
GULF		9.0	110,196	
NEW ENGLAND PETRO		2.1	25,712	
TEXACO		24.0	293,856	
CONOCO		14.9	182,436	

## 3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)

## FLORIDA

FLORIDA KEYS ELEC COOP	0			0
FLORIDA P & L	1,437,000			1,437,000
EXXON		15.0	215,550	
BELCHER OIL (EXXON)		85.0	1,221,450	
FLORIDA POWER CORPORATION	1,575,374			1,575,374
EXXON		60.0	945,224	
AMERADA HESS CORP		40.0	630,150	
FORT PIERCE, CITY OF	50,000			50,000
NEW ENGLAND PETRO		100.0	50,000	
GAINESVILLE, CITY OF	82,339			82,339
EASTERN SEABOARD		100.0	82,339	
GULF POWER CO.	26,928			26,928
HAKEE SERVICE (EXXON)		100.0	26,928	
JACKSONVILLE ELEC. AUTH.	615,255			615,255
VEN FUEL INC		82.6	508,201	
AMERADA HESS CORP		8.7	53,527	
NEW ENGLAND PETRO		8.7	53,527	

## NOTICES

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KEY WEST UTILITIES STD.OIL-KY	52,510	100.0	52,510	52,510
LAKE WORTH UTIL AUTHORITY BELCHER OIL (EXXON)	10,374	100.0	10,374	10,374
LAKELAND LIGHT & WTR DEPT BELCHER (STD.OIL-KY)	132,000	100.0	132,000	132,000
NEW SMYRNA BEACH ORLANDO UTILITIES COMM. NEW ENGLAND PETRO	0 426,686	100.0	426,686	0 426,686
SEBRING UTILITIES COMM. UNION OIL OF CA	965	100.0	965	965
TALLAHASSEE, CITY OF UNION OIL OF CA	119,833	100.0	119,833	119,833
TAMPA ELECTRIC CO. WESTERN (STD.OIL-KY)	24,385	100.0	24,385	24,385
VERO BEACH MUNICIPAL POWER BELCHER OIL (EXXON)	28,904	100.0	28,904	28,904
-----				
GEORGIA				
-----				
GEORGIA POWER COMPANY NEW ENGLAND PETRO	90,654	100.0	90,654	90,654
SAVANNAH ELECTRIC & POWER CO COLONIAL OIL (EXXON)	205,469	100.0	205,469	205,469
-----				
MISSISSIPPI				
-----				
MISSISSIPPI POWER CO. ERGONITHIL TRADING)	67,580	45.0	30,411	67,580
BAKER SERVICE (EXXON)		55.0	37,169	

SOUTH MISSISSIPPI ELEC	49,189			49,189
SOUTHLAND OIL		83.0	40,827	
AMERADA HESS CORP		17.0	8,362	
-----				
NORTH CAROLINA				
CAROLINA POWER & LT.	203,719			203,719
EXXON		100.0	203,719	
-----				
SOUTH CAROLINA				
S. CAROLINA ELEC & GAS CO	459,643			459,643
EXXON		100.0	459,643	
-----				
S. CAROLINA PUB SERV AUTH	0			0
VIRGINIA				
-----				
VIRGINIA ELECTRIC POWER	1,557,000			1,557,000
EXXON		56.0	871,920	
AMERADA HESS CORP		19.7	306,729	
AMOCO		24.3	378,351	

## 4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)

-----				
ARKANSAS				
ARKANSAS ELEC COOP	166,434			166,434
LOGICOM INC (SHELL)		80.0	133,147	
E L BRIDE (TEXACO)		20.0	33,287	
-----				
JONESBORO WATER AND LIGHT PL	0			0
COLORADO				
-----				
CI&O S. COLO PWR DIV.	0			0
KANSAS				
-----				
CENTRAL KANSAS PWR	7,435			7,435
GR. PLS (CRA-FARMLAND)		100.0	7,435	

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CHANDLER, CITY OF	5,699			5,699
MID AMER. REFINING		100.0	5,699	
CLAY-CENTER LT&WTR	1,000			1,000
CARTER WTR		100.0	1,000	
COFFEYVILLE LT & PWR	4,921			4,921
CRA-FARMLAND		100.0	4,921	
CIO, WESTERN PWR DIV	72,904			72,904
AMOCO		73.0	53,220	
NORTH AMER PETRO		23.0	16,768	
CARTER WTR		4.0	2,916	
KANSAS GAS & ELEC	362,292			362,292
FRONTIER PRODUCTION		15.3	55,431	
ASPH&PETRO INDUST		84.7	306,861	
KANSAS POWER & LIGHT	140,000			140,000
PHILLIPS PETROLEUM		46.1	64,540	
GR. PLS		38.4	53,760	
NIL COOP REFINERY		15.5	21,700	
LARNED WTR & ELEC	771			771
CARTER WTR		100.0	771	
MURKINSON RD OF PUB UTIL	8,370			8,370
NIL COOP REFINERY		100.0	8,370	
OTTAWA WTR & LI	0			0
LOUISIANA				
-----				
CENTRAL LOUISIANA ELECTRIC C	0			0
JONESBORO POWER & LIGHT	0			0
MIDDLE SOUTH SERVICES	1,778,498			1,778,498
MURPHY OIL CORP		30.0	533,549	
TAUBER OIL CO		20.5	364,592	
SHELL		21.3	378,820	
EXXON		12.9	229,426	
GULF		9.5	168,357	
ERGON INC (EXXON)		3.8	67,583	
L L BRIDE (OKC REF.)		1.7	30,234	
REESE OIL (SUN OIL)		.3	5,335	

## NOTICES

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SOUTHWESTERN ELECTRIC POWER FALCO	37,000	100.0	37,000	37,000
MISSISSIPPI				
CLARKSDALE WTR & LT SOUTHLAND OIL	4,937	100.0	4,937	4,937
YAZOO CITY PUR SERV SOUTHLAND OIL (HOWELL)	6,428	100.0	6,428	6,428
MISSOURI				
EMPIRE DIST ELEC E L BRIDE	12,000	100.0	12,000	12,000
ST JOSEPH LT & PWR E L BRIDE	16,500	100.0	16,500	16,500
OKLAHOMA				
BLACKWELL WTR & LT SHEPHERD (MIDSTATES)	1,400	100.0	1,400	1,400
OKLAHOMA GAS & ELFC WESTERN FARMERS ELEC COOP MCPHERSON BROS	0 39,633	0 100.0	0 39,633	0 39,633
TEXAS				
GULF STATES UTILITIES	495,491			495,491
COASTAL STATES MKTG		37.5	185,809	
TENNECO		16.1	79,774	
LAJET		4.0	19,820	
EXXON		20.1	99,594	
SOUTH HAMPTON CO		22.3	110,494	
5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)				
AUSTIN CITY ELEC DEPT TESORO	35,714	100.0	35,714	35,714

## NOTICES

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BRAZOS ELEC COOP	0		0
BRYAN, CITY OF	11,200		11,200
PLTROLEUM T&T(3 RIVE		100.0	11,200
DALLAS POWER &LT.	25,000		25,000
WINSTON REF CO		18.2	4,550
KERR MCGEE OIL CO		18.9	4,725
J&W REFINING		47.2	11,800
BEE OIL&REFINING		15.6	3,900
GARLAND, CITY OF	59,259		59,259
PRIDE REFINERY INC		74.7	44,266
DELTA REFINING CO		25.3	14,993
HOUSTON LIGHT & PWR	0		0
LOWER COLORADO RIVER AUTH	0		0
MEDINA ELEC COOP	150		150
TESORO		100.0	150
SAN ANTONIO PUB SERV	325,401		325,401
TESORO		100.0	325,401
TEXAS ELEC SERV	0		0
TEXAS PWR & LT	25,973		25,973
LA GLORIA OIL&GAS CO		31.1	8,078
J&W REFINING		49.0	12,727
KERR MCGEE		19.9	5,169
WEST TEXAS UTIL	236,200		236,200
PRIDE REFINING INC		100.0	236,200

## 6. MID-AMERICA INTERPOOL NETWORK (MAIN)

## ILLINOIS

-----			
COMMONWEALTH EDISON CO.	340,000		340,000
ALLIED O.		98.0	333,200
CLARK OIL&REF.CORP		2.0	6,800

## NOTICES

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ILLINOIS POWER CO	42,549			42,549
ALLIED O.		100.0	42,549	
-----				
MISSOURI				
UNION ELECTRIC	25,000			25,000
APEX OIL CO		100.0	25,000	
-----				
WISCONSIN				
SUPERIOR WTR & LT	13,334			13,334
MURPHY OIL CORP		100.0	13,334	
WISCONSIN ELEC PWR	16,667			16,667
INDUST FUEL & ASPHALT		100.0	16,667	

## 7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)

-----				
IOWA				
ATLANTIC MUNICIPAL UTILITIES	4,166			4,166
McMILLAN OIL CO		100.0	4,166	
INTERSTATE POWER	54,658			54,658
NORTHWESTERN REF		100.0	54,658	
LAMONI MUNIC	0			0
-----				
MINNESOTA				
AUSTIN UTILITIES	5,991			5,991
NORTHWESTERN REF		48.3	2,894	
GUSTAFSON OIL CO		33.0	1,977	
W H BARBER		18.7	1,120	
FAIRMONT WTR & LT	0			0
MARSHALL MUNICIPAL UTIL	2,792			2,792
E L BRIDE		100.0	2,792	
MINNESOTA PWR & LT	30,500			30,500
MURPHY OIL		100.0	30,500	

## NOTICES

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NORTHERN STATES PWR	0		0
OWATONNA MUN UTIL	20,864		20,864
NORTHWESTERN REF		60.0	12,518
GUSTAFSON OIL CO		40.0	8,346
WORTHINGTON, CITY OF	7,247		7,247
ALLIED O.		100.0	7,247
NEBRASKA			
-----			
CENTRAL NEBRASKA PUBLIC	65,016		65,016
FARMLAND INDUSTRIES		100.0	65,016
FAIRBURY LT & WTR	4,615		4,615
CARTER WTR (TEXACO)		100.0	4,615
GRAND ISLAND ELEC	39,332		39,332
E. L. PRIDE		100.0	39,332
HASTINGS UTILITIES DEPT	5,181		5,181
CARTER WTR		100.0	5,181
LINCOLN ELECTRIC SYSTEM	3,229		3,229
E. L. BRIDE CO		100.0	3,229
NEBRASKA PUBLIC POWER DISTRI	24,664		24,664
PANHANDLE COOP ASSOC		100.0	24,664
OMAHA PUB PWR DIST	7,117		7,117
MILNER OIL CO		100.0	7,117
WISCONSIN			
-----			
LAKE SUPERIOR DIST PWR	32,945		32,945
DOME PETROLEUM		100.0	32,945
8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)			
1			
MICHIGAN			
-----			
CLINTON LT & WTR	730		730
CRYSTAL REFINING CO		100.0	730

CONSUMERS POWER	569,221			569,221
CONSUMERS PWR-CRUDE		54.0	307,379	
LAKE SIDE REFINING CO		14.0	79,691	
USCEOLA REFINING CO		8.0	45,538	
TOTAL LEONARD INC		4.0	22,769	
MURPHY MI.DIV.AMOCO		6.0	34,153	
ENTERPRISE OIL CO		6.0	34,153	
HUPON OIL (STANDARD)		3.0	17,077	
INDUST FUEL&ASPHALT		2.0	11,384	
ROFF OIL COMPANY		2.0	11,384	
GLADIEUX REF		1.0	5,692	
 DETROIT EDISON CO.	 687,224			 687,224
SUN OIL LTD		70.0	481,057	
CANADIAN FUEL MKRS		9.9	68,035	
ENTERPRISE OIL CO		4.8	32,987	
PEIRO PRODUCTS		5.4	37,110	
MARATHON OIL		9.9	68,035	
 GRAND HAVEN BD PUB	 722			 722
USCEOLA REF		100.0	722	
 HILLSDALE BD OF PUB WORKS	 7,724			 7,724
LEWIS (GLADIEUX REF)		100.0	7,724	
 OHIO				
-----				
CLEVELAND ELEC ILLUMIN	204,860			204,860
ALLIED O. (ASHLAND)		100.0	204,860	
 TOLEDO EDISON	 0			 0
PENNSYLVANIA				
-----				
ALLEGHENY POWER SERVICE	40,000			40,000
ALLIED O. (NEPCO)		100.0	40,000	
 9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)				
 ARIZONA				
-----				
ARIZONA PUBLIC SERVICE CO.	232,220			232,220
UNION OIL OF CAL		63.0	146,299	
PACIFIC SOUTHWEST		16.5	38,316	
SAN JOAQUIN REF		16.5	38,316	
BASIN FUELS		4.0	9,289	

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SALT RIVER PROJECT	3,983		3,983
ILSORU	12.4	494	
DOUGLAS OIL CO	2.8	112	
GUSTAFSON OIL CO	.9	36	
MACMILLAN	17.0	677	
POWERINE OIL CO	18.1	721	
LITTLE AMERICA	19.7	785	
SAN JOAQUIN REF	29.1	1,159	
TUCSON GAS & ELEC	186,120		186,120
GOLDEN GATE PETRO	22.0	40,946	
NAVAJO REFINING	5.0	9,306	
TUSCO	43.0	80,032	
UNION OIL OF CA	25.0	46,530	
HOLLAND OIL (TUSCO)	5.0	9,306	
CALIFORNIA			
-----			
BURBANK CITY PUBLIC SER.	89,900		89,900
CARSON (GOLD EAGLE)	100.0	89,900	
GLENDALE PUBLIC SERVICES	93,702		93,702
POWERINE OIL CO	100.0	93,702	
IMPERIAL IRRIGATION DIST	68,700		68,700
CRESCENT REF & (GULF)	100.0	68,700	
LOS ANGELES DEPT OF WATER &	1,605,000		1,605,000
ARCO	59.8	959,790	
EDGINGTON OIL CO	20.9	335,445	
PETROBAY	7.6	121,980	
NEPHALL REFINING CO	5.0	80,250	
SAN JOAQUIN REF	3.5	56,175	
POWERINE OIL CO	3.2	51,360	
PACIFIC GAS & ELECTRIC CO	3,030,599		3,030,599
ARCO	59.8	1,012,298	
UNION OIL OF CA	4.0	121,224	
PHILLIPS PETROLEUM	20.1	609,150	
PERTA OIL	16.1	487,926	

PASADENA POWER CO.	104,208			104,208
GOLD EAGLE		100.0	104,208	
SAN DIEGO GAS & ELECTRIC CO.	1,010,000			1,010,000
UNION OIL OF CA		29.8	300,980	
HILL		16.2	163,620	
EDGINGTON OIL CO		21.3	215,130	
TESORO		32.7	330,270	
SOUTHERN CALIF EDISON	4,998,000			4,998,000
SID. OIL-CAL		50.1	2,503,998	
TEXACO		9.7	484,806	
ARCO		7.8	389,844	
EXXON		20.4	1,019,592	
PACIFIC RESOURCES		6.8	339,864	
MACMILLAN R.F. OIL		3.0	149,940	
CONOCO		2.2	109,956	
-----				
COLORADO				
COLORADO SPRINGS LT & PWR	0			0
LAMAR LT & PWR	0			0
PUB SERV COLORADO	148,055			148,055
PLATEAU INC		20.1	29,759	
REF. CORP		43.5	64,404	
CONOCO		36.4	53,892	
-----				
MONTANA				
MONTANA POWER	0			0
-----				
NEVADA				
NEVADA POWER COMPANY	98,210			98,210
GUSTAFSON OIL CO		54.0	53,033	
HUSKY OIL COMPANY		46.0	45,177	
SIERRA PACIFIC POWER	128,531			128,531
GOLDEN GATE PETRO		100.0	128,531	

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## NEW MEXICO

PLAINS ELEC GEN & TRANSM	3,333			3,333
PLATEAU INC		97.8	3,260	
CARIBOU 4 CORNERS		2.2	73	
PUB SERV NEW MEXICO	73,871			73,871
PLATEAU INC		39.8	29,401	
SHELL		26.4	19,502	
THRIFTWAY		5.4	3,989	
NAVAJO REFINING		24.1	17,803	
STD.OIL-TEXAS		4.3	3,176	

## OREGON

PACIFIC POWER & LIGHT CO	0			0
TEXAS				
COMMUNITY PUB SERV	24,781			24,781
STD.OIL-TEXAS		100.0	24,781	
EL PASO ELECTRIC	82,770			82,770
SOUTHERN UNION		74.5	61,664	
TESORO		25.5	21,106	

## UTAH

UTAH POWER & LIGHT CO.	0			0
WASHINGTON				
PUGET SOUND POWER & LIGHT CO.	137,622			137,622
ROSSO INC		1.0	1,376	
PACIFIC NORTHERN		16.0	22,020	
HONE OIL CO		2.0	2,752	
SOUTH CENTER OIL		16.5	22,708	
LILYBLAD		8.5	11,698	
CASCADE		8.0	11,010	
OLDS OLYMPIC		4.0	5,505	
SHELL		44.0	60,554	

SEATTLE DEPT OF LI SHELL	18,046	100.0	18,046	18,046
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TACOMA DEPT OF PUBLIC UTILIT	0			0
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## 10. ASCC

## ALASKA

CORDOVA, TOWN OF HAWAII	0			0
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HAWAIIAN ELECTRIC COMPANY SID.OIL-CA	666,003	100.0	666,003	666,003
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HILO ELEC LT SID.OIL-CA	31,299	100.0	31,299	31,299
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KAUAI ELECTRIC SID.OIL--CA	14,045	100.0	14,045	14,045
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MAUI ELECTRIC SID.OIL-CA	33,262	100.0	33,262	33,262
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## 11. NOT OTHERWISE CLASSIFIED

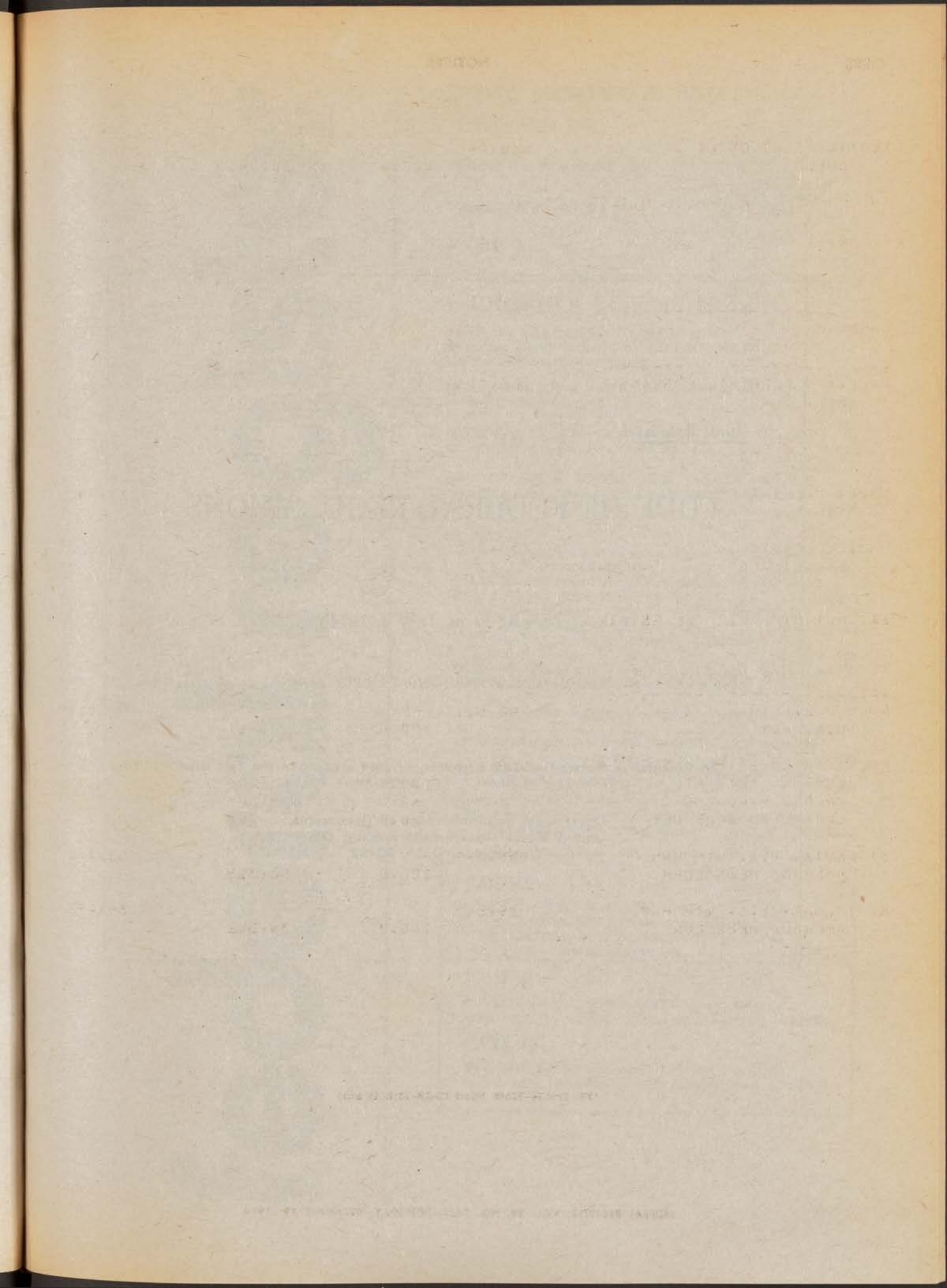
## UNK

GUAM PWK AUTH U.S.NAVY	92,511	100.0	92,511	92,511
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PUERTO RICO WATER RESOURCES	1,566,211			1,566,211
COMMONWEALTH OIL		50.0	783,106	
PUERTO RICO SUN OIL		30.0	469,863	
CARIBBEAN GULF REF		20.0	313,242	

ST CROIX, V.I. WTR PWK AMERADA HESS CORP	53,339	100.0	53,339	53,339
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ST THOMAS, V.I. WTR PWK AMERADA HESS CORP	39,542	100.0	39,542	39,542
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## CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1974)

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